

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast)

Council Assessment Report

Panel Reference	2016HCC021
DA Number	49556/2016
Local Government Area	Central Coast Council
Proposed Development	Mixed Use Development - 219 Units, 725m ² of Retail & Demolition of Existing Structures
Street Address	Lot 203 DP 1044058, Lot 202 DP 1044058, Lot 1 DP 805082, 280, 290 and 300 Mann Street, Gosford
Applicant	Karedis Nominees Pty Ltd
Owner	Karedis Nominees Pty Ltd
Date of DA Lodgement	31/03/2016
Number of Submissions	Two
Recommendation	Approval - subject to conditions
Regional Development Criteria (Schedule 4A of the Act)	Development with a capital investment value over \$20m
List of all relevant s79C(1)(a) matters	• Environmental Planning & Assessment Act 1979 - Section 79C • Local Government Act 1993 - Section 89 • Protection of the Environment Operations Act 1997 • Roads Act 1997 • State Environmental Planning Policy (SEPP) No 55 - Remediation of Land • State Environmental Planning Policy (SEPP) No 65 - Design Quality of Residential Apartment Development • State Environmental Planning Policy (Building Sustainability Index: (BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • Gosford Local Environmental Plan 2014 • Gosford Development Control Plan 2013
List all documents submitted with this report for the Panel's consideration	• Conditions of Consent • Architectural Plans • Landscape Plans • Applicant's Clause 4.6 Submission • SEPP 65 Design Verification Statement
Report prepared by	R A Eyre
Report date	14 September 2017

(contd)

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report? **Yes**
e.g. Clause 7 of SEPP 55 – Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Yes**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **No**

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable comments to be considered as part of the assessment report.



Title: Development Application No. 49556/2016, Proposed Mixed Use Development - 219 Units, 725m² of Retail & Demolition of Existing Structures on Lot 203 DP 1044058, Lot: 202 DP 1044058, Lot 1 DP 805082, 280, 290 and 300 Mann Street, Gosford

Department: Environment and Planning

Report Purpose

To enable the determination of a development application.

Applicant	Karedis Nominees Pty Ltd
Owner	Karedis Nominees Pty Ltd
Application Number	49556/2016
Description of Land	Lot 203 DP 1044058, Lot 202 DP 1044058, Lot 1 DP 805082, 280, 290 and 300 Mann Street, Gosford
Proposed Development	Mixed Use Development - 219 Units, 725m ² of Retail & Demolition of Existing Structures
Zoning	B4 Mixed Use
Site Area	5,071m ²
Existing Use	Commercial buildings and car parking (Former call centre and party supply shop)
Value of Works	\$83,286,500.00

Summary

A development application has been received for land adjacent to Gosford train station for demolition of existing structures and erection of two mixed use buildings. Building A will comprise a 24 storey tower on the southern end of the site. Building B will comprise a 4 storey building on the northern end of the site.

The development will contain:

- 219 apartments including:
 - 47 adaptable units
 - 53 one bedroom units
 - 166 two bedroom units
- 336 car parking spaces, 17 motorcycle spaces and 104 bicycle spaces.
- A gross floor area (GFA) of 27,820m² including 725m² of retail space.

Application Type	Development Application – Local
Application Lodged	31/03/2016
Delegation level Reason for delegation level	Joint Regional Planning Panel – development capital investment value over \$20 million

Advertised and Notified / Notified Only	Exhibition period closed on 06/05/2016
Submissions	Two (2)
Disclosure of Political Donations & Gifts	No

Recommendation

- A JRPP assume the concurrence of the Secretary of the Department of Planning and Environment for the use of clause 4.6 to vary the maximum height of building development standard of clause 8.9 of the Gosford Local Environmental Plan 2014 to permit the proposed development.
- B JRPP as consent authority grant consent to Development Application No 49556/2016 for Mixed Use Development - 219 Units, 725m² of Retail & Demolition of Existing Structures on Lot 203 DP 1044058, Lot 202 DP 1044058, Lot 1 DP 805082, 280, 290 and 300 Mann Street, Gosford subject to the conditions attached.
- C In accordance with Section 95(1) of the Environmental Planning & Assessment Act 1979, this consent shall be valid for a period of two (2) years.
- D The objectors are notified of JRPP's decision.
- E The External Authorities (Roads & Maritime Services and Sydney Trains) be notified of the JRPP's decision.

Assessment

This application has been assessed using the heads of consideration specified under Section 79C of the Environmental Planning & Assessment Act 1979, Council policies and adopted Management Plans.

Summary of Non Compliance

Policy	Details
Gosford Local Environmental Plan 2014 (GLEP)	Clause 8.9 Maximum height of building - 78m. Proposed height - 83.8m Variation - 5.8m or 7.4%
Gosford Development Control Plan 2013 (GDGP)	Site coverage maximum 75%, proposed 94%. Additional vehicle access proposed to Mann Street. Building setbacks.

Background

Previous applications approved on this site include fitouts for shop and office purposes.

Site & Surrounds

The site is known as Lot 203 DP 1044058, Lot 202 DP 1044058, Lot 1 DP 805082, 280, 290 and 300 Mann Street, Gosford located on the western side of Mann Street, between Faunce Street and Etna Street.

The site contains buildings previously used as a call centre and an existing party supply shop. The site has a 122.23m frontage to Mann Street and falls to the rear boundary with the Great Northern Railway Line.

The northern boundary adjoins the Sydney Trains depot. Land to the south contains a retail use and bus interchange for Gosford railway station. Land to the east contains a mix of retail/commercial/residential uses.

Land on the opposite side of Mann Street contains the former Mitre 10 store on the corner of Mann Street and Beane Street which is a heritage item under the GLEP 2014 (see Figure 1).

The area is in transition to include higher density residential and commercial, serving the Gosford CBD.

The site is not identified as being "bushfire prone land" on Council's bushfire maps.



Figure 1: Aerial photo (site shown edged in red)

The Proposal

The proposal comprises:

1. Demolition of all building and structures on the site and removal of all existing trees.
2. Construction of two mixed use buildings comprising Building A (24 storey tower) and Building B (four storey building) containing the following (see Figure 2):

-
- a) 219 apartments (including 47 adaptable dwellings, 21% of total apartments) comprising:
 - i) 53 x one bedroom apartments (24%)
 - ii) 166 x two bedroom apartments (76%)Building A comprises 201 units and Building B comprises 18 units
 - b) A total gross floor area (**GFA**) of 27,820m² which equates to a floor space ratio (**FSR**) of 5.5:1 comprising:
 - i) 725m² of non-residential uses
 - ii) 27,095m² of non-residential uses
 - c) Five parking levels, accessed from Mann Street and accommodating:
 - i) 336 car parking spaces comprising:
 - o 245 resident spaces
 - o 26 accessible spaces for residents
 - o 45 visitor spaces (including five accessible spaces)
 - o 20 retail spaces (including two accessible spaces)
 - ii) 17 motorcycle spaces
 - iii) 104 bicycle spaces
 - iv) A waste collection/loading dock
 - v) Resident storage for each apartment
 - d) Communal spaces at Level 4 of Building A
 - e) Landscaping of the site (see Figure 3)
 - f) Site consolidation
 - g) Substation

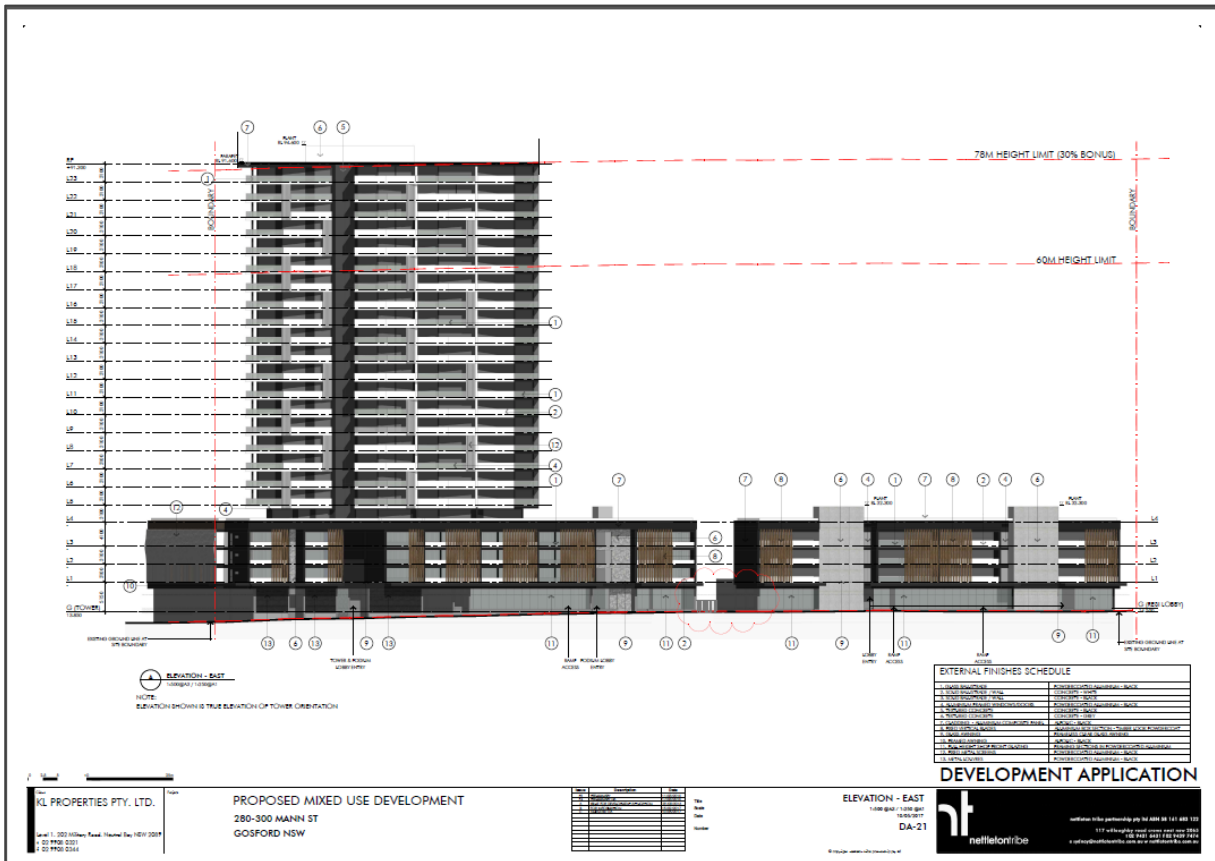


Figure 2: East Elevation



Figure 3: Landscape Plan

Applicable Planning Controls

The following planning policies and control documents are relevant to the development and were considered as part of the assessment.

- Environmental Planning & Assessment Act 1979 - Section 79C
- Local Government Act 1993 - Section 89
- Protection of the Environment Operations Act 1997
- Roads Act 1997
- State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)
- State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)
- State Environmental Planning Policy (Infrastructure) 2007
- Gosford Local Environmental Plan 2014 (GLEP)
- Gosford Development Control Plan 2013 (GDGP)

The application has been considered in light of the variations and is considered acceptable.

Draft Environmental Planning Instruments

No draft Environmental Instruments apply to this application.

Permissibility

The subject site is zoned B4 Mixed Use under GLEP 2014 (see figure 4). The proposed development is defined as a mixed use development containing retail and residential flat building as defined in GLEP 2014 which is permissible in the zone with consent.



Figure 4: Zoning Map (site shown edged in red)

State Environmental Planning Policies

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

The application is supported by a BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability, if built in accordance with the commitments in the certificate.

The proposal is considered to be consistent with the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

State Environmental Planning Policy (Infrastructure) 2007

Clause 85 of SEPP Infrastructure sets out provisions for development immediately adjacent to rail corridors.

The site adjoins the Great Northern Railway Line and the concurrence of Sydney Trains is required to grant consent to the proposal. Sydney Trains granted concurrence to the development on 22 December 2016, subject to conditions. These conditions must be included in any consent granted, otherwise Sydney Trains advise concurrence is not granted. Refer Conditions 7.1 – 7.27.

The development is also one which required referral to the Roads & Maritime Services under Clause 104 and schedule 3 of the SEPP. The RMS advise it raises no objection to the proposed development as it is considered there will be no significant impact on the nearby classified road system.

State Environmental Planning Policy No 32 – Urban Consolidation (Redevelopment of Urban Land) (SEPP 32)

SEPP 32 was repealed on 5 August 2016, however it was in force at the time the Development Application was submitted and so remains a relevant consideration of this assessment. Clause 7 of SEPP 32 requires implementation of the aims and objectives of the SEPP, as set out under Clause 2.

The proposal is considered to promote the orderly and economic use and development of land which will promote the social and economic welfare of the State. The application proposes a mixed use development of an appropriate density and scale for the locality. The development will provide housing in areas close to existing public infrastructure transport and community facilities. The proposal is consistent with the aims and objectives of SEPP 32.

State Environmental Planning Policy 55-Remediation of Land (SEPP 55)

Clause 7 of SEPP 55 requires Council to consider whether the land is contaminated when determining a development application. The site has previously been and is currently used for shops, offices, and car parking associated with such uses. Council has no information to indicate that any past use may have contaminated the site.

The applicant has submitted a Stage 1 Desktop Environmental Site Assessment from Environmental Site Services (EIS) which concludes that, based on limited information, the site has a moderate to high risk of potential contamination. This is mainly due to the site appearing to have been historically filled.

The report acknowledges that Council, Workcover, and the Environmental Protection Authority, have no records that indicate the site is contaminated.

The report recommends additional work be undertaken to better assess the risk. Council's Environmental Health Officer has reviewed the report and advises:

"The report generally complies with the Guidelines for Consultants Reporting on Contaminated Sites (Office of Environment and Heritage, 1997). Limited information regarding the site inspection was provided however it should be noted that the consultant had limited access due to existing buildings onsite and an existing carpark.

EIS consider that fill material and hazardous building material may pose a potential contamination risk. Based on the limited information and the known historic use of the site for railway activities, EIS assess the risk to be moderate to high.

The Stage 1 Environmental Site Assessment concludes;

"The site can be made suitable for the proposed development provided the following additional work is undertaken to better assess the risks:

- *Undertake a Stage 2 Environmental Site Assessment to meet the sampling density outlined in the NSW EPA Contaminated Sites Sampling Design Guidelines (1995); and*
- *Undertake a waste classification assessment for the off-site disposal of material to be excavated for the proposed development."*

The Compliance and Health Team agree with the recommendations of EIS and support the undertaking of a Stage 2 Environmental Site Assessment in accordance with NSW EPA guidelines. However, in accordance with SEPP 55, the applicant should also prepare a Remediation Action Plan and Validation Report to confirm that the site is suitable for the proposed use". **(Refer Conditions 2.13, 3.9, 4.17)**

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)

The proposal is subject to the requirements of SEPP 65. The application is supported by a Design Verification Statement prepared by Jeremy Bishop, Registered Architect No 5530 which verify that the design quality principles set out in SEPP 65 and the Apartment Design Guide (ADG) are achieved. **(Refer attachment 5)**

Council has assessed the proposal against the design quality principles which apply under SEPP 65 and conclude that the proposal meets the principles to a satisfactory degree.

Council's Architect has provided assessment advice in relation to the SEPP 65 Design Quality Principles which is provided in detail elsewhere in this report. Several concerns were raised and are provided below:

Council's Architect advises:

The proposal is subject to SEPP 65 and has been assessed against the nine criteria in the SEPP, the Apartment Design Guide (ADG) and the Gosford LEP 2014 (GLEP).

CONTEXT AND NEIGHBOURHOOD CHARACTER

The site is now zoned for higher density however new developments should respond to the existing and likely future context. The application should comply with the current controls in the ADG and the GLEP to minimise detrimental impacts on adjoining sites.

*There is concern that the small site to the south will be isolated and unable to be redeveloped. The Land and Environment Court planning principle from *Melissa Grech v Auburn Council* [2004] NSWLEC 40. provides the following comment:*

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

Thirdly, the level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.

In other respects the application is generally consistent with the existing and likely future context. It presents a four storey podium to Mann Street with the majority of the streetfront occupied by active retail use, though it is questionable whether these small retail spaces are economically viable when located this far from the city centre.

BUILT FORM AND SCALE

The street front is generally acceptable though some variation in the continuous podium eaves line could be considered to be consistent with the scale of existing retail development within the centre. The application is generally in compliance with height and setback controls. There is some non-compliance of the tower building to the western boundary however it is acknowledged that the adjoining site is unlikely to be redeveloped.

The use of blank walls and louvres on the western boundary presents a bland façade to the adjoining site but it is accepted that this is the Rail Maintenance carpark and is unlikely to be redeveloped. The use of some planting or vines should be considered to discourage graffiti if they can be adequately maintained.

DENSITY

Complies

SUSTAINABILITY

BASIX certificate supplied indicating compliance with minimum required standards. The use of solar hot water and PV panels should be considered to improve energy efficiency.

LANDSCAPE

The building occupies almost the entire site resulting in limited deep soil planting. The majority of landscaping is located on the structure but is considered acceptable.

While the use of street trees is strongly supported the applicant should locate all services to ensure the proposed street planting can be located as shown.

AMENITY

Amenity is acceptable with all units achieving adequate solar access and being well planned. The provision of natural light to the access corridor is commended but the option of creating a larger lift lobby and some articulation along the corridor should be considered.

SAFETY

The application has balconies and windows overlooking the street and courtyards to provide surveillance.

HOUSING DIVERSITY AND SOCIAL INTERACTION

The application provides a variety of unit types including accessible units.

AESTHETICS

Because of its isolated location adjoining the rail line, it will be seen from many areas within the city. A more clearly defined and distinctive top to the building should be considered to contribute some interest to the skyline rather than presenting as thin facade and plant room.

Planning Comment

The applicant's SEPP 65 Design Verification is included in Attachment 5.

The applicant was advised to consider including the southern adjoining property in the development proposal so as not to create an isolated site. The adjoining lot and all land to the south are owned by Railcorp, which can be developed to its potential under the B4 zone. Therefore, the adjoining lot is not an isolated lot.

In addition, a detailed assessment of the ADG design criteria is set out in the following table:

Design Criteria	Required	Proposed	Compliance
3D-1 Communal Open Space	Minimum communal open space area 25% of the site	Approximately 40% of site area will be provided as communal area. However, a fully open landscaped pool terrace is provided at grade with an outlook over existing the cliff and adjacent Rumbalara Reserve.	Yes

Design Criteria	Required	Proposed	Compliance
	50% direct sunlight to principal usable part for min 2 hrs between 9am and 3pm mid-winter. The Guide notes that where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: • provide communal spaces elsewhere such as a landscaped roof top terrace or a common room • provide larger balconies or increased private open space for apartments • demonstrate good proximity to public open space and facilities and/or provide contributions to public open space.	More than 50% of communal two hours direct sunlight between 9 am and 3 pm in mid winter.	Yes
3E-1 Deep Soil Zone	Minimum 7% of the site, with minimum dimension 6m for a site greater than 1,500m ²	A minimum of 13.5% of the site with 6m and greater dimension is allocated to deep soil planting.	Yes
	On some sites, it may be possible to provide a greater area for deep soil zones. Sites greater than 1500m ² 15% should be achieved, if possible.	Not possible due to site constraints such as narrow width. The provision of 13.5% deepsoil is supported.	N/A
3F-1 Visual Privacy	Separation from boundaries (habitable rooms and balconies): 6m (up to 12m in height) 9m (up to 25m in height) 12m (over 25m in height)	Up to 4 storeys the setbacks are; north 3m, south 5.9m, and west 2.83m. For 5-24 storeys the setbacks are; North >100m, south 12.2m, and west 5.2m.	No. However, the development on adjoining properties is essentially commercial. To the west is the railway line and to the east is Mann Street. The layout of the development is essentially in an east west direction so that privacy between the proposed development and adjoining properties is preserved.
3J-1 Bicycle and	Minimum residential parking provided in accordance with	336 spaces provided including 20 spaces for the commercial uses.	Yes - it should also be noted that under

Design Criteria	Required	Proposed	Compliance
Car Parking	the GDCP 2013: 1 space per 1 bedroom unit (53 units) = 53 spaces 1.2 spaces per 2 bedroom unit (52 units) = 199.2 spaces 0.2 spaces per unit - visitor parking = 43.8 spaces - Total = 296 spaces		the RMS guidelines for the B4 zone, the car parking for the residential component would be reduced to 225 spaces.
4A-1 Solar and Daylight Access	Living rooms and private open space of at least 70% of apartments receive a minimum of 3hr sun between 9am and 3pm mid-winter.	65% of apartments receive a minimum of three hours direct sunlight between 9 am and 3 pm in mid winter, and 69% receive 2 hours sunlight.	No, however variation is minor and supported.
	Min 60% of apartments cross ventilated	67% of units are cross ventilated.	Yes
4C-1 Ceiling Heights	2.7m habitable, 2.4m non-habitable.	Ceiling heights comply.	Yes
4D-1 Apartment Size	Studio 35m² 1 bedroom: 50m² 2 bedroom: 75m² (5m² per additional bathroom) 3 bedroom – 90m² (5m² per additional bathroom)	The minimum unit sizes as follow; - 1-bedroom min 56-65m² - 2-bedroom min 82.92m² (including 5m² additional bathroom)	Yes
4D-2 Room depths	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms	All habitable rooms have a window within the external wall.	Yes
	Habitable room depths and maximum 8m depth for open plan layouts.	All individual units achieve a building depth of less than 8m.	Yes
4D – 3 Layout	Bedroom and living room sizes – 9m ² for other bedrooms & 10m ² master bedrooms with min 3m width. Living areas minimum width 3.6m for studio and 1 bedroom units- 4m width for 2 & 3 bedroom units.	Bedrooms achieve a minimum 3m width and 9 sqm. Living areas achieve a >4m width and an area greater than 10 sqm.	Yes
4E-1 Balconies	Studio 4m² 1 bedroom: 8m², min 2m depth 2 bedroom: 10m², min 2m	The proposal provides generous balconies as follows: 1 bedroom 8-102m² 2 bedroom 14.9-87.2m²	Yes

Design Criteria	Required	Proposed	Compliance
	depth 3 bedroom: 12m ² , min 2.4m depth		
4F-1 Common Circulation	Podium/ground level private open space minimum 15m ² , minimum depth 3m	N/A	N/A
	Maximum of 8 apartments off a circulation core (although design guidance allows up to 12 apartments) For buildings over 10 storeys, the maximum number sharing a single lift is 40.	Number of apartments off each circulation corridor ranges from 3 to 8. 201 apartments share 3 lifts in building A. 18 apartments share 2 lifts in building B up to level 4 and 2 lifts service level 5 and above	Yes No – the applicant advises that the variations are reasonable for the following reasons: • The corridors on each level of building A have access to natural light to the north and south • The corridor length is minimised • The applicant intends to install a high performance lift service.
4G-1 Storage	1 bedroom: 6m ³ 2 bedroom: 8m ³ Note: Minimum 50% within unit	1 bedroom units comply with 6m ³ provided. 2 bedroom units are provided a minimum of 7.2m ³ of storage of the 166 x 2 bedroom units, 147 are provided 8m ³	No- however variation minor and compensated by average being greater than minimum required.
4Q Universal Design	20% of apartments to incorporate liveable housing guidelines.	21% are adaptable	Yes

Proposed variations to car parking and room depths under the ADG are minor in nature and are supported.

State Environmental Planning Policy No 71 – Coastal Protection

The provisions of State Environmental Planning Policy (SEPP) No 71 - Coastal Protection require Council consider the Aims and Objectives of the SEPP together with the matters for consideration listed in Clause 8 of the SEPP when determining an application within the Coastal Zone. However, pursuant to Clause 2A of GLEP 2014, SEPP 71 does not apply to the Gosford City Centre (which the site forms part of) and therefore does not apply to the assessment of the proposed development.

Gosford Local Environmental Plan 2014

The subject site is zoned B4 Mixed Use under GLEP 2014. The proposed development is a mixed use development which is most appropriately defined as:

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

commercial premises means any of the following:

- a) business premises
- b) office premises
- c) retail premises

The objectives for the B4 Mixed Use zone 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 meets the objectives of the zone, having regard to the following:

- The proposal will provide a mixture of compatible land uses.
- The mixed use proposal is located in an accessible location which will maximise public transport patronage, walking and cycling being situated on Mann Street in walking Utilises the opportunity to improve the public domain of Gosford City Centre through the provision of high quality, active street frontage to Mann Street.

Details of the principal development standards of the GLEP are outlined below:

Development Standard	Required	Proposed	Compliance with Controls	Variation	Compliance with Objectives
Clause 4.3 & Clause 8.9	Maximum height 78m	83.8m	No - see comments below	5.8m or 7.4%	Yes - see comments below
Clause 4.4 & 8.9	Maximum FSR 6.5:1	5.5:1	Yes	Nil	Yes
Clause 8.4 Minimum building street frontage	24m	122m	Yes	Nil	Yes
Clause 8.6 Retail car Parking 1/40m ²	19	20	Yes	Nil	Yes

Note: the above height and FSR include the 30% bonus permitted under clause 8.9.

Maximum height

The maximum mapped building height under clause 4.3 is 60m. The application is subject to the 30% bonus under clause 8.9 which results in a maximum height of 78m.

The proposed building height is 83.8m to the top of the plant room on Building A. This is a variation of 5.8m or 7.4% to the development standard.

The applicant has submitted a written request to vary the development standard under clause 4.6 of the GLEP 2014. In summary, the submission contends that adherence to the development standard is unreasonable or unnecessary for the following reasons:

- The proposal complies with the height objectives and zone objectives of the GLEP.
- The proposal complies with the maximum FSR permitted.
- The proposal provides for a mix of uses.
- The proposal will enhance the scenic quality of the site by providing a high quality design.
- The variation is minor and only over a small part of the site being well set back from the site boundary.
- The additional height is unlikely to have any significant additional impacts on adjoining properties and will not be visible at street level.
- The proposal reinforces Mann Street as the central spine of Gosford and concentrates higher density near the railway station.
- The variation does not impact any view corridor.
- The proposal consolidates a number of underutilised sites and results in a better planning outcome. **(A copy of the applicant's clause 4.6 submission is included in attachment 4)**

Variation to GLEP Standard

Clause 4.6 Exception to Development Standards of GLEP requires consideration of the following:

1. *Has the applicant submitted a written request that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard?*

Comment

The objectives of clause 4.3 Height of Buildings are as follows:

- a) *to establish maximum height limits for buildings,*
- b) *to permit building heights that encourage high quality urban form,*
- c) *to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight,*
- d) *to nominate heights that will provide an appropriate transition in built form and land use intensity,*
- e) *to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area,*
- f) *to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.*

The applicant's written request has adequately justified that compliance with the development standard is unreasonable and unnecessary in this instance and there are sufficient environmental planning grounds to justify varying the development standard (having regard for the decision in *Wehbe v Pittwater Council* [2007] NSW LEC 827).

The subject land has slope through and across the site, and the building is primarily below the allowed height limit, particularly on the northern side. The proposed variation is minor, and only relates to part of the building and this is considered reasonable given the slope and shape of the site and the difficulty in fully comply with height limits on a sloping site. Additionally, the proposal otherwise complies with the allowed FSR.

2. *Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out?*

Comment

This report has assessed the proposal against the objectives of the building height development standard, FSR development standard and the B4 Mixed Use zone and is satisfied that the proposal achieves consistency with these objectives.

The development will not have unreasonable impacts on the neighbouring residents or character of the area and is consistent with the allowed FSR. Matters relating to overshadowing and privacy are addressed in the GDCP assessment and the proposal will not have an adverse impact on any areas of public open space.

3. Has the concurrence of the Director-General has been obtained?

Comment

Under Planning Circular PS 08-033 issued 9 May 2008 Council may assume the concurrence of the Director-General when considering exceptions to development standards under clause 4.6. Council is therefore able to approve the variation.

This assessment has been carried out having regard to the relevant principles identified in the following case law:

- *Wehbe v Pittwater Council [2007] NSWLEC 827*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248*

The Clause 4.6 requests submitted by the applicant appropriately addresses the relevant principles and exhibits consistency with the relevant objectives under GLEP 2014. This assessment concludes that the Clause 4.6 variations are well founded and are worthy of support.

5.5 Development within the coastal zone

The provisions of Clause 5.5 GLEP 2014 require Council to consider matters in relation to the Coastal Zone. The Coastal Zone is an area defined on maps issued by the NSW Department of Planning & Environment and the subject property falls within this zone. The proposed development is of a scale and design considered compatible with its location in the city centre. The development is not considered likely to impact the amenity of the coastal foreshore, headlands or have impacts on biodiversity or ecosystems.

The relevant matters have been considered in the assessment of this application and are considered consistent with the stated aims and objectives.

5.10 Heritage Conservation

Land on the corner of Mann Street and Beane Street is heritage item 43 under Schedule 5 of the GLEP 2014. This is the former Mitre 10 building and is located on the opposite side of Mann Street (see Figure 5).



Figure 5: GLEP 2013 – Heritage Map extract

The subject site is therefore, within the vicinity of the heritage item.

The proposed development opposite the heritage site is about 12m in height or 4 storeys which is significantly less than the 78m permitted under the GLEP height limit.

The proposed development does not significantly overshadow the heritage item, and the proposed development will screen the railway yards from the heritage site. The heritage site has a maximum height limit of 60m.

The applicant has submitted the following Statement of Heritage Impact:

Q: How is the impact of the new development on the heritage significance of the item to be minimised?

A: Distance from Mann Street separates the proposed development from the heritage item. There is also considered scale progression in the design from tower form to podium. In addition the improvement of the Mann street public domain is likely to have a positive impact to the heritage item.

Q: Why is the new development required to be adjacent to a heritage item?

A: Site constraints. The northern end of the proposed development is partially located opposite 299-309 Mann Street heritage listed item.

Q: How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?

A: The heritage item is currently vacant and unoccupied. The proposal is likely to have a neutral or positive impact on the heritage given the improvements of the public domain along the Mann street frontage. The area of land attached to the heritage item is unaffected.

Q: How does the new development affect views to and from the heritage item? What has been done to minimise negative effects?

A: View loss to the heritage item is minimal since the new development is located east of the heritage item and between railway lines and itself. Railway lines are significantly lower than the heritage item therefore, view loss from commuters on passing trains is minimal to none. Views from the heritage item opposite Mann Street are currently toward railway lines to the west and comprise of disused on grade carpark and warehouses in the immediate vicinity. The new development and improvement to the Public domain along Mann Street will have a positive impact to views from the heritage item.

Q: Is the development sited in any known, or potentially significant archaeological deposits? If so have alternative sites been considered? Why were they rejected?

A: No

Q: Is the new development sympathetic to the heritage item?

A: The podium is sympathetic to scale and materiality. Scale progression with ample distance separation from the heritage item to the proposed podium. Traditional materials are proposed for the new development such as masonry, metal and glass. The tower form is further setback.

Q: Will the additions visually dominate the heritage item?

A: The design of the proposed development consists of podium form and tower. The scale and relationship of the proposed development to the heritage item has been considered in the design in that there is a natural progression in scale and form from the low scale heritage item (and domestic character) and its relationship to new podium form across Mann street. Whilst the tower form might visually dominate the heritage item the design of the podium and scale progression attempts to address any dominance.

Q: Will the public, and users of the item, still be able to view and appreciate its significance?
A: The heritage item whilst currently unoccupied and empty, the public and future users of this item will benefit from the improvement of the public domain along the Mann St frontage.

Councils Heritage Adviser has reviewed the above Statement of Heritage Impact and advises:

"I have reviewed the statement of heritage impact and concur with the findings of the assessment. In this regard I consider the proposed development will not impact significantly on the heritage values of the heritage items in its vicinity".

Therefore, it is considered the proposal does not impact the heritage value of the former Mitre 10 site.

7.1 Acid sulphate soils

This land has been identified as being affected by the Acid Sulphate Soils Map and the matters contained in Clause 7.1 of GLEP 2014 have been considered. The site contains Class 5 Acid Sulphate Soils. In this instance, the proposal works are considered to not impact Acid Sulphate Soils.

7.2 Flood planning

The land has been classified as being under a "flood planning level" and subject to the imposition of a minimum floor level. See Figure 6 – Flood mapping extract.



Figure 6: Flood Map extract

The development is considered satisfactory in respect to Clause 7.2 of GLEP 2014.

Council's Development Engineer advises:

The Development is required to comply with Chapter 6.7 of Gosford DCP 2013, which deals with water cycle management. Accordingly, the development will provide controls including on-site stormwater detention (OSD), water quality measures, stormwater harvesting for re-use and management of overland flows through the site.

With respect to managing overland flows through the site, the development site is subject to overland flow that cuts through the site in larger storm events (e.g. 50yr ARI, 100yr ARI and higher). Several

drainage options were considered and flood analysis carried out by Cardno to determine the impact of the development of flooding elsewhere including downstream of the development.

The option that was adopted is comprised of a box culvert and secondary flow path through the site, with the box culvert constructed as part of the ground floor suspended slab, and discharge points located along the external western wall of the development to mimic a spread-out overland flow.

This option was referred to Council's Assets and Infrastructure group who agreed to the proposal subject to all aspects of the maintenance of the system to be the responsibility of the body corporate and that a stratum easement covering the extent of the system through the site be created in Council's favour and at no cost to Council. Consequently, this option was further analysed by Cardno and is the focus of the Flood Impact Assessment prepared by Cardno (file reference '59915150 280-300MannSt Gosford R01 Rev2 FIA.docm' dated 12 July 2017).

The Flood Impact Assessment was referred to Council's Flooding & Drainage Management Engineer for assessment who provided the following response:

I have assessed the Flood Impact assessment report from the consultant Cardno and advise that the resultant flood impacts on flood levels and hazards are not considered significant and generally comply with Councils Flooding Targets as outlined in the current DCP for Gosford.

Parts of the ground floor of the development are required to have minimum floor levels relative to the overland flows in the 1% AEP storm. Refer to proposed conditions.

8.1 Gosford City Centre Objectives

The objectives for development in the city centre are:

- a) to promote the economic and social revitalisation of Gosford City Centre.*
- b) to strengthen the regional position of Gosford City Centre as a multi-functional and innovative centre for commerce, education, health care, culture and the arts, while creating a highly liveable urban space with design excellence in all elements of its built and natural environments.*
- c) to protect and enhance the vitality, identity and diversity of Gosford City Centre.*
- d) to promote employment, residential, recreational and tourism opportunities in Gosford City Centre.*
- e) to encourage responsible management, development and conservation of natural and man-made resources and to ensure that Gosford City Centre achieves sustainable social, economic and environmental outcomes.*
- f) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of Gosford City Centre for the benefit of present and future generations.*
- g) to help create a mixed use place, with activity during the day and throughout the evening, so that Gosford City Centre is safe, attractive and efficient for, and inclusive of, its local population and visitors alike.*
- h) to enhance the Gosford waterfront.*
- i) to provide direct, convenient and safe pedestrian links between Gosford City Centre and the Gosford waterfront.*

The proposal complies with the objectives of Part 8 of the GLEP. The proposal provides economic and social benefits by additional employment and residential uses to help revitalise the city centre. The location near the Gosford railway station provides high density near a major public transport (bus and rail) infrastructure.

Further, the development is in line with Council's objectives for a mixed use place with vibrancy, which provides convenient retailing opportunities with links to the city centre.

8.4 Minimum building street frontage

This clause requires developments to have a minimum street frontage of 24m. The subject site has a 122m total frontage and so complies.

8.5 Design Excellence

The requirements for design excellence in Clause 8.5 of GLEP 2014 have been considered in the assessment of the application, and the proposal is considered to consistent with the requirements. In particular, the proposal offers a good standard of architectural design, which is appropriate for the area, and employs design features in the front elevation that enhance the appearance of the development and the amenity of units.

The proposed development will not detrimentally impact on view corridors or overshadow waterfront open space. The application has been assessed against GDGP requirements, including setbacks, privacy, views and overshadowing, and subject to conditions, will meet the objectives of the controls.

8.6 Car Parking

This clause requires developments to have a minimum of 1 space for every 75m of gross floor area to be used for a commercial activity and 1 space for every 40m of gross floor area to be used for a retail premises. On this basis the proposal requires 19 spaces for the retail area. The proposal requires a total of 315 spaces and provides for 336 spaces and therefore, complies with this requirement.

8.9 Development Incentives

Clause 8.9 of GLEP provides incentives to promote development within the Gosford City Centre. This development seeks to utilise the bonus height provisions for the southern tower, but not the northern tower which is opposite the heritage item.

Gosford Development Control Plan 2013

Chapter 4.1 of GDCP 2013 is relevant to the application.

The land is located in the Mixed Use (City Edge) character area, and the proposed use complies with the intended character by providing higher density housing within a walkable distance of the commercial core.

The following table provides an assessment against the main relevant requirements of the GDCP.

Development Control	Required	Proposed	Compliance
4.1.2.2 Building to street alignment and street setback	Mann Street- 0m up to 16m for commercial Residential up to 12m-0m Residential 12-24m – 6m Residential above 24m-8m	0m for ground floor level 0m 2.225m-17m 2.225m-17m	Yes Yes No- see comments below No- see comments below
4.1.2.3 Street Frontage Heights	Street frontage height between 12m to 16m required.	16m	Yes
4.1.2.4 Building Depth & Bulk	Maximum floor plate above 16m - 750m ² . Maximum building depth (excluding balconies) – 24m	Building A-750m ² 18m building depth	Yes Yes
4.1.2.5 Side Setback (Residential use up to 12m height)	Habitable - 6m min. Non habitable-3m	5.985m on southern side 3m on northern side	No-see comments below
4.1.2.5 Side Setback (Residential use 12m-24m height)	Habitable - 9m . Non habitable-4.5m	12.275m-22.7mm	Yes
4.1.2.5 Side setback (Residential above 24m height)	13m	12.275m-22.7m	No-see comments below
4.1.2.5 Rear Setback (up to 12m height)	Non-habitable - 6m min. Habitable - 6m min.	2.83m-6.3m	No- see comments below
4.1.2.5 Rear Setback (above 12m height)	Non-habitable - 6m min. Habitable - 9m min.	5.265m-5.5m	No-see comments below
4.1.2.5 Rear setback (Residential)	13m	5.265m-5.5m	No-see comments below

Development Control	Required	Proposed	Compliance
above 24m height)			
4.1.2.7 Site Cover	75% max (B4 Zone, mixed use)	94%	No- see comments below
4.1.2.7 Deep Soil Zones	15% min. Min. Dimension 6m	13.5%	No- however complies with ADG Is considered to meet the objective due to the overall amount of deep soil area provided and constraints of the site.
4.1.2.8 Landscape Design.	Landscape concept and maintenance plan.	Landscape plan and maintenance plan provided.	Yes
4.1.2.10 View Corridors	Protect significant view corridors (Figure 2.14)	The site is not located in a "no encroachment" view corridor and will not impact on any significant view corridor.	Yes
4.1.3.3 Active Street frontage and Address	Active street frontage and Street Address Required Residential development to provide clear street address and multiple entrances to large developments.	Retail uses provided along Mann Street frontage. Four separate lobbies are provided to the residential component due to the large frontage to Mann Street.	Yes.
4.1.3.5 CPTED Principles	Address Safer by Design	CPTED assessment provided	Yes
4.1.3.7 Vehicle Access Width	Additional vehicle accesses to Mann Street not permitted. Max. 2.7m width (or up to 5.4m wide for safety reasons)	Two driveways 5.4m proposed. One for residents/loading, and one for retail/visitors.	Variation supported due to long street frontage of Mann Street. Driveways are 45m apart.
4.1.3.6 awnings	Continuous street frontage awning required.	Continuous awning provided along Mann Street.	Yes
4.1.3.9 Building Exteriors	Balconies and terraces should be provided. Facades should be articulated to address street and provide visual interest. External walls should be of high quality durable materials. External materials and colours to be provided	The front elevation meets the requirements and provides a good architectural standard and articulation.	Yes- refer sheet DA-21 for external finishes.
4.1.4.2 Pedestrian	Building Entry Points - Clearly visible from street	The residential entry is visible, and capable of	Yes

Development Control	Required	Proposed	Compliance
Access and Mobility		complying with BCA and DDA.	
	Design for disabled persons	Access report provided and proposal is able to comply with BCA requirements	Yes
	Barrier free access to not less than 20% of dwellings		
	At least 1 main pedestrian entrance with convenient barrier free access to ground floor		
	Continuous access paths of travel from all public roads		
	Access paths of durable materials (slip resistant materials, tactile surfaces and contrasting colours)	Able to comply	Yes
4.1.4.3 Vehicle Footpath Crossings and Vehicular Driveways and Manoeuvring	Located 6m min. from the perpendicular of any intersection	>6m	Yes
	Minimum driveway setback 1.5m from side boundary	>1.5m	Yes
	Enter and leave in forward direction	Complies	Yes
	Compliance with Council's standard Vehicle Entrance Design & subject to Roads Act approval	Conditions of approval	Yes
	Compliance with AS2890.1	Conditions of approval.	Yes
	Use semi-pervious materials for driveways open car spaces	No external driveways or parking spaces are proposed.	N/A
4.1.4.4 On-Site Parking	1 space/1-bed (53 units) = 53 1.2 space/ 2-bed (166 units) = 199 Visitor parking (0.2 per unit) = 44 Retail 1/40m ² = 19 Total = 315 spaces	336 spaces provided	Yes
	Disability accessible car parking minimum 4% of required parking spaces = 13 spaces	33 spaces provided	Yes
	Motorcycle parking – 1 space per 15 units = 15 spaces	17 motorcycle spaces provided	Yes
	Bicycle Parking Residents – 1 space per 3 dwellings = 73 spaces Bicycle Parking Visitors - 1 visitor space per 12 dwellings = 18 spaces Total = 91 spaces	104 bicycle spaces provided	Yes
	Provided car parking wholly underground unless unique site conditions prevent achievement.	Partly above ground on rear boundary with railway line. Unique site conditions adjoining railway line prevent achievement.	Considered satisfactory as not visible from Mann Street.
	Parking above ground min floor to ceiling height 2.8m	3.1m	Yes
	Compliance with AS2890.1	Able to comply	Yes
	Min 4% or min 2 spaces designated disable spaces	Complies	Yes
	Uncovered parking areas are prohibited	Wholly within building	Yes

Development Control	Required	Proposed	Compliance
	Bicycle parking secure and accessible with weather protection	Undercover secure area provided.	Yes
	Mail boxes in one location, integrated into a wall, similar building materials and secure and of sufficient size	Proposed at front entry points	Yes
4.1.4.5 Site Facilities	Locate ancillary structures (e.g. satellite dish and air conditioning units) away from street. Integrated into roof design. One master antenna per residential apartment buildings.	Can be conditioned	Yes
	Size, location and handling procedures for all waste to Satisfaction of Council's Waste & Emergency Staff	Waste storage provided with internal access through car parking area and approved by Council's Waste Management section. Waste loading dock not visible from public areas.	Yes
	Waste storage not to impact on neighbours in terms of noise, and be screened from the public and neighbouring properties		
	Waste storage area well lit, easily accessible and on level grade, free of obstructions		
	Waste storage area behind main building setback and facade		
4.1.4.5 Fire & Emergency Vehicles	Compliance with Fire Brigades Code of Practice – Building Construction – NSWFB Vehicle Requirements	Access available from Mann Street.	Considered acceptable and fire safety would be considered at a CC stage.
4.1.5.2 Energy Efficiency and Conservation	Compliance with BASIX	BASIX certificate supplied, confirming that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out in the certificate	Yes
4.1.5.3 Water Conservation	Efficient best practice management of water resources	OSD and retention is provided. The proposal does not provide a 3 rd pipe system however Council has not been requiring this for City Centre developments.	Yes
4.1.5.4 Reflectivity	Not result in glare, not exceed 20%	Complies	Yes
4.1.5.5 Wind Mitigation	Wind Effects Report for buildings over 14m	Not provided, can be conditioned to be provided prior to CC.	Acceptable
4.1.5.6 Waste and Recycling	Length of storage area 0.65 x no of bins	Proposed waste storage has been assessed by Council's waste management	Yes
	Width of storage area 2.5m min.		

Development Control	Required	Proposed	Compliance
	SEPP 65 & RFDC	assessment officer and is satisfactory.	
4.1.6.2 Housing Choice & Mix	1 bed units 10% min to max 25% 2 Bed not more than 75%	1 bed 24% 2 bed 76%	No-minor variation which is acceptable.
	15% of dwellings (for sites with slope less 20%) capable of adaption for disabled or elderly residents = 33 accessible dwellings	47 units or 21% provided	Yes
	Where possible provide adaptable dwelling on the ground level	Not possible given the design and retail uses on the ground floor level along the Mann Street frontage. Lift access provided at each lobby.	Considered acceptable
	Application to be accompanied by an Access Consultant report	Provided	Yes
	Car parking to adaptable dwelling to comply with AS	Able to comply	Yes
4.1.6.3 Storage	7.5m ³ for 1 bed units 10m ³ for 2 bed units Min 50% of required storage areas within dwelling	One bedroom-6m ² Two bedroom 8m ² All apartments comply with the storage area required. 63% (138 of 219) provide 50% within the apartment. The balance is provided as storage areas at the back of the car parking space for the apartment.	Acceptable due to the open plan design and larger unit sizes.

Street Setbacks

The street setback to Mann Street is nil up to 4 storeys or 12m height. The development complies with this requirement.

Above 12m height the street setback is 6m and above 24m height the setback is 8m. The setback to Mann Street ranges from 2.225m to about 17m from level 5 to level 23.

The variation is supported in this case due to the shape and width of the site. The average setback would meet the requirements. The orientation of the building at an angle to the Mann Street frontage which results in a building designed to have regard to the site constraints and provides a better planning outcome than strict compliance.

The streetscape presentation is considered appropriate and well modulated. The proposed front setback variations are also considered consistent with the objectives of Chapter 4.1.2.5 which seek to ensure an appropriate internal amenity while achieving a pleasant and usable public domain.

Side Setbacks

The side setbacks on the northern and southern side boundaries do not comply.

The setback required on the northern side up to 12m is 6m to habitable rooms. The proposed setback is 3m. However while habitable rooms are located on the northern side, no rooms have windows or balconies on the northern side. It is considered the variation is justified in this location and supported.

On the southern side, the setback to habitable rooms is 5.987m where 6m is required. The variation is minor and essentially negligible and is supported.

Above 24m height the side setback required is 13m. The southern side setback proposed ranges from 12.275 to 22.7m. The variation is minor and negligible and generally complies.

Rear Setbacks

The rear setback required is 6m to habitable rooms up to 12m height, 9m to habitable rooms up to 24m height, and 13m above 24m height.

The proposed setback is 2.83m to 6.3m up to 12m height, 5.265m to 5.53m above 12m height.

The variations to the rear (western) boundary are due to the narrow width of the site and adjoin the boundary with the railway line. Residential development is unlikely over the railway line and the variation to the setback will not significantly impact the railway line. Sydney Trains have granted concurrence to the proposal subject to conditions.

The development has been designed with regard to noise impact from the rail line.

The variation to the rear western boundary is supported in this instance.

Site Coverage

The maximum site coverage is 75% for a mixed development. The proposed site coverage is 94%. The existing site is almost totally imperious area with a few trees along the Mann Street and western boundaries. The development provides deep soil planting on the podium level of 684m² or 13.5% of the site area.

The proposal provides reasonable setbacks for both the tower element in response to the site constraints, and attains an appropriate active street frontage with awnings. This is considered necessary and important in close proximity to the bus/rail stations and interchange

The variation is supported as it is an improvement to the current situation and the design reflects the constraints of the site.

Other Matters for Consideration

Isolated Lot

In *Karavellas v Sutherland Shire Council* [2004] NSWLEC 251, Tuor c, stated:

"17 The general questions to be answered when dealing with amalgamation of sites or when a site is to be isolated through redevelopment are:

- Firstly, is amalgamation of the sites feasible?
- Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?

18 The principles to be applied in determining the answer to the first question are set out by Brown C in **Melissa Grech v Auburn Council** [2004] NSWLEC 40. The Commissioner said:

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

Thirdly, the level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.

Lot 4 DP 805082 is an "L" shaped lot located on the southern side of the site (shown in blue in Figure 7). It has a width of 9.145m and an area of 664.4m². It adjoins the railway corridor on the west, and the bus interchange on the south. The lot contains shops and railway car parking.

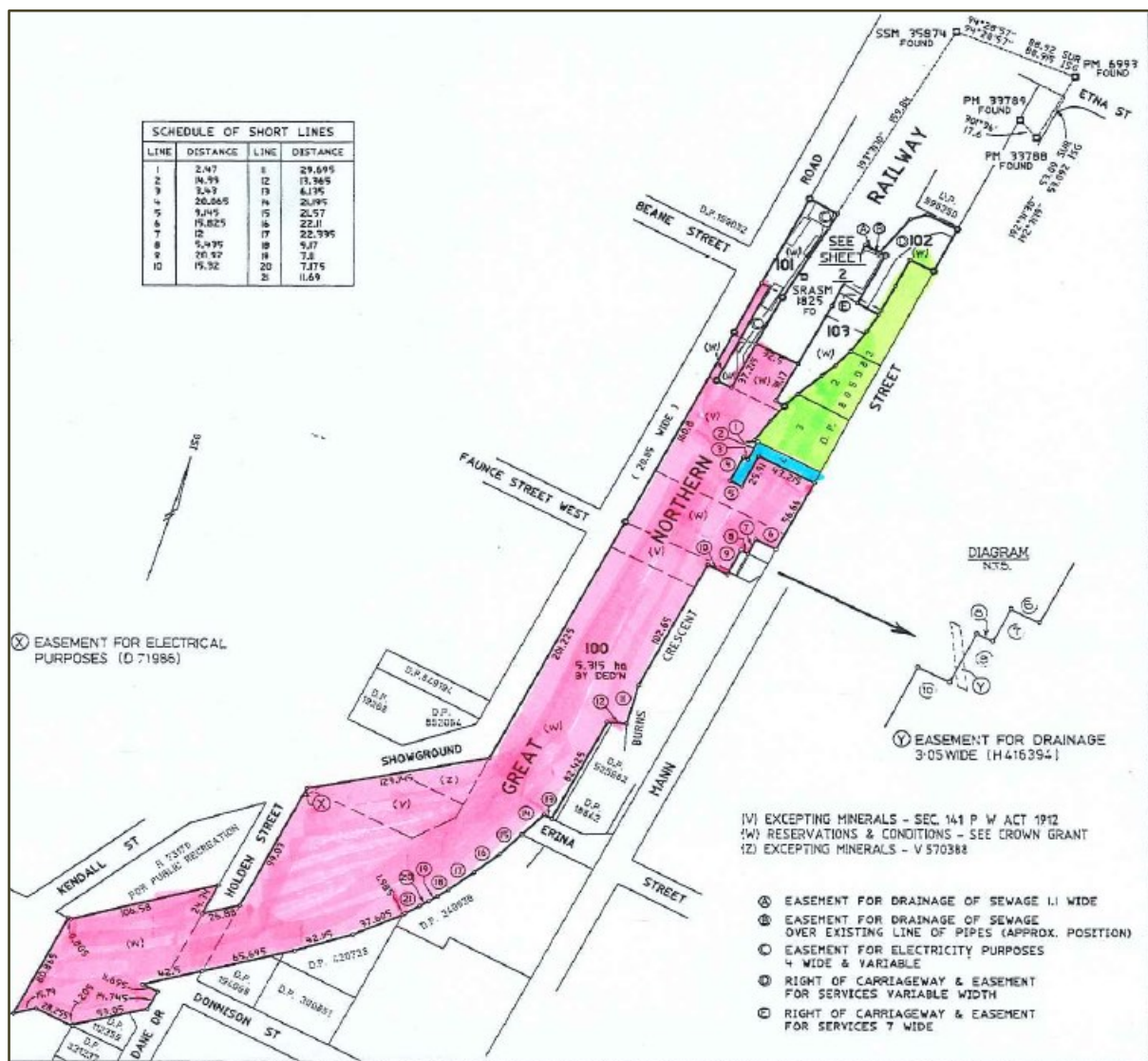


Figure 7: Green - subject site. Blue and red - Railcorp land.

This lot, and other land to the south and west, is owned by Rail Corporation New South Wales. Lot 4 (shown by blue colour above) is leased out by Railcorp. The adjoining lot and bus interchange is also zoned B4 Mixed Use the same as the subject site. Therefore, approval of the proposed development will not prevent the adjoining land owned by Railcorp from being developed to its potential under the planning controls.

Sydney Trains (Railcorp) were consulted during the notification process and have not objected to the proposal. In addition, concurrence has been granted as required under SEPP (Infrastructure).

Central Coast Regional Plan 2036

The Central Coast Regional Plan 2036 (CCRP) was approved and launched by the NSW Department of Planning and Environment on 14 October 2016. The CCRP sets out the vision for the Central Coast over the next 20 years and identifies economic, social and environmental opportunities to build a more prosperous region, and actions to guide development and land use.

The proposal has been assessed against the relevant goals and actions of the CCRP in the following table:

Goal/Action No.	Goal/Action	Assessment
Goal 1	A prosperous Central Coast with more jobs close to home	The proposed development will provide a mixture of commercial and retail uses as part of the mixed use proposal. The proposal will provide new, commercial floor space within Gosford City Centre which will provide space for new business and jobs, assisting in catering for the projected increase of 24,674 jobs within the region by 2036. The proposal is consistent with these goals, directions and actions.
Direction 1	Grow Gosford City Centre as the region's capital	
Action 1.1	Grow Gosford City Centre as the region's capital and focus of professional, civic and health services for the region's population.	
Action 1.3	Attract and facilitate greater commercial development within Gosford City Centre by improving the public domain and providing opportunities for development through local planning controls.	
Action 1.8	Ensure that development in Gosford City Centre responds to its natural setting and complements the public domain.	The site has a natural setting between Presidents Hill and Rumbalara Reserve. The height and façade of the proposal responds to its natural setting and complements the public domain with active street frontage. The proposal is consistent with this action.
Action 7.1	Facilitate economic development that will lead to more local employment opportunities on the Central Coast	The proposal will produce construction employment opportunities and provide new commercial and retail floor space which will lead to more local employment opportunities on the Central Coast. The proposal is consistent with this action.
Goal 4	A variety of housing choice to suit needs and lifestyles	The proposal will provide 219 new residential units with an acceptable mix of 1 and 2 bedroom units. The proposed dwelling supply is appropriately located and will improve housing choice that suits a range of needs and lifestyles.
Action 20.1	Improve housing choice by supporting housing delivery in and near the growth corridors and local centres.	
Action 20.3	Implement policies, plans and investment options that will support greater housing diversity in centres.	

Having regard to the above assessment, the proposal is consistent with the relevant goals, directions and actions of the Central Coast Regional Plan 2036.

Gosford City Centre Masterplan: Our City Our Destiny

In 2008 the "Gosford Challenge" was initiated as a process of community participation and partnership between the former Gosford City Council and the community to establish the objectives which would guide the revitalisation of Gosford.

The "Our City Our Destiny" Masterplan identifies 5 key precincts of activity. The subject site is located north of the Railway Precinct and east of the Hospital Precinct, not forming part of either

precinct. However, the site is located proximate to a key initiative for the upgrade of the Etna Street Bridge as part of the Hospital Precinct Concept Plan. The initiative envisions improved street frontage including the provision of street trees along Mann Street.

Under Section 3.5 Living in the City, the Masterplan identifies the targeted areas for residential growth, including high density residential dwellings around Hills Street & Mann Street, and intensified housing around the hospital. In particular, the Masterplan identifies that the site is within an area of the Gosford City Centre that will accommodate up to 2,810 additional residents. The proposed development is consistent with these aspects of the Masterplan, being a high density residential development providing increased housing supply and choice within the City Centre.

The proposal is generally consistent with the relevant initiatives, goals and key elements of the Masterplan.

Street trees are to be provided along Mann Street and appropriate conditions are proposed.

Planning Agreements

The proposed development is not subject to a planning agreement/draft planning agreement.

Development Contribution Plan

The subject site is located within Development Contribution Plan S94A Contribution Plan-Gosford City Centre, where developments are subject to s94 contributions. The applicable contribution amount was calculated and imposed as a condition of consent requiring the contribution to be paid prior to the issue of any Construction Certificate. **(Refer Condition 2.9)**

Referrals

Internal Referral Body	Comments
Building Surveyor	Supported, subject to conditions.
Waste Management	Supported, subject to conditions.
Development Engineer	Supported, subject to conditions.
Architect	See comments above.
Tree Officer	Supported, subject to conditions. See comments below.
Traffic & Transport Engineer	Supported on transport engineering grounds. The proposal will not have an adverse impact upon the surrounding road network. The location is well serviced by bus and train services. The access point to Mann Street is supported in this location.
Heritage Adviser	Supported without conditions.
Environmental Health Officer	Supported, subject to conditions.

Tree Officer

The subject application has been considered and noted that all trees within the property will require removal for the proposed works.

Trees to be removed consist of nine planted ornamentals.

Landscape Plans propose street tree planting along Mann Street and have proposed two tree species (native and exotic). Species for Mann Street must be an exotic species as listed in "*Gosford City Centre Streetscape Design Guidelines*". It is recommended that only *Nyssa sylvatica* be nominated and *Elaeocarpus* be deleted from the plans.

Proposed species within the site are acceptable and suitable for the limited planting area.

It is recommended that Landscape Plans be amended so that only the exotic species *Nyssa sylvatic* (as listed in "*Gosford City Centre Streetscape Design Guidelines*") is nominated for street tree planting. **(Refer Condition 2.12)**

External Referral Body	Comments
Sydney Trains	Concurrence granted subject to conditions. Refer part 7 Conditions.
Roads and Maritime Services	No objections as it is considered proposed development will have no significant impact on the nearby classified road network .

Political Donations

No political donations were declared.

Public Submissions

Two public submissions were received in relation to the application. Those issues associated with key issues have been addressed in the above report. The remaining issues pertaining to various concerns were addressed in the assessment of the application pursuant to the heads of consideration contained within Section 79C of the Environmental Planning and Assessment Act 1979.

A summary of the submissions are detailed below.

1. Services in the area are in need of upgrading prior to such a large development.

Comment

The Gosford CBD has a range of existing physical and social infrastructure items including roads, services, open space, community facilities etc. It is acknowledged that in line with and to support future growth, additional infrastructure and embellishments are needed.

Council is upgrading sewer capacity in the city centre to cater for future growth. The development will be required to construct works in Mann Street to serve the proposal. The development is also required to pay a S94 contribution which is to be used to carry out works in the City Centre identified in the contribution plan.

2. DAs should only be approved if sustainable and if transportation needs are met.

Comment

The development provides for a mix of 1 and 2 bedroom apartments which will add to housing mix in the locality. The units have been assessed against the ADG and are considered appropriate. The development is supported by a BASIX certificate indicating that the development meets sustainability criteria. The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles. The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

The site is adjacent to the bus/rail interchange and stations and so is well serviced by public transport options. The site is also noted to be within walking distance of shops, services and public amenities.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application. This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope, combat, withstand these potential impacts. The proposed development is considered satisfactory in relation to climate change.

Likely Impacts of the Development

a) Context and Setting

The site is located within the B4 Mixed use zone, which is currently developed with a mix of low scale commercial and retail tenancies uses. The impacts of the proposal has been considered in

the assessment of the application. The mixed use development will introduce retail and residential development into the locality which will in turn increase the activation of the area. This is considered to be in line with the desired future character of the area.

b) Built Environment

The site addresses Mann Street and to the rear of the site is the rail line. The application has been considered in terms of noise and vibration and is considered reasonable subject to conditions.

The development will improve the appearance of the area, improve the pedestrian footway and provide for a landmark on the prominent corner location. Landscaping at the podium level assists in providing human scale at that level and softens the appearance. The development will not impact on view corridors, and will not overshadow key open space areas.

The negative impacts of shadow on neighbours are minimised by the site's location adjacent to the railway line and the bus/rail interchange and associated parking areas. The mid-winter shadow diagrams provided in support of the application show that adequate solar access is provided (see Figure 8). It is noted that all of the properties affected by shadowing are zoned for commercial (B3 Commercial Core, or B4 Mixed Use, or are zoned SP2 Infrastructure – Railway).



Figure 8: Shadow diagrams

c) Access and Transport

The development is not traffic generating development. The locality is within walking distance of public transport, and a range of commercial, service and retail opportunities. The site is accessed via two driveway crossings to Mann Street and the parking provided within the development is greater than is required by the GDCP 2013. The proposal has been considered by Council's traffic engineer who supports the application subject to conditions.

Natural Environment

The site is within the established urban area and is currently developed for a mix of low scale commercial uses. It is not considered that the development will result in unacceptable impacts on the natural environment.

Suitability Of The Site For The Development

The site is zoned B4 Mixed Use which permits residential flat development and commercial premises. The development is considered to be in accordance with the desired future character of the area as envisaged by the GDCP 2013. The site is located on a key collector road and is not impacted by constraints such as flora and fauna or bush fire hazard. As such, the site is considered suitable for this type of development.

The Public Interest: (s79c(1)(e))

The approval of the application is considered to be in the public interest. The mixed use development will provide additional housing choice, in a locality which is highly accessible to Gosford city centre, community services and facilities and transport options.

Conclusion

This application has been assessed under the heads of consideration of section 79C of the *Environmental Planning and Assessment Act 1979* and all relevant instruments and policies. The proposal essentially complies with the GLEP 2014 and GDCP 2013 except for maximum height, building setbacks, and site coverage. However, the variations are either minor or have no significant impact on adjoining sites, and are supported.

The Roads and Maritime Services have no objections to the proposal. Sydney Trains have granted concurrence to the proposal subject to conditions.

There were two public submissions to the proposal. The issues raised are not in relation to the design, but relate to the need to provide infrastructure in the city centre.

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impact. It is considered that the proposed development will complement the locality and meet the desired future character of the area.

Accordingly, the application is recommended for approval pursuant to Section 80 of the *Environmental Planning and Assessment Act*.

Plans for Stamping

Amended Plans ECM Doc Nos. 24420417, 24574859, 24772025

Landscape Plans Doc No 22420681, 22420677

Supporting Documents for Binding with consent	
Document Name	ECM Document Number
Statement of Environmental Effects	22420481, 22420501, 22420503
Integrated Water Cycle Management Plan	24022663
Flood Impact Assessment	24724212
Transport Report	22420773
Apartment Design Guide Design Verification	22420642
Landscape DA Report	22420668
Waste Management Plan	24463804
BCA Compliance Report	22420779
DA Noise Impact Assessment	22420911
External Finishes Schedule	22420667
Environmental Site Assessment	24783182

Attachment 1

Proposed Conditions of Consent:

1. PARAMETERS OF THIS CONSENT

1.1. Approved Plans and Supporting Documents

Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "*Development Consent*" unless modified by any following condition.

Architectural Plans by nettleontribe.

Landscape Plans by Site Image Landscape Architects

Drawing	Description	Sheets	Issue	Date
DA-00	Title Page/Drawing List	1	-	10/05/2017
DA-01	Site Analysis & Demolition Plan	1	-	10/05/2017
DA-02	Site Plan	1	-	10/05/2017
DA-03	Basement 1 Plan	1	C	10/05/2017
DA-04	Ground Floor Plan	1	H	13/06/2017
DA-05	Podium Level 1 Plan	1	B	10/05/2017
DA-06	Podium Typical Plan (L2-L3)	1	B	10/05/2017
DA-07	Level 4 Floor Plan	1	B	10/05/2017
DA-08	Tower Typical Plan (L5-L23)	1	-	10/05/2017
DA-09	Roof Plan	1	-	10/05/2017
DA21	Elevation-East	1	C	10/05/2017
DA-22	Elevation-West	1	C	10/05/2017
DA-23	Elevation- North & South	1	-	10/05/2017
DA-31	Section A-A	1	-	13/06/2017
DA-41	Shadow Diagrams	1	-	10/05/2017
DA-51	Adaptable Units	1	-	10/05/2017
DA-62	FSR-Area Calculations	1	B	10/05/2017
000	Cover Sheet & Site Plan	1	D	29/03/2016
C101	Landscape Masterplan Render	1	D	29/03/2016
101	Landscape Plan-Ground Floor	1	A	29/03/2016
102	Landscape Plan-Podium Level 1	1	C	21/03/2016
103	Landscape Plan-Podium Level 4	1	C	29/03/2016
501	Landscape Details	1	B	16/03/2016
502	Landscape Specification & Plant Schedule	1	B	16/03/2016

Supporting Documentation

Document	Title	Date
Robinson Urban Planning	Statement of Environmental Effects	30/03/2016
Colston Budd Rogers & Kafes P/L	Transport Report and Addendum Ref 10128	March 2016 & 09/05/2017
nettletribe	Apartment Design Guide (ADG) Design Verification	24/03/2016
Site Image Landscape Architects	Landscape DA Report Issue D	29/03/2016
Cardno	Flood Impact Assessment Ver 2	12/07/2017
KMH Environmental	Waste Management Plan Project No.5016.047	May 2017
JK geotechnics	Geotechnical Investigation Ref 29190SB rpt	15/03/2016
nettletribe	External Finishes Schedule	30/03/2016
Morris Goding Accessibility Consulting	Access Review	29/03/2016
Floth P/L	Basix Certificate No 715779M	30/03/2016
Floth P/L	Integrated Water Cycle Management Plan Project No 16259	20/02/2017
MBC Modern Building Certifiers	BCA Design Compliance Report	23/03/2016
Acoustic Logic	DA Noise Impact Assessment	07/03/2016
Gordon Richmond	Building Energy Efficiency Certificate	30/03/2016
Karedis Nominees P/L	Stage 1 Desktop Environmental Site Assessment Ref: E29190KGrpt1	7 April 2016

1.2. Carry out all building works in accordance with the Building Code of Australia.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

All conditions under this section must be met prior to the issue of any Construction Certificate

- 2.1. No activity is to be carried out on site until any Construction Certificate has been issued, other than:
- a. Site investigation for the preparation of the construction, and / or
 - b. Implementation of environmental protection measures, such as erosion control etc that are required by this consent and/or
 - c. Demolition subject to compliance with conditions 2.4, 2.5, and 4.10 prior to commencement of demolition works.
- 2.2. Submit to Council, the accredited certifier and relevant adjoining property owners a dilapidation report, prepared by a practising structural engineer, detailing the structural characteristics of all buildings located on adjoining properties and any Council asset in the vicinity of the development. The report must indicate the structure's ability to withstand the proposed excavation, and any measures required to ensure that no damage to these structures will occur during the course of works.

In the event that access to an adjoining property(s) for the purpose of undertaking the dilapidation report is denied, the applicant must demonstrate in writing that all steps were taken to obtain access to the adjoining property(s).

- 2.3. Submit an application to Council under Section 138 of the *Roads Act, 1993*, for the approval of required works to be carried out within the road reserve.

Submit to Council Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control. The Engineering plans must be included with the Roads Act application for approval by Council.

Design the required works as follows:

- a. Footway formation graded at +2% from the top of kerb to the property boundary, across the full frontage of the site in Mann Street.
- b. Full width reinforced (SL72 steel fabric, 100mm thick) oxide concrete footpath paving and with header across the full frontage of the site in Mann Street. The surface treatment shall be in accordance with the Gosford City Centre Streetscape Design Guidelines prepared by Oculus (September 2011).

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- c. Heavy-duty vehicle crossing (access to car parking) that has a minimum width of 5.5m and constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric top and bottom.
 - d. Tapered heavy-duty vehicle crossing (access to waste servicing area) that has a minimum width of 14m at the rear of the heavy-duty gutter crossing, 9m at the boundary, and constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric top and bottom.
 - e. All redundant dish crossings and / or damaged kerb and gutter must be removed and replaced with new kerb and gutter.
 - f. All redundant vehicular crossings are to be removed and footway formation reinstated.
 - g. The piping of stormwater from within the site to Council's drainage system.
 - h. Erosion and sedimentation control plan.

The Roads Act application must be approved by Council.

A fee for the approval of engineering plans under the *Roads Act 1993* applies. The amount of this fee can be obtained by contacting Council's Customer Services on (02) 4325 8222.

- 2.4. Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development.
- 2.5. Pay a security deposit of \$100,000 into Council's trust fund. The payment of the security deposit is required to cover the cost of repairing damage to Council's assets that may be caused as a result of the development. The security deposit will be refunded upon the completion of the project if no damage was caused to Council's assets as a result of the development.
- 2.6. Apply for and obtain from Council (Water Authority) a Section 307 Certificate of Compliance under the *Water Management Act 2000*. Conditions and contributions may apply to the Section 307 Certificate.

The 'Application for 307 Certificate under Section 305 *Water Management Act 2000*' form can be found on Council's website www.gosford.nsw.gov.au. Early application is recommended.

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- 2.7. Submit engineering details prepared and certified by a practising structural engineer to the Council (Water Authority) for development constructed near or over the sewer main and / or adjacent to Council's water mains. The engineering details must comply with Council's guidelines for "Building Over or Near Council Sewer and Water Mains" and must be approved by Council. A fee for engineering plan assessment must be paid when submitting the engineering details.

Additional fees for the submission of contractor's documentation and sewer inspection fees apply for the adjustment or encasement of Council's sewer main. Subject to approval of the engineering plans, and payment of the prescribed fees, the developer must contact Council's Water and Sewer Quality Inspector on mobile phone 0419 412 725 a minimum of one week prior to commencement of any work involving building over and / or adjacent to sewer mains.

- 2.8. Submit design details of the following engineering works within private property:
- a. Driveways / ramps and car parking areas must be designed according to the requirements of AS2890: *Parking Facilities* for the geometric designs, and industry Standards for pavement designs.
 - b. A stormwater detention system must be designed in accordance with the Gosford DCP 2013 Chapter 6.7 - Water Cycle Management and Council's Civil Works Specification. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% AEP storm event. A runoff routing method must be used. An on-site stormwater detention report including an operation and maintenance plan must accompany the design. On-site stormwater detention is not permitted within private courtyards, drainage easements, and/or secondary flowpaths.
 - c. Nutrient/pollution control measures must be designed in accordance with Gosford DCP 2013 Chapter 6.7 - Water Cycle Management. A nutrient / pollution control report including an operation and maintenance plan must accompany the design.
 - d. On-site stormwater retention measures must be designed in accordance with Council's DCP Chapter 6.7 - *Water Cycle Management*. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design.
 - e. Piping and conveyance of the overland flow path through the site generally in accordance with the details shown on the plans prepared by Henry & Hymas drawing numbers 16179_DA_C101 (revision 02) and 16179_DA_C202 (revision 02), and the Flood Impact Assessment prepared by Cardno (file reference '59915150 280-300MannSt Gosford R01 Rev2 FIA.docm'). The system shall be capable of conveying the overland flow associated with the 1% AEP event and shall be

designed in accordance with Council's '*Civil Works Specification Volume 1 – Design | Gosford City Council*'. Pits associated with this system shall be placed in locations that allow pedestrian and vehicular access for inspection and maintenance.

- f. Piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the Railway corridor unless prior approval has been obtained from Sydney Trains.
- g. The minimum floor level of all habitable rooms on the Ground Level shall be RL 14.50m AHD.
- h. All building materials used or located below RL 14.50m AHD on the Ground Level must be of a type that is able to withstand the effects of immersion.

These design details and any associated reports must be included in the construction certificate.

- 2.9. Pay to Council a contribution amount of **\$3,331,460.00**, that may require adjustment at time of payment, in accordance with the Section 94A Development Contribution Plan - Gosford City Centre.

The total amount to be paid must be indexed each quarter in accordance with the Consumer Price Index (All Groups index) for Sydney issued by the Australian Statistician as outlined in the contribution plan.

Contact council's Contributions Planner on Tel 4325 8222 for an up-to-date contribution payment amount.

Any Construction Certificate must not be issued until the developer has provided the accredited certifier with a copy of a receipt issued by Council that verifies that the Section 94 contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104 of the *Environmental Planning and Assessment Regulation 2000*.

A copy of the Contributions Plan may be inspected at the office of Central Coast Council, 49 Mann Street or on Council's website:

www.gosford.nsw.gov.au/building-and-development/planning-guidelines-and-forms/contributions-plan

- 2.10 Prior to the issue of any Construction Certificate for building works, a Wind Effects Report is to be prepared by a suitably qualified person which demonstrates that the building will comply with the following maximum wind criteria:

- 10 metres/second in retail streets,

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- 13 metres/second along major pedestrian streets, parks and public places, and
 - 16 metres/second in all other streets.

A copy of the Wind Effect Report is to be provided to Council, and should the report recommend any changes, Council shall formally advise whether a Section 96 application is required prior to issue of a Construction Certificate.

- 2.11 The preparation and approval by the Principal Certifying Authority of a Construction Management Plan. The plan shall provide for delivery and storage of materials, workers parking, hours of construction, noise and dust control. The plan is to include a Construction Traffic Management Plan (CTMP) for the construction phase of the development including a Vehicle Movement Plan and Traffic Control Plan. The CTMP should be prepared with the intention of causing minimal impact to the operation of the road network during construction of the development.
- 2.12 Submit amendments to the approved plans to the accredited certifier pursuant to Clause 139 of the *Environmental Planning Regulation 2000: Applications for construction certificates* that must detail:
- a. Amended landscape plans so that only the species *Nyssa sylvatic* (as listed in "Gosford City Centre Streetscape Design Guidelines") is nominated for street tree planting.
- 2.13 Submit to Council a Stage 2 Detailed Site Investigation in accordance with *Managing Land Contamination - Planning Guidelines SEPP 55 - Remediation of Land (1998)* that defines the nature, extent and degree of potential contamination.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

All conditions under this section must be met prior to the commencement of any works

- 3.1. Appoint a Principal Certifying Authority after the construction certificate for the building work has been issued.
- a. The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b. Submit to Council a *Notice of Commencement of Building Works* or *Notice of Commencement of Subdivision Works* form giving at least two (2) days notice of

the intention to commence building or subdivision work. The forms can be found on Council's website www.gosford.nsw.gov.au

- 3.2. Keep a copy of the stamped approved plans on site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 3.3. Do not commence site works until the sediment control measures have been installed in accordance with the approved plans / Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation and Control*.
- 3.4. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - a. The name, address and telephone number of the principal certifying authority for the work; and
 - b. The name of the principal contractor and a telephone number at which that person may be contacted outside of working hours; and
 - c. That unauthorised entry to the work site is prohibited.

Remove the sign when the work has been completed.

- 3.5. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.gosford.nsw.gov.au.

Contact Council prior to submitting these forms to confirm the relevant fees.

- 3.6. Prevent public access to the construction site as required by Clause 298 of the *Work Health and Safety Regulation 2011* when building work is not in progress or the site is unoccupied. Site fencing specifications are outlined under Australian Standard AS1725.1-2010 - *Chain-link fabric fencing - Security fencing and gates*. The use of barbed wire and/or electric fencing is not to form part of the protective fencing to construction sites.

A separate application made under the Roads Act 1993 will need to be lodged with Council If a hoarding or construction site fence must be erected on the road reserve or a public place.

- 3.7. Provide certification to the Principal Certifying Authority that the structural engineer's details have been prepared in accordance with the recommendations of the geotechnical report(s) listed as supporting documentation in this development consent.

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- 3.8. Submit to Council details for the disposal of any spoil gained from the site and / or details of the source of fill, heavy construction materials and proposed haulage routes to and from the site. Details are to be accompanied by a dilapidation report for the road carriageway and kerbs from the intersection of Mann Street and Racecourse Road to the intersection of Mann Street and Faunce Street. Approval of these details must be obtained from Council. Updated details must be provided during construction if details change.
- 3.9. Submit to Council a Stage 3 Site Remedial Action Plan in accordance with *Managing Land Contamination - Planning Guidelines SEPP 55 - Remediation of Land (1998)* that set objectives and documents the process to remediate the site.

4. DURING WORKS

All conditions under this section must be met during works

- 4.1. Clearing of land, excavation, and / or earthworks, building works, and the delivery of building materials must only be carried out between the following hours:
- Mondays to Fridays - 7:00am to 6:00pm
Saturdays - 8:00am to 4:00pm except as noted in Clause 'b'
- a. No work is permitted on Sundays and Public Holidays
 - b. No work is permitted on:
 - Saturdays when a public holiday is adjacent to that weekend.
 - Construction industry awarded rostered days off.
 - Construction industry shutdown long weekends.
- 4.2. Undertake and maintain Erosion and Siltation control measures in respect to any part of the land where the natural surface is disturbed or earthworks are carried out. The controls must comply with Gosford DCP 2013 Chapter 6.3 - *Erosion and Sedimentation Control*.
- 4.3. Keep a copy of the stamped approved plans on site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.4. Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.

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- 4.5. Cease all works if any Aboriginal objects or artefacts are uncovered during works. Immediately contact the NSW Office of Environment & Heritage and comply with any directions or requirements.
 - 4.6. Do not carry out construction work or store building materials on the road reserve unless they are associated with a separate approval under the *Roads Act 1993*.
 - 4.7. Implement all recommendations of the geotechnical report(s) listed as supporting documentation in this development consent. Furthermore, the geotechnical engineer must provide written certification to the Principal Certifying Authority that all works have been carried out in accordance with the recommendations contained within the geotechnical report(s).
 - 4.8. Construct the works within the road reserve that required approval under the Roads Act. The works must be constructed in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control.
 - 4.9. Locate all electrical fixtures and/or gas outlets associated with the proposed works on the Ground Level at a minimum height of RL 14.50m AHD.
 - 4.10. Compliance with all Demolition and Construction commitments as detailed in the Waste Management Plan by KMH Environmental, Project No. 5016.047, dated 24 May 2017.
 - 4.11. Ensure a vertical ceiling height of 4.0m is provided in all areas serviced by waste trucks.
 - 4.12. Ensure no obstructions to the wheel out of the waste bins including grills, speed humps, barrier kerbs etc.
 - 4.13. Submit a report prepared by a registered Surveyor to the Principal Certifying Authority at each floor level of construction of the building (prior to the pouring of concrete) indicating that the finished floor level is in accordance with the approved plans.
 - 4.14. Incorporate the following Crime Prevention Through Environmental Design (CPTED) principles and strategies to minimize the opportunity for crime:
 - a. Provide adequate lighting to common areas as required under *AS1158: Lighting for roads and public spaces*.
 - b. Paint the ceiling of the car park white.
 - c. Design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity.

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- d. Design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises.
 - e. Provide signage within the development to identify all facilities, entry/exit points and direct movement within the development.
- 4.15 Demolish buildings in a safe and systematic manner in accordance with AS2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.
- 4.16 Implement all recommendations of the geotechnical report(s) listed as supporting documentation in this development consent. Furthermore, the geotechnical engineer must provide written certification to the Principal Certifying Authority that all works have been carried out in accordance with the recommendations contained within the geotechnical report(s).
- 4.17 Submit to Council a Stage 4 Validation and Site Monitoring Report in accordance with *Managing Land Contamination - Planning Guidelines SEPP 55 - Remediation of Land (1998)* that demonstrates that the objectives stated in the Stage 3 Remedial Action Plan have been achieved.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

All conditions under this section must be met prior to the issue of any Occupation Certificate

- 5.1. Submit an application for the Occupation Certificate to the Principal Certifying Authority for approval.
- 5.2. Do not occupy the premises until the Occupation Certificate has been issued.
- 5.3. Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the *Plumbing and Drainage Act 2011*.
- 5.4. Provide certification from a geotechnical engineer to the Principal Certifying Authority that all works have been carried out in accordance with the recommendations contained within the geotechnical report(s) listed as supporting documentation in this development consent.
- 5.5. Complete works within the road reserve that required approval under the Roads Act. The works must be completed in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control, and documentary evidence for the acceptance of such works must be obtained from the Roads Authority.

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- 5.6. Rectify any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense.
- 5.7. Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.
- 5.8. Amend the Deposited Plan (DP) to:
- Include an Instrument under the *Conveyancing Act 1919* for the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan.
 - a. Create a 'Restriction as to User' over all lots containing an on-site stormwater detention system and/or a nutrient/pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility.
 - b. Create a Stratum Easement in favour of Council to drain stormwater associated with the overland flow path through the development, in the form of the suspended culvert under the ground floor slab as indicated on plans prepared by Henry & Hymas drawing numbers 16179_DA_C101 (revision 02) and 16179_DA_C202 (revision 02).
 - c. Create a 'Restriction as to User' over all land affected by a secondary flow path to ensure:
 - (i) The shape of the flow path is not altered.
 - (ii) No structure is erected within the flow path, excluding structures that are flood compatible.

And

- Include an instrument under the *Conveyancing Act 1919* for the following positive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s).
 - a. To ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that:
 - (i) The facility will remain in place and fully operational.
 - (ii) The facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner.

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- (iii) Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost.
 - (iv) Council is indemnified against all claims of compensation caused by the facility.

- b. To ensure that the maintenance, upkeep and repair of the suspended culvert and associated infrastructure associated with the overland flow path through the site is carried out by the development's Body Corporate to ensure the functional and structural performance of the system.

Submit, to the Principal Certifying Authority, copies of registered title documents showing the restrictive and positive covenants.

- 5.9. Amend the deposited plan (DP) to include a Section 88B instrument under the *Conveyancing Act 1919* to indemnify Council against claims for loss or damage to the pavement or other driving surface and against liabilities losses, damages and any other demands arising from any on-site collection service, at the applicant's cost.
- 5.10. Consolidate lots all allotments into a single allotment under one Certificate of Title.
- 5.11. Construct, grade, drain, seal and line mark including directional arrows with impervious paving material the driveway, vehicle manoeuvring area and car parking spaces as shown on the approved plan, in accordance with *AS2890.1-2004: Parking facilities - Off-street parking*.
- 5.12. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.
- 5.13. Provide certification to the Principal Certifying Authority that the requirements of the BASIX certificate listed as supporting documentation in this development consent have been complied with.
- 5.14 Complete landscaping works.

6. ONGOING OPERATION

- 6.1. Maintain the on-site stormwater detention facility in accordance with the operation and maintenance plan.
- 6.2. Maintain the nutrient / pollution control facilities in accordance with the operation and maintenance plan.

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- 6.3. Comply with all On-going Use commitments detailed within the Waste Management Plan by KMH Environmental, Project No. 5016.047, dated 24 May 2017.
 - 6.2. Place the mobile green waste containers at a suitable location at the kerbside no earlier than the evening prior to the collection day and return to the approved waste storage enclosure as soon as possible after service. The residents, caretaker, owner, Body Corporate are responsible for the placement and return of the mobile waste containers.
 - 6.3. Ensure all waste vehicle manoeuvring is in accordance with the Transport Report, Reference 10128, dated March 2016 and the addendum to the Transport Report, Reference JH/10128/jj, dated 9 May 2017 by Colston Budd Rogers & Kafes Pty Ltd.
 - 6.4. Locate the approved waste storage enclosure / area as indicated on Project / Drawing Number DA04, Revision H, dated 13 June 2017 prepared by Nettletontribe.
 - 6.5. Construct and manage the waste storage enclosure in accordance with the provisions of Gosford DCP 2013, Part 7: Chapter 7.2 - *Waste Management, Appendix D* and *Appendix G*, as applicable.
 - 6.6. Construct and manage garbage chutes in accordance with the provisions of Gosford DCP 2013, Part 7: Chapter 7.2 - *Waste Management, Appendix F*.

7. OTHER APPROVALS

Compliance with the conditions of Sydney Trains being;

7.1 Prior to the issuing of a Construction Certificate the Applicant shall prepare and provide to Sydney Trains for approval/certification the following items:

- Revised Geotechnical Report with additional borehole testing conducting in the south west corner of the site closest to the rail corridor.
- Final Structural Design Report and Drawings based on the revised Geotechnical Report.
- Final Ground Movement Monitoring Plan based on the revised Geotechnical Report.
- Report indicating compliance with AS 5100
- Final Detailed Survey Plan showing the relationship of the proposed development with respect to Sydney Trains land and infrastructure.

Any conditions issued as part of Sydney Trains approval/certification of any of the above documents will also form part of the consent conditions that the Applicant is required to comply with. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming compliance with the above requirements

- 7.2 All piling and excavation works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
- 7.3 No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- 7.4 No rock anchors/bolts are to be installed into RailCorp property or easements.
- 7.5 Prior to the commencement of works the Applicant shall peg-out the common property boundary with RailCorp's land. This work is to be undertaken by a registered surveyor.
- 7.6 The Applicant is to submit to Council, for its records, copies of any certificates, drawings or approvals given to or issued by Sydney Trains.
- 7.7 During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- 7.8 Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
- 7.9 Sydney Trains and Transport for NSW are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving

reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.

7.10 Prior to the commencement of works, on the completion of works, or at any time during the works period deemed necessary by Sydney Trains or TfNSW, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from the requesting Agency and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by the requesting Agency.

7.11 An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".

7.12. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

7.13. The Applicant is to ensure that the development incorporates appropriate anti-graffiti measures acceptable to Sydney Trains.

7.14. Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20m and face the rail corridor, the Applicant is required to install measures (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor. These measures are to comply with Sydney Trains requirements. The Principle Certifying Authority is not to issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.

7.15. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the light rail operator. The Principle Certifying Authority is not to

issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

7.16. Prior to the issue of a Construction Certificate a Risk Assessment, Rail Safety Management Plan, and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

7.17. Prior to the commencement of works appropriate fencing is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

7.18. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

7.19. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

7.20. Prior to the issue of a Construction Certificate the Applicant is to submit to Sydney Trains the demolition, excavation and construction methodology and staging for review and endorsement. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

7.21. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail

Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

7.22. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the entire works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

7.23. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easement. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

7.24. The Applicant must provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The maintenance plan is to be submitted to Sydney Trains prior to the issuing of the Occupancy Certificate. The Principle Certifying Authority is not to issue an Occupation Certificate until written confirmation has been received from Sydney Trains advising that the maintenance plan has been prepared to its satisfaction.

7.25. No scaffolding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the proponent will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.

7.26. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written

confirmation has been received from Sydney Trains confirming that its approval has been granted.

7.27. There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor. The development landscaping and planting plan should be submitted to Sydney Trains for review.

8. ADVICE

8.1. Consult with public authorities who may have separate requirements in the following aspects:

- a. *Australia Post* for the positioning and dimensions of mail boxes in new commercial and residential developments;
- b. *Jemena Asset Management* for any change or alteration to the gas line infrastructure;
- c. *Ausgrid* for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
- d. *Telstra, Optus* or other telecommunication carriers for access to their telecommunications infrastructure.
- e. *Central Coast Council* in respect to the location of water, sewerage and drainage services.

8.2. Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.

8.3. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

- 8.4. Separate application is required should the applicant require a new or upsized water supply connection to Council's water supply system.
- 8.5. Install and maintain backflow prevention device(s) in accordance with Council's *WS4.0 Backflow Prevention Containment Policy*. This policy can be found on Council's website at: www.gosford.nsw.gov.au
- 8.6. Ensure the proposed building or works comply with the requirements of the *Disability Discrimination Act*.

NOTE: The *Disability Discrimination Act* (DDA) is a Federal anti-discrimination law.

The DDA covers a wide range of areas including employment, education, sport and recreation, the provision of goods, services and facilities, accommodation and access to premises. The DDA seeks to stop discrimination against people with any form of disability including physical, intellectual, sensory, psychiatric, neurological, learning, disfigurement or presence in the body of a disease-causing organism. This development consent does not indicate nor confirm that the application complies with the requirements of the DDA.

- 8.7. The inspection fee for works associated with approvals under the Roads Act is calculated in accordance with Council's current fees and charges policy.
- 8.8. Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with Council's fees and charges.

9. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a ***criminal offence***. Failure to comply with other environmental laws may also be a ***criminal offence***.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

10. REVIEW OF DETERMINATION

10.1. Subject to provisions of Section 82A of the Act the applicant may make an application seeking a review of this determination, providing it is made in time for Council to determine the review within six (6) months of this determination.

11. RIGHT OF APPEAL

11.1. Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court within six (6) months, from the date of determination.

11.2. To ascertain the date upon which the determination becomes effective refer to Section 83 of the Act.

Attachment 2
Architectural Plans



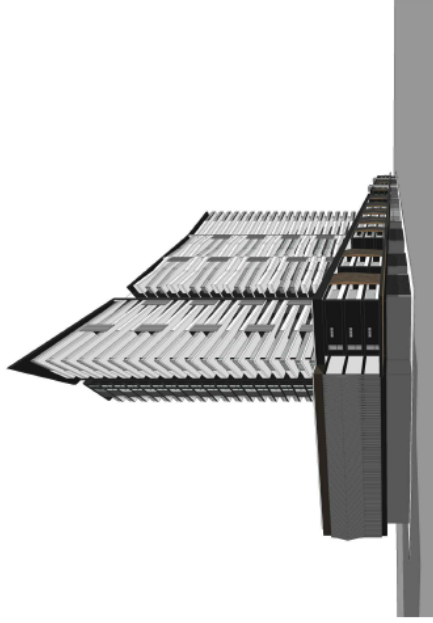
nettletontribe

KL PROPERTIES PTY. LTD.
Level 1, 202 Military Road, Neutral Bay NSW 2089
† 02 9908 0321
f 02 9908 0344

DRAWING LIST:

- 4840_DA-00 Title Page/Drawing List
- 4840_DA-01 Site Analysis & Demolition Plan
- 4840_DA-02 Site Plan
- 4840_DA-03 Basement 1 Plan
- 4840_DA-04 Ground Floor Plan
- 4840_DA-05 Podium Plan (L1)
- 4840_DA-06 Podium Plan (L2,L3)
- 4840_DA-07 Level 4 Floor Plan
- 4840_DA-08 Tower Typical Plan (L5-L23)
- 4840_DA-09 Roof Plan
- 4840_DA-21 Elevations - East
- 4840_DA-22 Elevations - West
- 4840_DA-23 Elevations - North & South
- 4840_DA-31 Section A-A
- 4840_DA-41 Shadow Diagrams - Winter June 22
- 4840_DA-51 Adaptable Units- Sheet 1
- 4840_DA-62 Area Diagram (GFA)

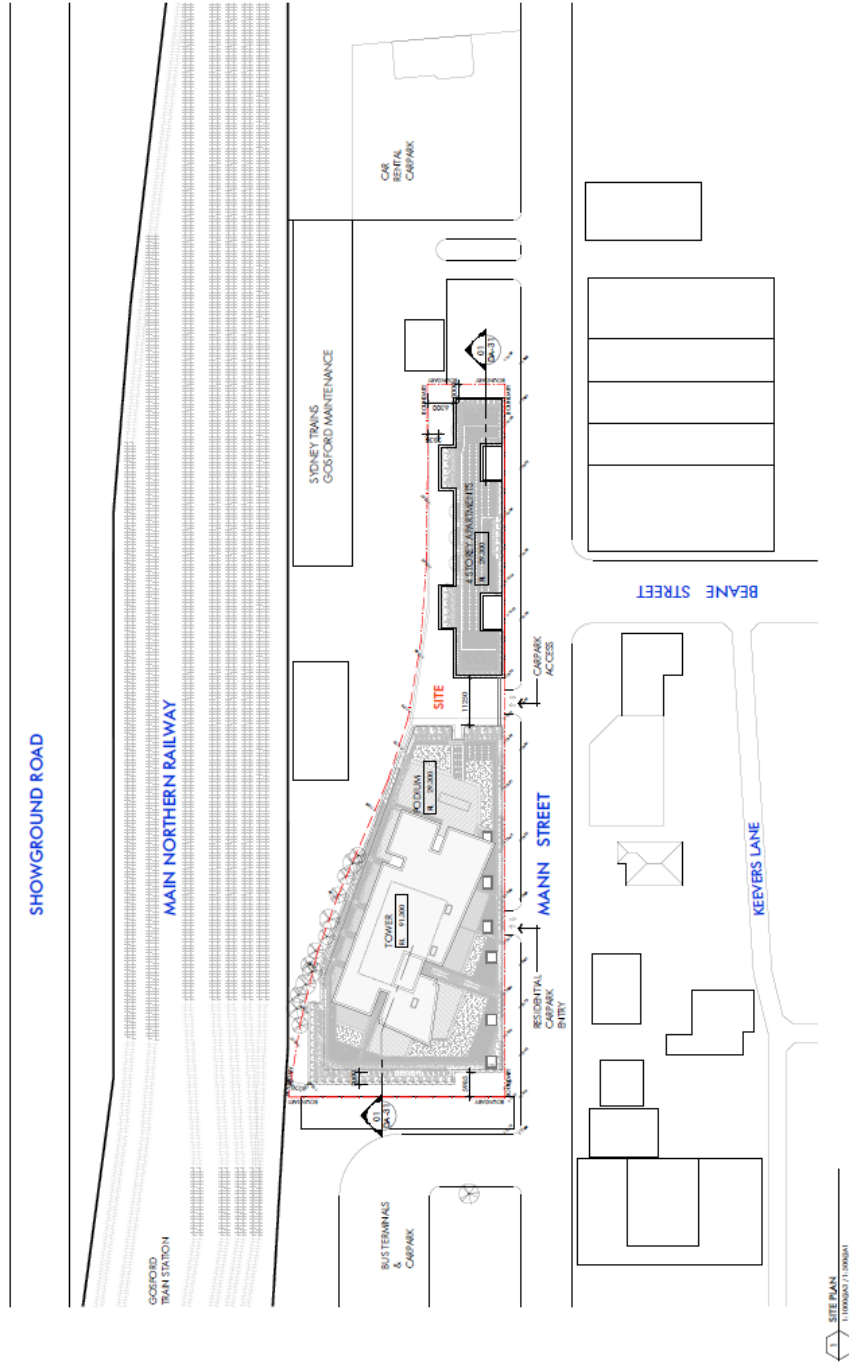
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W002	2000 X 2000	GLazing COLOUR	2-PANELS, 2 OPERABLE, 1 FIXED
W003	1000 X 2000	GLazing COLOUR	2-PANELS, 2 OPERABLE, 1 FIXED
W004	4000 X 2000	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W005	1000 X 2400	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W006	2000 X 2000	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W007	2000 X 2000	GLazing COLOUR	2-PANELS, 1 OPERABLE, 1 FIXED
W008	1000 X 2400	FIXED & ADJUST. WINDOW	2-PANELS, 800X1400 OPERABLE AREA
W009	1100 X 2400	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W010	4000 X 2000	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W011	2000 X 2000	GLazing COLOUR	2-PANELS, 2 OPERABLE, 1 FIXED
W012	4000 X 2000	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W013	1000 X 800	FIXED & ADJUST. WINDOW	2-PANELS, 600 X 600 OPERABLE AREA
W014	2000 X 2000	FIXED GLAZING	2-PANELS
W015	1000 X 2000	GLazing COLOUR	2-PANELS
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W019	2000 X 2000	GLazing COLOUR	2-PANELS, 2 OPERABLE, 1 FIXED
W020	4000 X 2000	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA
W021	1000 X 2000	FIXED & ADJUST. WINDOW	2-PANELS, 1000X1000 OPERABLE AREA



PROPOSED MIXED USE DEVELOPMENT

280-300 Mann Street Gosford NSW
DA set
May 2017





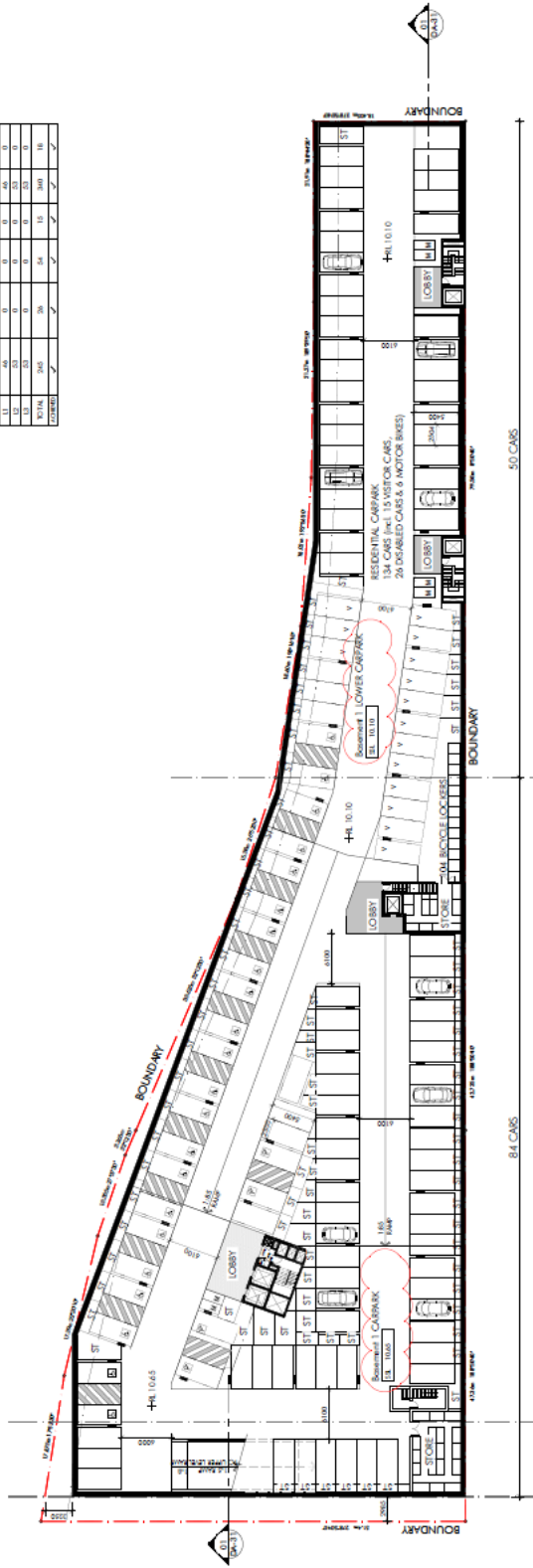
DEVELOPMENT APPLICATION

CARPARKING REQUIRED

EXISTENTIAL	REQUIREMENT	TOTAL	TOTAL	TOTAL
200	36	45	200	16

CARPARKING PROVIDED SUMMARY

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BASEMENT 1 PLAN
1:500 (A4) / 1:250 (A3)

LEGEND
ST - BASEMENT PARKING STALLS

DEVELOPMENT APPLICATION

BASEMENT 1 PLAN
1:500 (A4) / 1:250 (A3)
PROPOSED MIXED USE DEVELOPMENT
DA-03

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
(Level 1, 202 Mann Road, Gosford NSW 2250)
T 02 9908 0322
F 02 9908 1144

NO.	DATE	REVISION	BY	CHKD
1	10/10/2019	ISSUED FOR PERMIT	KL	KL
2	10/10/2019	REVISED FOR PERMIT	KL	KL
3	10/10/2019	REVISED FOR PERMIT	KL	KL
4	10/10/2019	REVISED FOR PERMIT	KL	KL
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7	10/10/2019	REVISED FOR PERMIT	KL	KL
8	10/10/2019	REVISED FOR PERMIT	KL	KL
9	10/10/2019	REVISED FOR PERMIT	KL	KL
10	10/10/2019	REVISED FOR PERMIT	KL	KL

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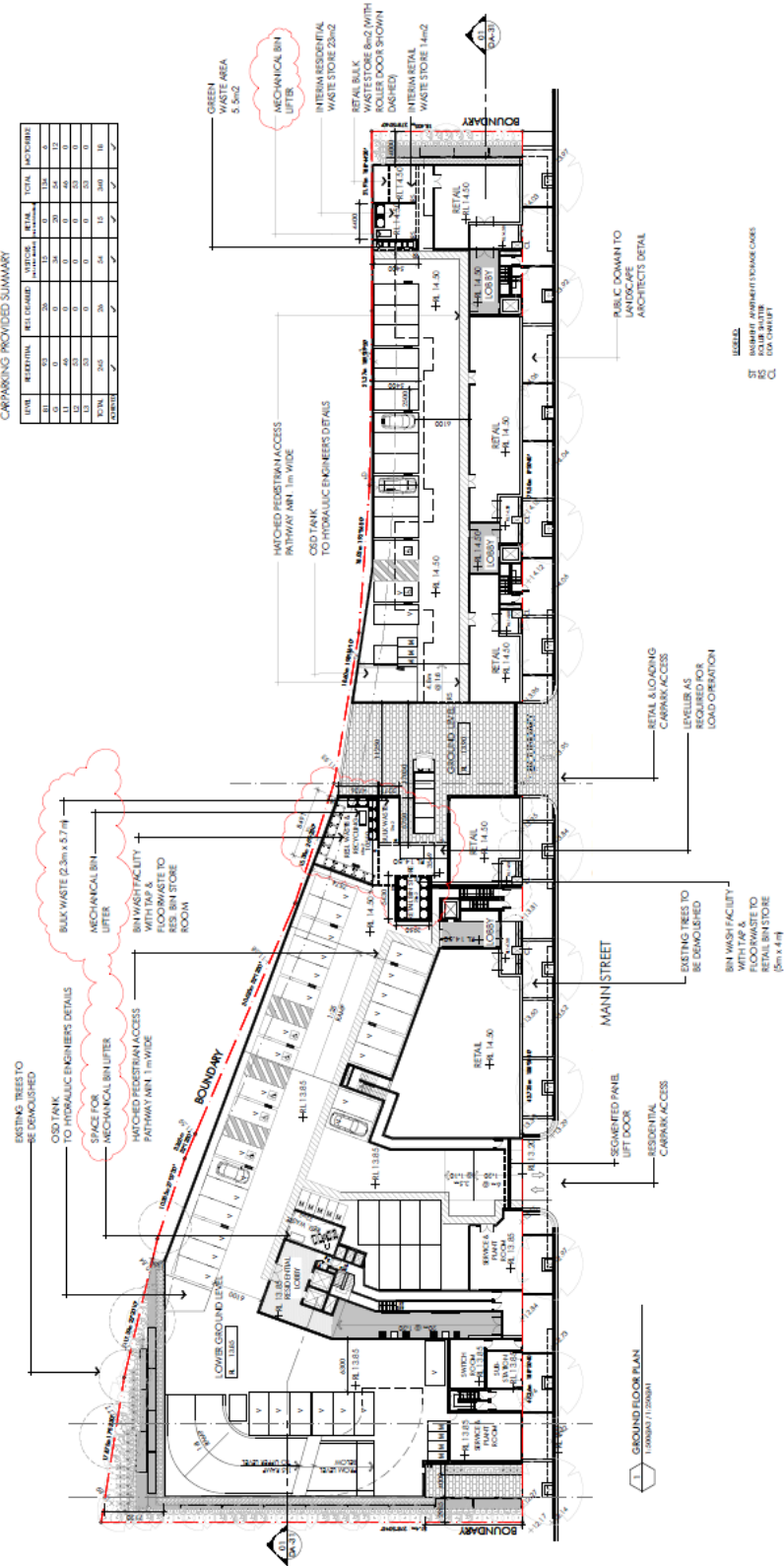
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P 02 9908 0322
E info@klproperties.com.au
www.klproperties.com.au

CARPARKING REQUIRED

REQUIREMENT	DEVELOPER	DESIGNER	TOTAL	REMARKS
200	20	45	200	16

CARPARKING PROVIDED SUMMARY

TYPE	REQUIREMENT	DEVELOPER	DESIGNER	TOTAL	REMARKS
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DEVELOPMENT APPLICATION

KL PROPERTIES PTY. LTD.
280-300 MANN ST
GOSFORD NSW

GROUND FLOOR PLAN
1:500 (A4) / 1:250 (A3)
1:100 (A2) / 1:50 (A1)
DA-04

NO.	DATE	REVISION	BY	CHKD	APPD
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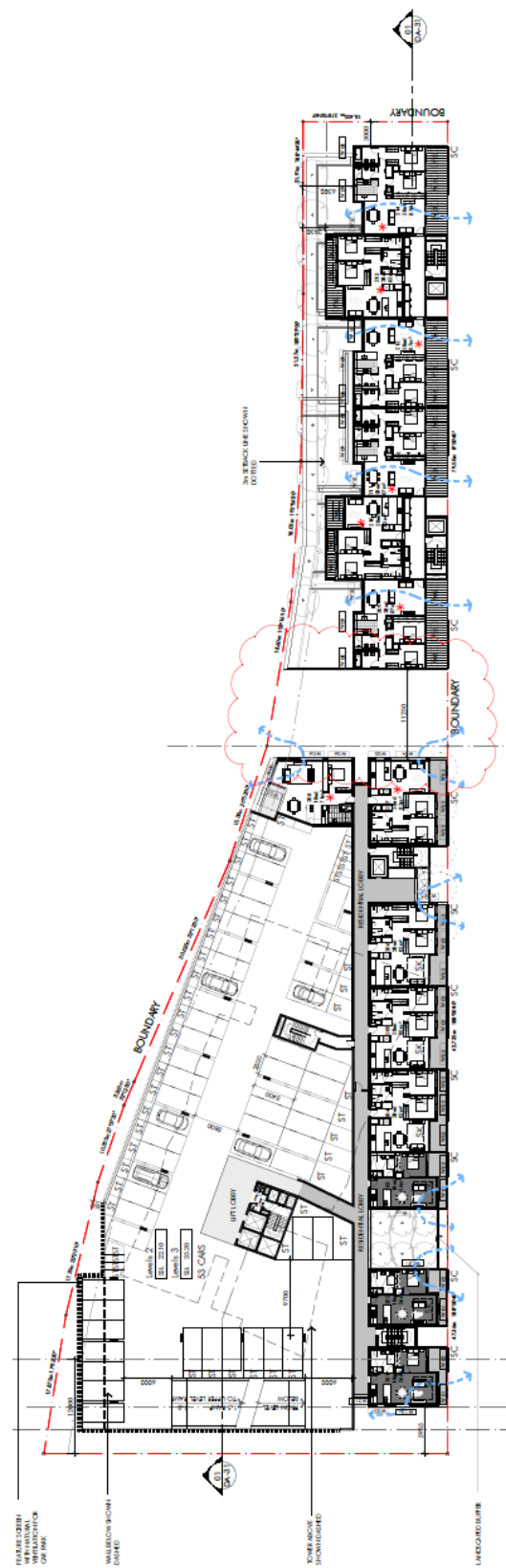
KL PROPERTIES PTY. LTD.
280-300 MANN ST
GOSFORD NSW

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
280-300 MANN ST
GOSFORD NSW



LEGEND:

- * MAX. 3 HOUR SOLAR ACCESS (21 JULY)
- CRICKS RELATED APPOINTMENT
- ST BUSHBUTT APARTMENT STORAGE CRICKS
- SC PRIVACY SCREENS
- SK SKYSHED (L3 ONLY)

DEVELOPMENT APPLICATION

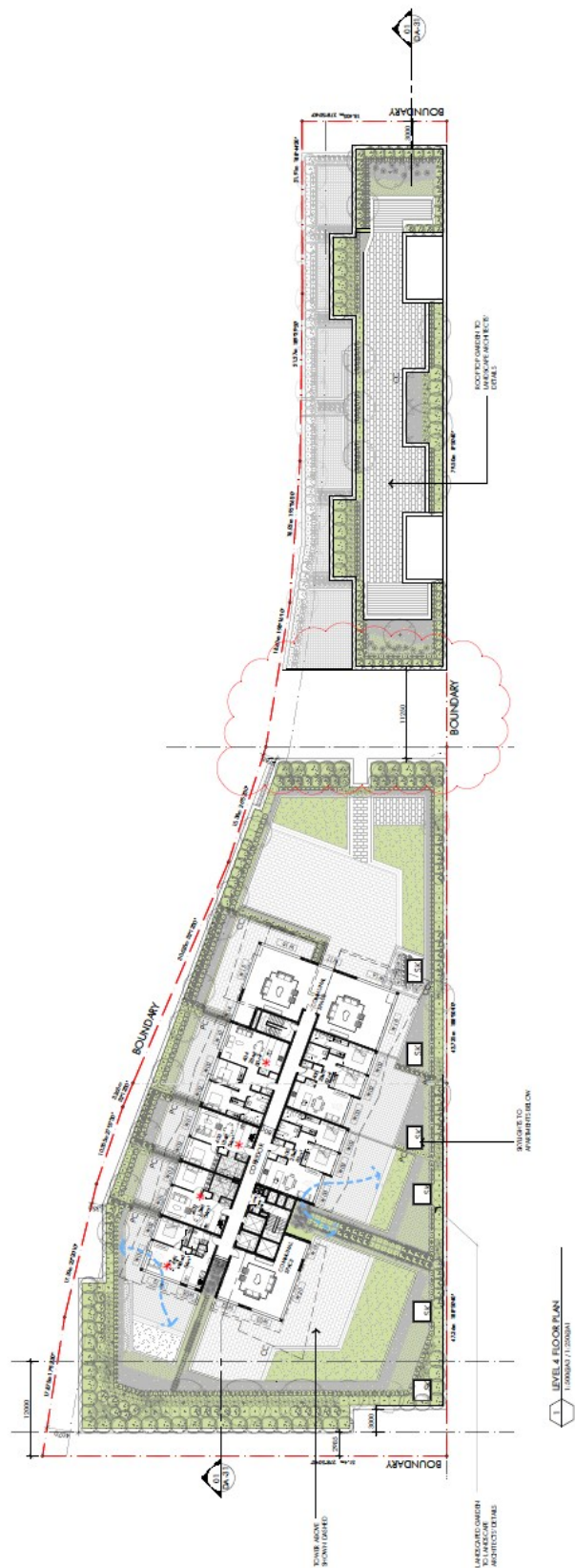
PODIUM TYPICAL PLAN (L2-L3)
1:500 @A3 / 1:250 @A1
10/05/2017
DA-06

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
Level 1, 202 Military Road, Neutral Bay NSW 2089
t 02 9903 0321
f 02 9903 0344

№№ п/п	Вопросы к семинару	Дата
1	1. Что такое закон?	21.09.17
2	2. Какие функции выполняет закон?	22.09.17
3	3. Какие принципы лежат в основе законодательства?	23.09.17
4	4. Какие виды законов существуют?	24.09.17
5	5. Как осуществляется процесс принятия закона?	25.09.17
6	6. Какие последствия имеет нарушение закона?	26.09.17
7	7. Как закон соотносится с другими нормами права?	27.09.17
8	8. Какие гарантии существуют для обеспечения законности?	28.09.17
9	9. Как закон влияет на развитие общества?	29.09.17
10	10. Какие задачи стоят перед законодательством в современном мире?	30.09.17





LEGEND

* MINIMUM HOUR ACCESS (71 HRS)

-- CRACKS VERIFIED APARTMENT

PC PRIVATE COURTNEY

CC COMMERCIAL COURTYARD

SK SKYBRIDGE

DEVELOPMENT APPLICATION

LEVEL 4 FLOOR PLAN
1,500 @A3 / 1,250 @A1
10/05/2017
DA-07

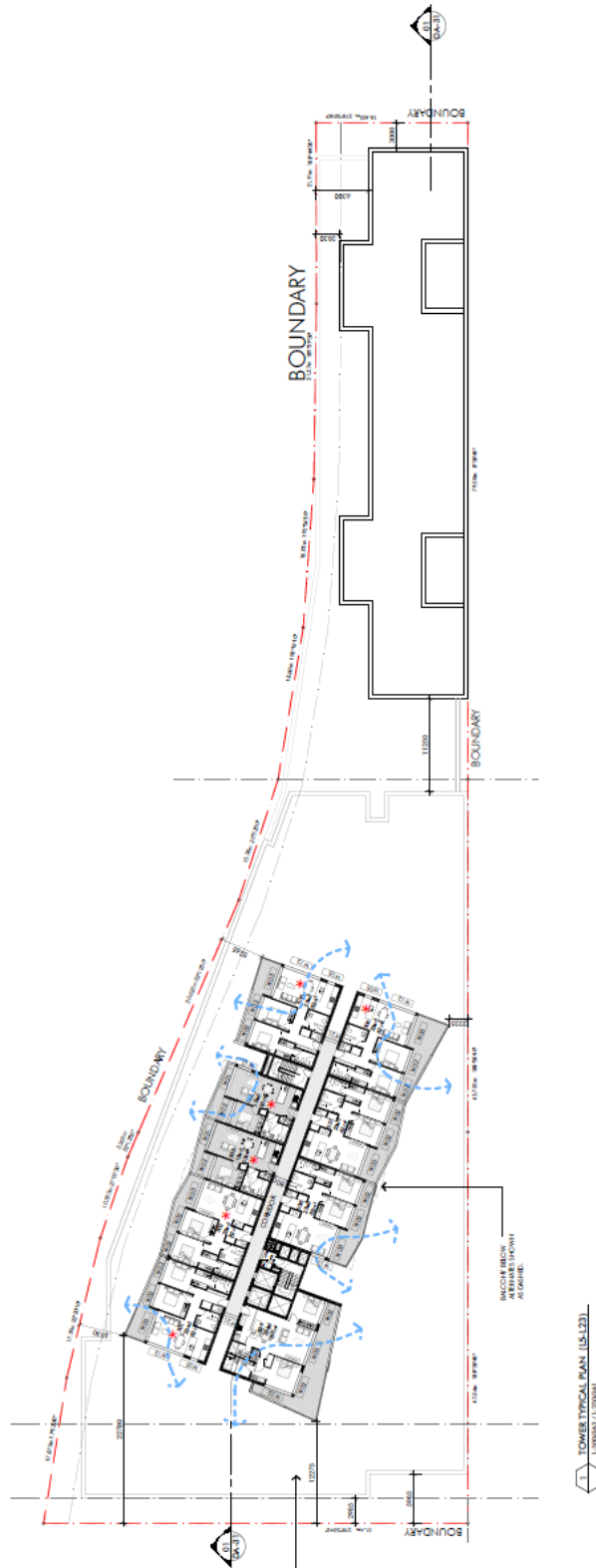
PROPOSED MIXED USE DEVELOPMENT
280-300 MAIN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
Level 1, 202 Military Road, Pheasant Bay NSW 2069
+ 62 9908 0321
+ 62 9908 0344

Run no.	Date of test	Time
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8	23/05/2012	2.7
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97	05/02/2014	2.7
98	12/02/2014	2.7
99	19/02/2014	2.7
100	26/02/2014	2.7

rt
nettelontribe

nettelontribe partnership pty ltd ABN 58 141 681 122
317 Williamstown road, room one 30053
VIC 3207 0437 0437 02 9439 7474
a.peter@nettelontribe.com.au or nettelontribe.com.au



1. TOWER TYPICAL PLAN (LS-L23)
LANDMARK 17/2000/1

NOTE

- BOUNDARY
- MIN 300MM COMPACTED (ST A14)
- CRACK WATER RETAINMENT

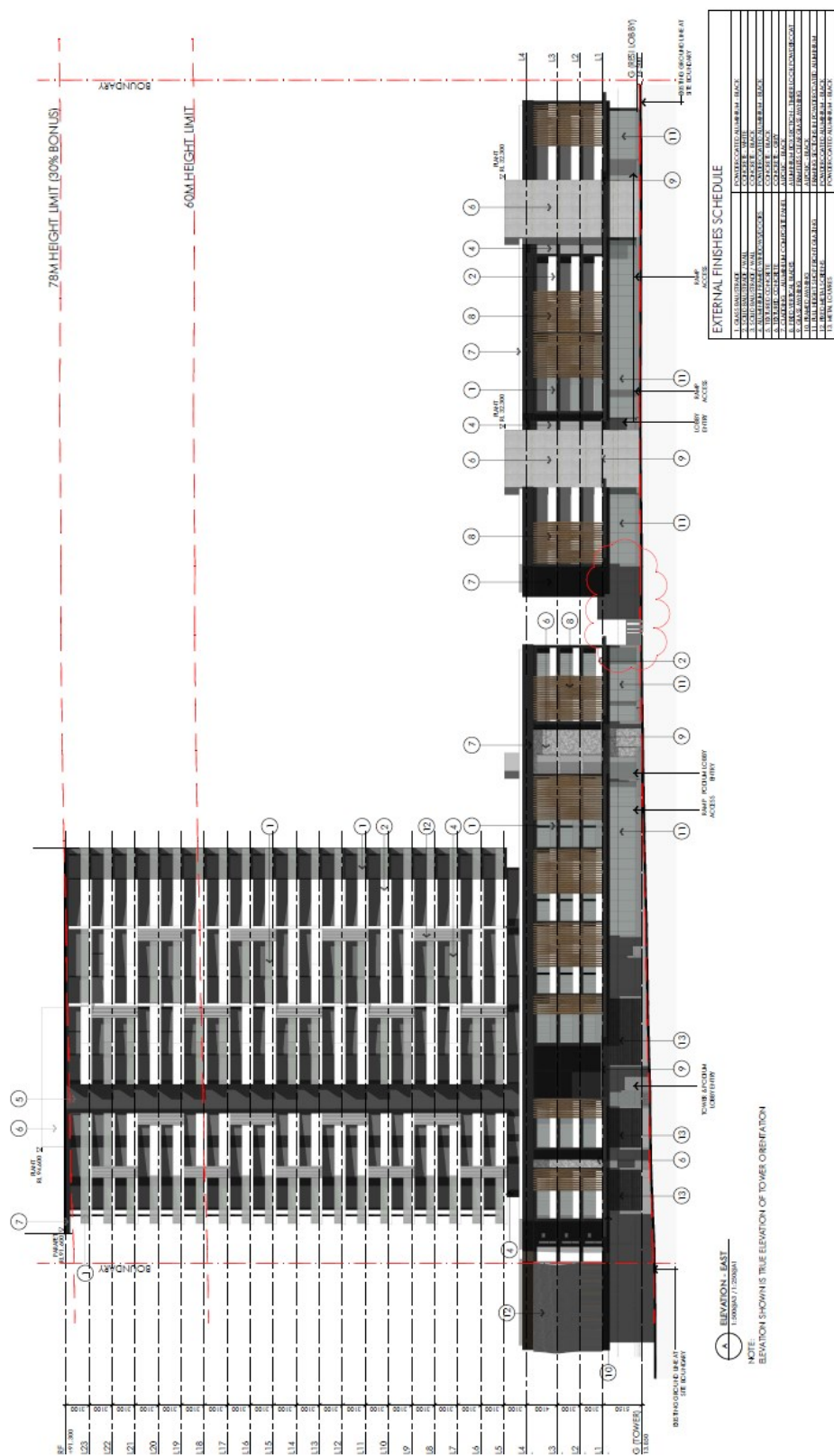
KL PROPERTIES PTY. LTD.
 Level 1, 280 Mann St, Gosford NSW 2250
 Tel: 02 9928 0321
 www.klproperties.com.au

PROPOSED MIXED USE DEVELOPMENT
 280-300 MANN ST
 GOSFORD NSW

No.	Description	Date	By
1	PRELIMINARY DESIGN	10/08/2017	KL
2	FINAL DESIGN	10/08/2017	KL
3	CONSTRUCTION	10/08/2017	KL

netfionitbe
 netfionitbe
 117-119 Mann St, Gosford NSW 2250
 Tel: 02 9928 0321
 www.netfionitbe.com.au

DEVELOPMENT APPLICATION
 TOWER TYPICAL PLAN (LS-L23)
 1:200 AND 1:1000
 DA-08

[illegible]

12 NEW LEAVES
POWERCOATED ALUMINUM • BLACK

rt
nettelontribu

nettelontribu parzialmente gratuito per ADRI 28 141 653 12
917 willoughby road crows nest nsw 1586
tel: 0431 640 123 fax: 0431 640 124
a.rty@nettelontribu.com.au

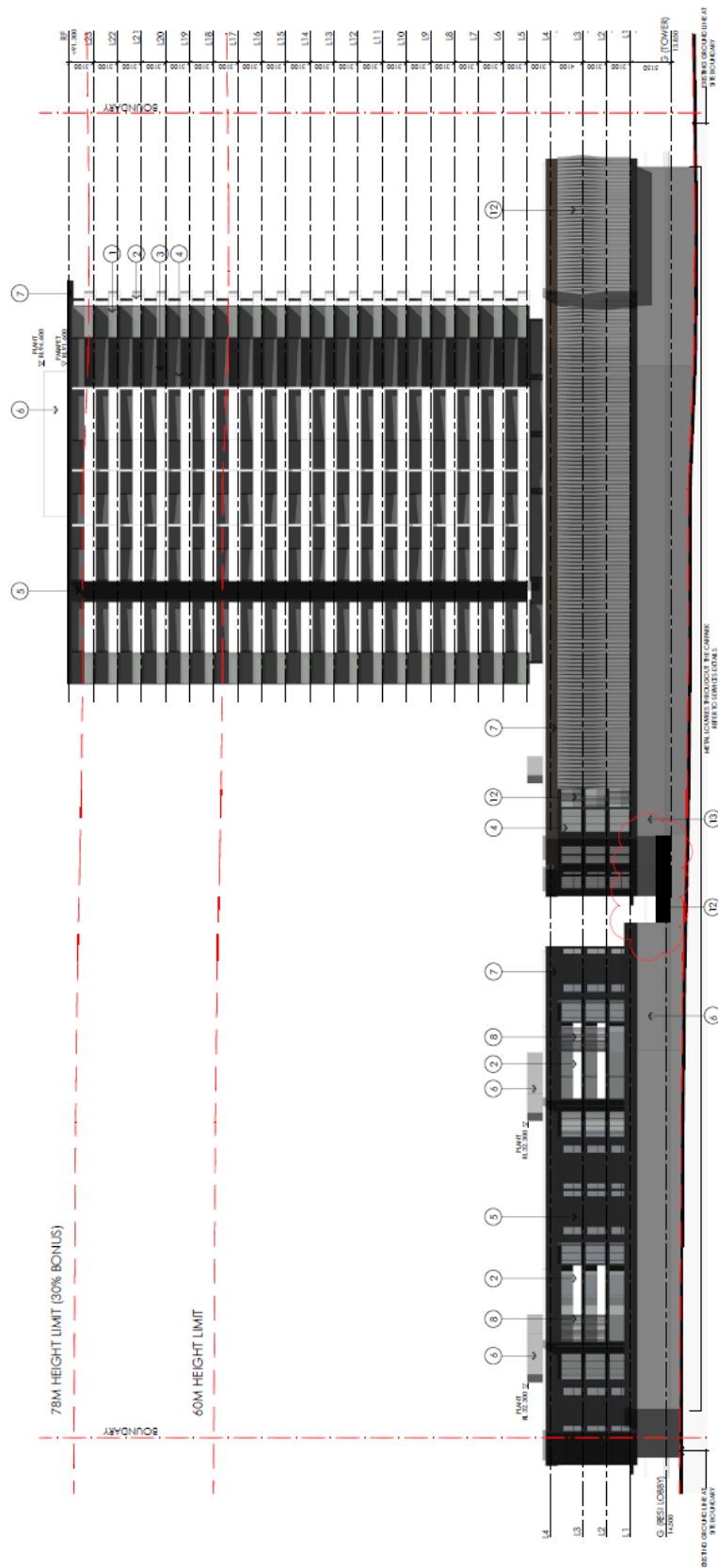
ELEVATION - EAST
1:500 @A0 / 1:250 @A1
10/05/2017
DA-21

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 395–401

Sl. No.	Signature	Date	Time
1	Dr. J. S. Kulkarni	22/05/2022	10:30 AM
2	Dr. J. S. Kulkarni	22/05/2022	10:30 AM
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4	Dr. J. S. Kulkarni	22/05/2022	10:30 AM
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8	Dr. J. S. Kulkarni	22/05/2022	10:30 AM
9	Dr. J. S. Kulkarni	22/05/2022	10:30 AM
10	Dr. J. S. Kulkarni	22/05/2022	10:30 AM

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.
Level 1, 202 Military Road, Neutral Bay NSW 2089
t 02 9508 0321
f 02 9508 0344



A ELEVATION - WEST
1:5000000 / 1:2500000

NOTE:
ELEVATION SHOWN IS TRUE ELEVATION OF TOWER ORIENTATION

[illegible]

DEVELOPMENT APPLICATION

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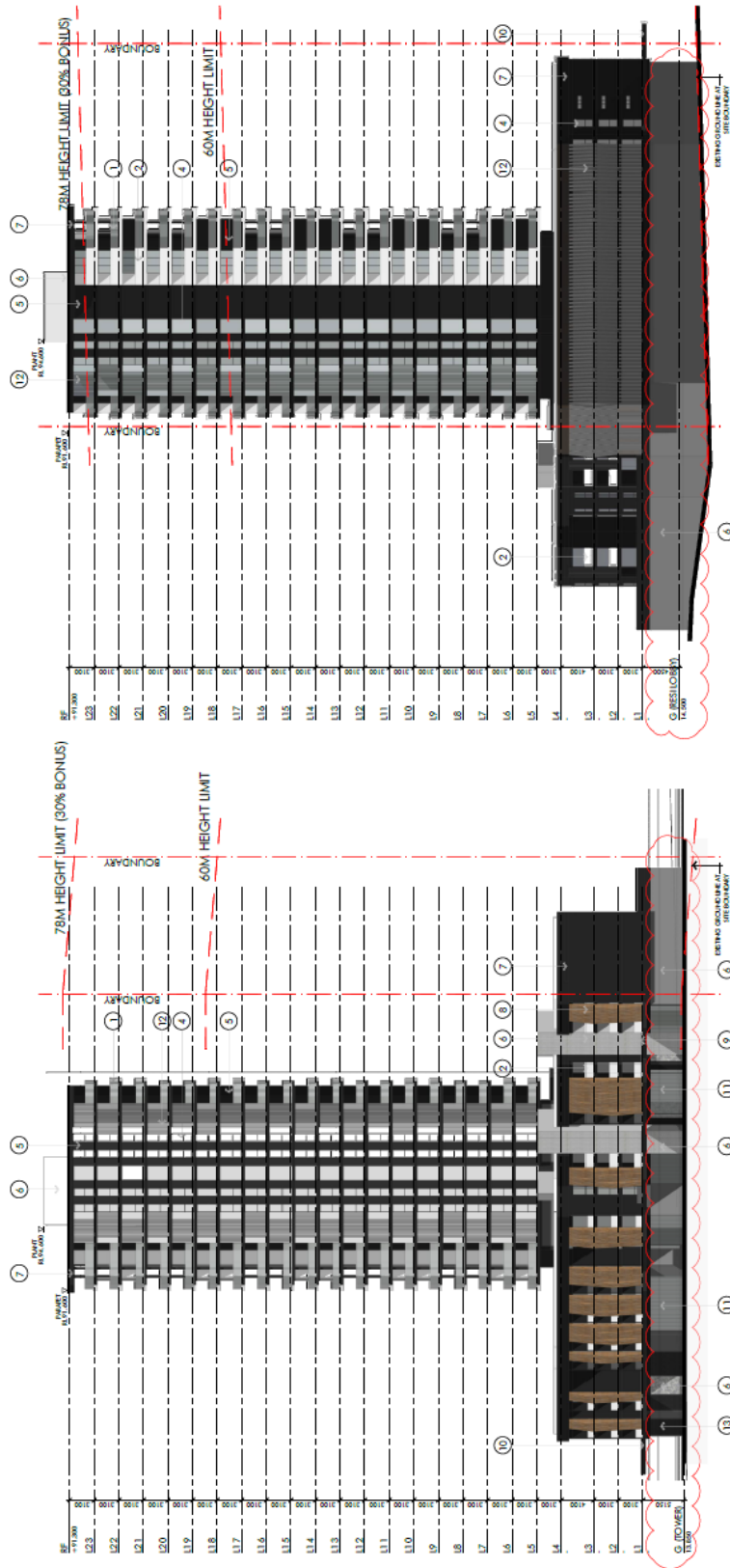
ELEVATION - WEST

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

KL PROPERTIES PTY. LTD.

Level 1, 202 Military Road, Neutral Bay NSW 2089
t 02 9908 0321
f 02 9908 0344

nettelton@partnership.org tel: 404 581 6633 fax: 404 581 6633
1177 Wellington Way, Suite 3000
Atlanta, GA 30303
e: nettelton@partnership.org w: www.nettelton.com



EXTERNAL FINISHES SCHEDULE

1. COAT PAINTING	POWDER COATED ALUMINIUM	BLACK
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15. COAT PAINTING	POWDER COATED ALUMINIUM	BLACK

8 ELEVATION - SOUTH
1:500000 / 1:250000

7 ELEVATION - NORTH
1:500000 / 1:250000

NOTE:
ELEVATION SHOWN IS TRUE ELEVATION OF TOWER ORIENTATION

DEVELOPMENT APPLICATION

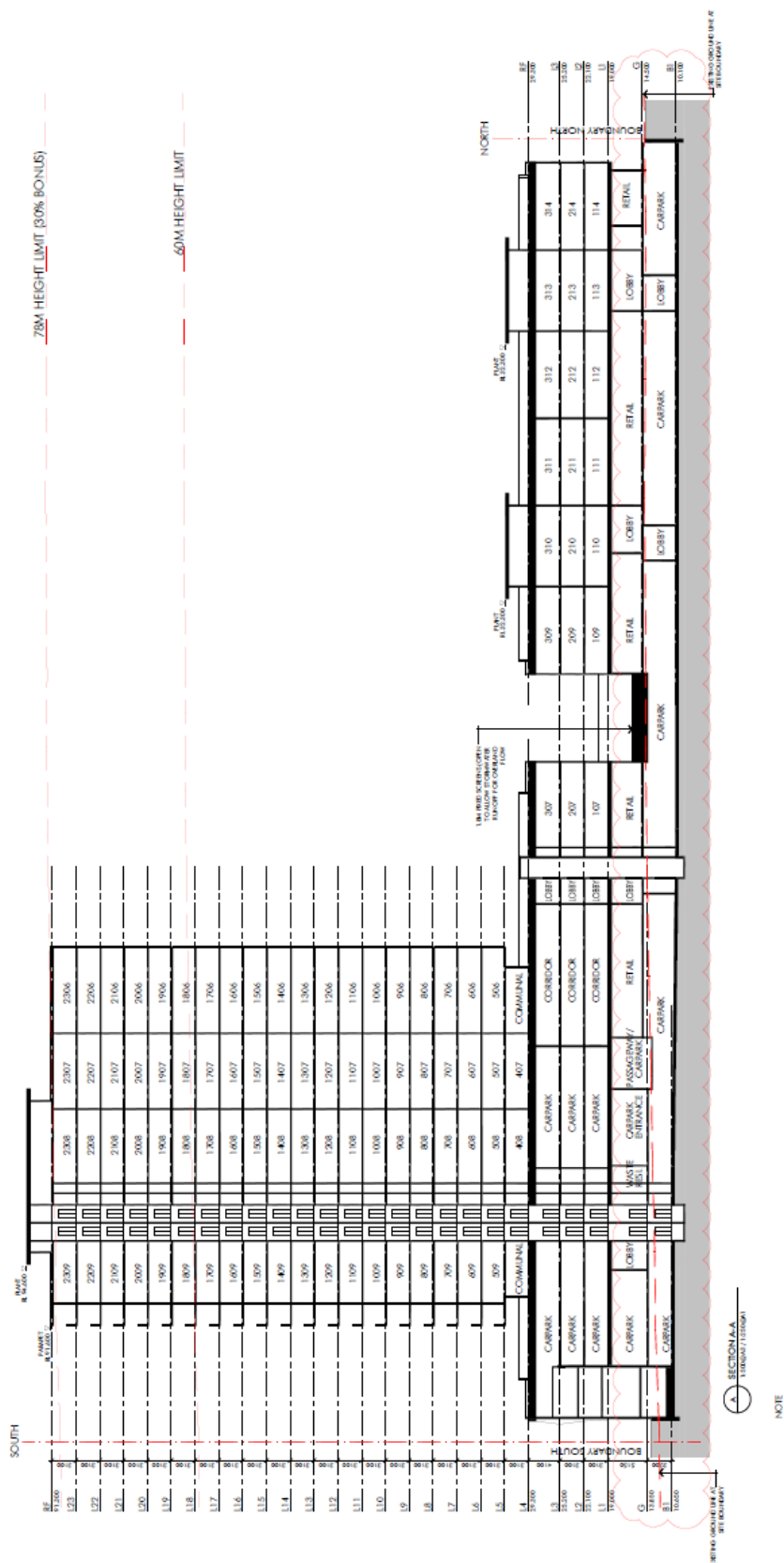
KL PROPERTIES PTY. LTD.
Level 1, 202 Akway Road, Neutral Bay NSW 2059
P 02 9808 0338
F 02 9808 0344

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

ELEVATION - NORTH & SOUTH
1:500000 / 1:250000
DA-23

nettleton
nettleton.com.au
117 Collins Street, Melbourne VIC 3000
P 03 9412 1222
F 03 9412 1223

NO.	NAME	DATE	TIME
1	DESIGN DEVELOPMENT	2023/01/10	10:00
2	DESIGN DEVELOPMENT	2023/01/10	10:00
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KL PROPERTIES PTY. LTD.
 Level 1, 202 Sydney Road, Harold Bay NSW 2019
 T: 02 9938 0244

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST
GOSFORD NSW

SECTION A-A
 1:1000
 11/01/2019
 DA-31

DEVELOPMENT APPLICATION

KL PROPERTIES PTY. LTD.
 Level 1, 202 Sydney Road, Harold Bay NSW 2019
 T: 02 9938 0244

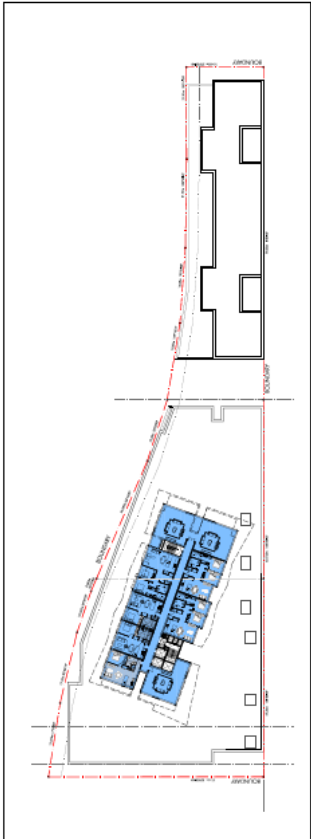
KL PROPERTIES PTY. LTD.
 Level 1, 202 Sydney Road, Harold Bay NSW 2019
 T: 02 9938 0244



W1 GROUND LEVEL PLAN



W2 PODIUM TYPICAL PLAN



W3 LEVEL 4 PLAN



W4 TOWER TYPICAL PLAN

OXFORD LOCAL ENVIRONMENTAL PLAN 2014

VERGESS LOOK AREA: MEANS THE SUN OF THE FLOOR AREA OF EACH FLOOR OF A BUILDING MEASURED FROM THE INTERNAL FACE OF EXTERNAL WALLS, OR FROM THE INTERNAL FACE OF WALLS SEPARATING THE BUILDING FROM ANY OTHER BUILDING, MEASURED AT A HEIGHT OF 1.4 METRES ABOVE THE FLOOR AND INCLUDES:

(A) THE AREA OF BALCONIES, AND

(B) HABITABLE ROOMS IN A BASEMENT OR AN ATTIC, AND

(C) ANY SHOP, AUDITORIUM, CINEMA, AND THE LIKE, IN A BASEMENT OR ATTIC,

AND EXCLUDES:

(1) TERRACES AND BALCONIES WITH OUTER WALLS LESS THAN 1.4 METRES HIGH, AND

(2) Voids ABOVE A FLOOR AT THE LEVEL OF A STOREY OR STOREY ABOVE.

(3) ANY SPACE USED FOR THE LOADING OR UNLOADING OF GOODS INCLUDING ACCESS TO IT, AND

(4) TERRACES AND BALCONIES WITH OUTER WALLS LESS THAN 1.4 METRES HIGH, AND

(5) Voids ABOVE A FLOOR AT THE LEVEL OF A STOREY OR STOREY ABOVE.

(6) STORAGE, AND

(7) VERGESS ACCESS, LOADING AREAS, GARBAGE AND SERVICES, AND

(8) ANY SPACE USED FOR COMMON VERTICAL CIRCULATION, SUCH AS LIFTS AND STAIRS, AND

(9) ANY BASEMENT,

(10) VERGESS ACCESS, LOADING AREAS, GARBAGE AND SERVICES, AND

(11) ANY SPACE USED FOR COMMON VERTICAL CIRCULATION, SUCH AS LIFTS AND STAIRS, AND

(12) ANY SPACE USED FOR THE LOADING OR UNLOADING OF GOODS INCLUDING ACCESS TO THAT CAR PARKING, AND

(13) ANY SPACE USED FOR THE LOADING OR UNLOADING OF GOODS INCLUDING ACCESS TO THAT CAR PARKING, AND

(14) TERRACES AND BALCONIES WITH OUTER WALLS LESS THAN 1.4 METRES HIGH, AND

(15) Voids ABOVE A FLOOR AT THE LEVEL OF A STOREY OR STOREY ABOVE.

GROSS SUMMARY	
GROUND	3341.5sqm
LEVEL 1-3	3005.1sqm
PODIUM	474.5sqm
LEVEL 5-23 TOWER	791.5sqm
TOTAL	29428.2sqm
Max. Allowable	32955sqm
GFA	5970sqm
SITE AREA	4.51
WALK PER	(50% WALKING)
PROPOSED PER	5.61

NOTE:
APPROX 1.8m² PER TOWER APARTMENT USED FOR SERVICES
HAVE BEEN DEDUCTED FROM GFA

DEVELOPMENT APPLICATION



AREA CALCULATION
1:100 GFA / 1:100 GFA
WALKING PER
DA-02

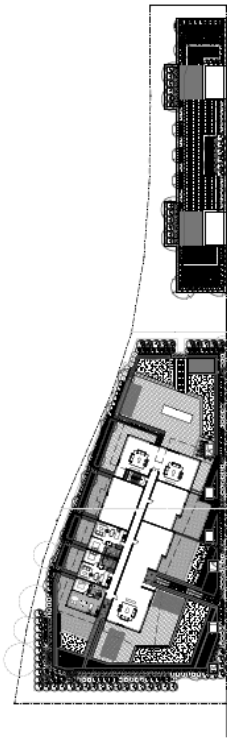
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8	10/10/2014	KL	KL	KL
9	10/10/2014	KL	KL	KL
10	10/10/2014	KL	KL	KL

PROPOSED MIXED USE DEVELOPMENT
280-300 MANN ST

KL PROPERTIES PTY. LTD.

MIXED USE DEVELOPMENT
280-310 MANN STREET, GOSFORD NSW

DWG NO.	DRAWING TITLE	SCALE	ISSUE	DATE
000	COVER SHEET & SITE PLAN	1:500	D	29.03.2016
C101	LANDSCAPE MASTERPLAN RENDER	1:250	D	29.03.2016
101	LANDSCAPE PLAN - GROUND FLOOR	1:250	A	29.03.2016
102	LANDSCAPE PLAN - PODIUM LEVEL 1	1:250	C	21.03.2016
103	LANDSCAPE PLAN - PODIUM LEVEL 4	1:250	B	16.03.2016
501	LANDSCAPE DETAILS	AS SHOWN	B	16.03.2016
502	LANDSCAPE SPECIFICATION & PLANT SCHEDULE		B	16.03.2016



NOT FOR CONSTRUCTION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS RELEASED UNDER THE NATIONAL ARCHIVES ACT 2013 (Cth) AND THE NATIONAL ARCHIVES ACT 1983 (Cth).

THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS RELEASED UNDER THE NATIONAL ARCHIVES ACT 2013 (Cth) AND THE NATIONAL ARCHIVES ACT 1983 (Cth).

LEGEND

101	Proposed Tree/Palm
102	Shrub, Accent planting
103	Proposed Ground cover
104	Timber Decking
105	Proposed Tree/Palm
106	Shrub, Accent planting
107	Proposed Ground cover
108	Timber Decking
109	Proposed Tree/Palm
110	Shrub, Accent planting
111	Proposed Ground cover
112	Timber Decking
113	Proposed Tree/Palm
114	Shrub, Accent planting
115	Proposed Ground cover
116	Timber Decking
117	Proposed Tree/Palm
118	Shrub, Accent planting
119	Proposed Ground cover
120	Timber Decking

LEGEND

101	Proposed Tree/Palm
102	Shrub, Accent planting
103	Proposed Ground cover
104	Timber Decking
105	Proposed Tree/Palm
106	Shrub, Accent planting
107	Proposed Ground cover
108	Timber Decking
109	Proposed Tree/Palm
110	Shrub, Accent planting
111	Proposed Ground cover
112	Timber Decking
113	Proposed Tree/Palm
114	Shrub, Accent planting
115	Proposed Ground cover
116	Timber Decking
117	Proposed Tree/Palm
118	Shrub, Accent planting
119	Proposed Ground cover
120	Timber Decking

LEGEND

101	Proposed Tree/Palm
102	Shrub, Accent planting
103	Proposed Ground cover
104	Timber Decking
105	Proposed Tree/Palm
106	Shrub, Accent planting
107	Proposed Ground cover
108	Timber Decking
109	Proposed Tree/Palm
110	Shrub, Accent planting
111	Proposed Ground cover
112	Timber Decking
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114	Shrub, Accent planting
115	Proposed Ground cover
116	Timber Decking
117	Proposed Tree/Palm
118	Shrub, Accent planting
119	Proposed Ground cover
120	Timber Decking



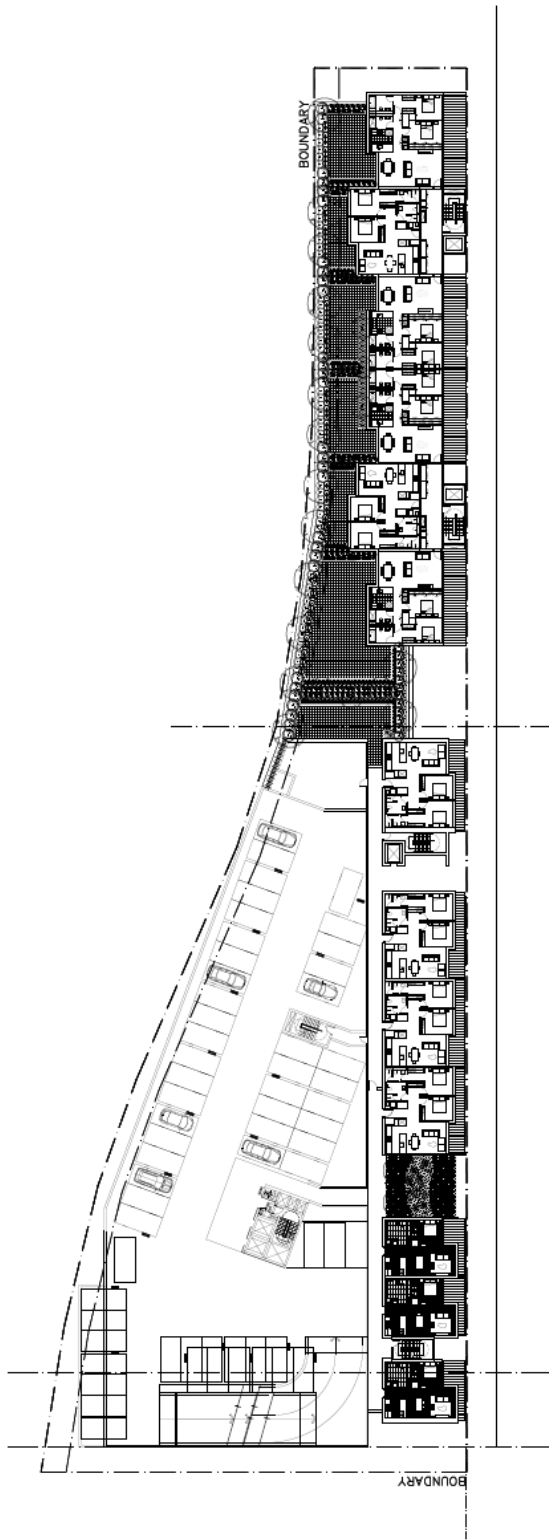
SITE IMAGE

KL Properties Pty Ltd
280 - 310 Mann Street, Gosford
NSW 2250

FOR APPROVAL

Scale: 1:500 @ A1
Date: 29.03.2016
SS15-3241

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NOT FOR CONSTRUCTION

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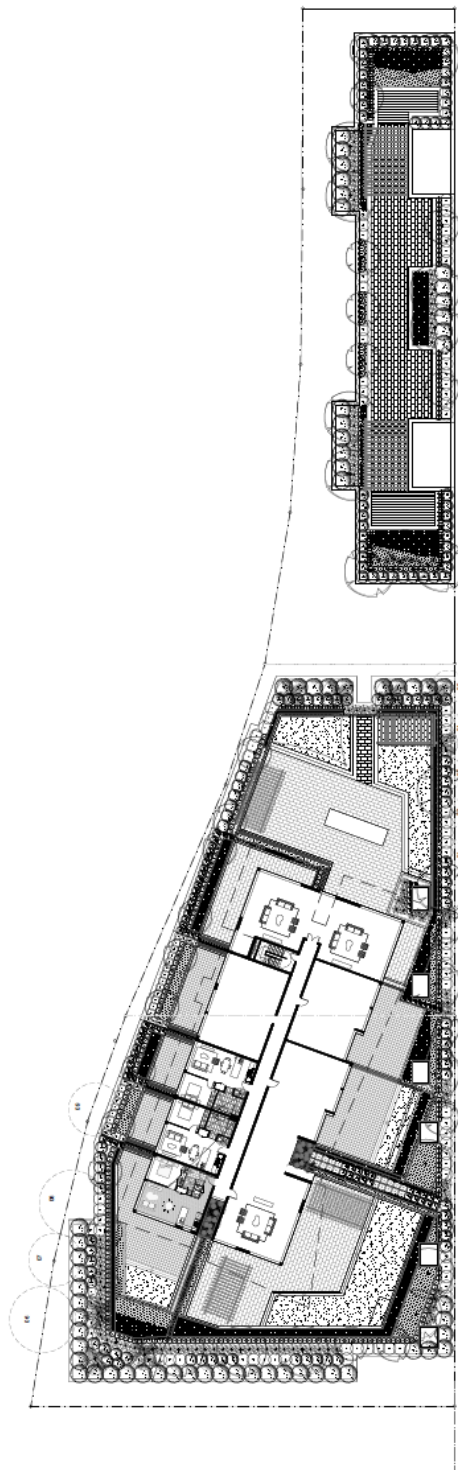
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NOT FOR CONSTRUCTION

AS SHOWN ON THIS PLAN, THE LANDSCAPE DESIGN IS A PRELIMINARY DESIGN AND IS NOT A FINAL DESIGN. THE LANDSCAPE DESIGN IS SUBJECT TO APPROVAL BY THE LOCAL AUTHORITY AND THE LANDSCAPE DESIGNER. THE LANDSCAPE DESIGNER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF THE LANDSCAPE DESIGN.

The landscape design is a preliminary design and is not a final design. The landscape design is subject to approval by the local authority and the landscape designer. The landscape designer is not responsible for the construction of the landscape design.

LEGEND

Tree to be removed (not shown)	Proposed Tree Plant	Shrub, Acanth planting	Proposed Groundcover
Turf	Paving Type 1	Paving Type 2	Timber Decking
Pergola	Fence	Raised Planter Wall	

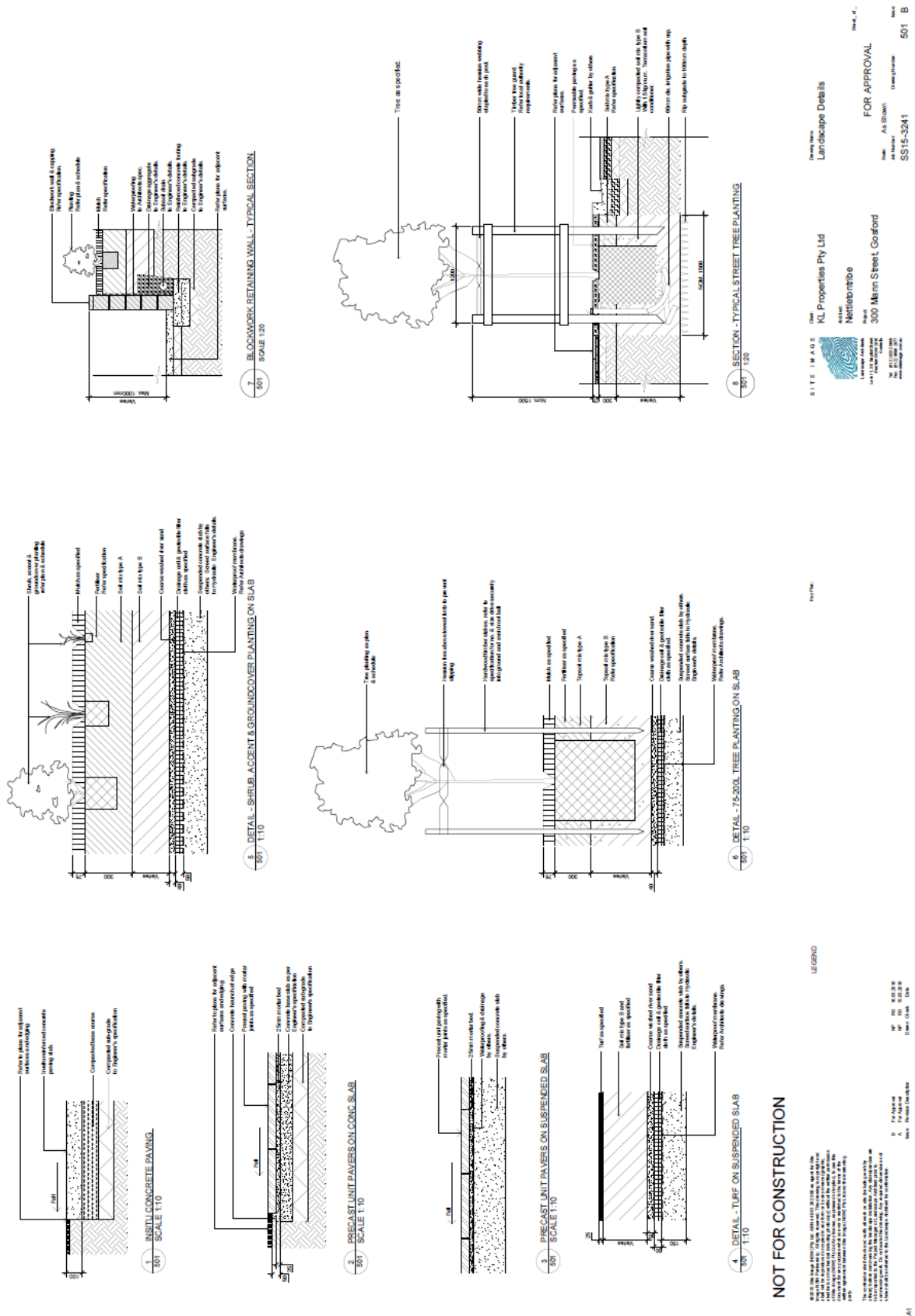
Pergola	Fence	Raised Planter Wall
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Client: KL Properties Pty Ltd
 Address: Nettlebridge
 Project: 280 - 310 Mann Street, Gosford
 Date: 15/03/2024
 Scale: 1:250 @ A1
 Drawing No: SS/15-3241

Drawing Name: Landscape Plan
 Drawing Title: Podium Level 4
 Drawing Date: 15/03/2024
 Drawing Scale: 1:250 @ A1
 Drawing No: SS/15-3241





Attachment 4: Clause 4.6 Submission



Clause 4.6 Exception to Development Standard GLEP 2014, Clauses 4.3 and 8.9 – Height Mixed Use Development, 280-300 Mann Street, Gosford



Submitted to Gosford City Council
Prepared on behalf of KL Properties Pty Ltd
30 March 2016 | 16007

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1.0 Preliminaries

1.1 Land to which this variation applies

This exception to development standard request is in support of a development application (DA) relating to a proposed mixed use development at 280-300 Mann Street, Gosford (the site). It should be read in conjunction with the accompanying Statement of Environmental Effects (SEE), also prepared by Robinson Urban Planning Pty Ltd.

1.2 Relevant environmental planning instrument

This exception to development standard relates to Gosford Local Environmental Plan 2014 (GLEP 2014).

1.3 Relevant development standard

A 78m height of buildings standard applies to the site and the proposed development. The standard is made up of the following:

- A 60m base height standard pursuant to cl. 4.3(2) of GLEP 2014
- Plus a 30% (18m) incentives height standard pursuant to cl. 8.9(3)(a) of GLEP 2014.

The relevant clauses follow.

1.3.1 Base height standard

The base height standard is set by cl. 4.3 which states:

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to establish maximum height limits for buildings,
- (b) to permit building heights that encourage high quality urban form,
- (c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight,
- (d) to nominate heights that will provide an appropriate transition in built form and land use intensity,
- (e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area,
- (f) to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Note. Clauses 4.3A, 4.6, 5.6, 7.7 and 8.9 provide exceptions to the maximum height shown for the relevant land on the Height of Buildings Map in certain circumstances.

As shown on **Figure 1** below, a 60m height standard applies to the site pursuant to cl. 4.3.

1.3.2 Incentive height standard

Clause 8.9(3) provides for 30% additional height (and floor space ratio (FSR)). It states:

8.9 Development incentives

(1) The objective of this clause is to provide incentives for development on land in Gosford City Centre.

- (2) This clause applies to land identified as “Gosford City Centre” on the Development Incentives Application Map.
- (3) Development consent may be granted for the erection of a building on land to which this clause applies if the building:
 - (a) will not exceed the maximum height shown for the land on the Height of Buildings Map by more than 30%, and
 - (b) will not exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map by more than 30%.
- (4) This clause ceases to apply 12 months after the commencement of Gosford Local Environmental Plan 2014 (Amendment No 12)

Height of Buildings Map
Sheet HOB_015CA

Maximum Building Height (m)

A	0
I	8.5
J	9
K1	10
K2	10.5
L1	11
L2	11.5
M	12
N	14.25
O	15
P1	17
P2	18
Q	19.75
R	22
S	24
U	30
V	36
X	48
AA1	60
AA2	72

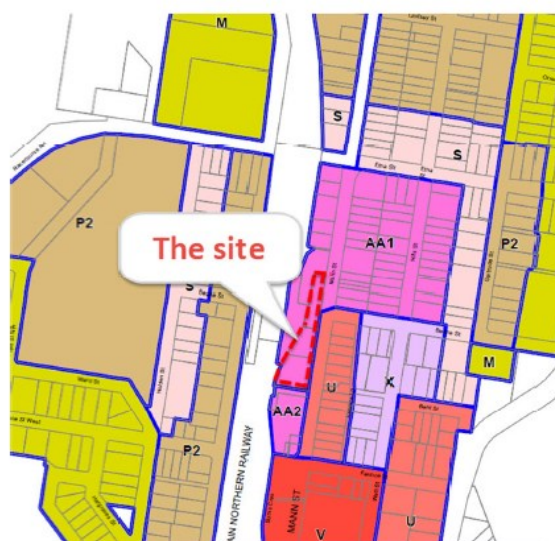


Figure 1 – Extract of the Height of Buildings Map, GLEP 2014

1.4 Proposed variation to the standard

As indicated at **Table 1** and **Figure 2**, proposed Building A exceeds the 78m height of buildings standard by up to 5.81m (up to 7.4%). The non-complying elements comprise the Building A plant room and part of Level 23.

Table 1 – Proposed maximum building height

Proposed building/element	RL	Proposed height (m)	GLEP 2014 height standard (m)	Proposed departure (m)
Building A				
• Ground level (existing)	10.79			
• Plant	94.6	83.81	78	5.81 (7.4%)
• Parapet	91.6	80.81	78	2.81 (3.6%)
Building B				
• Ground level (existing)	12.23			
• Plant	32.3	20.07	78	-
• Parapet	29.6	17.37	78	-

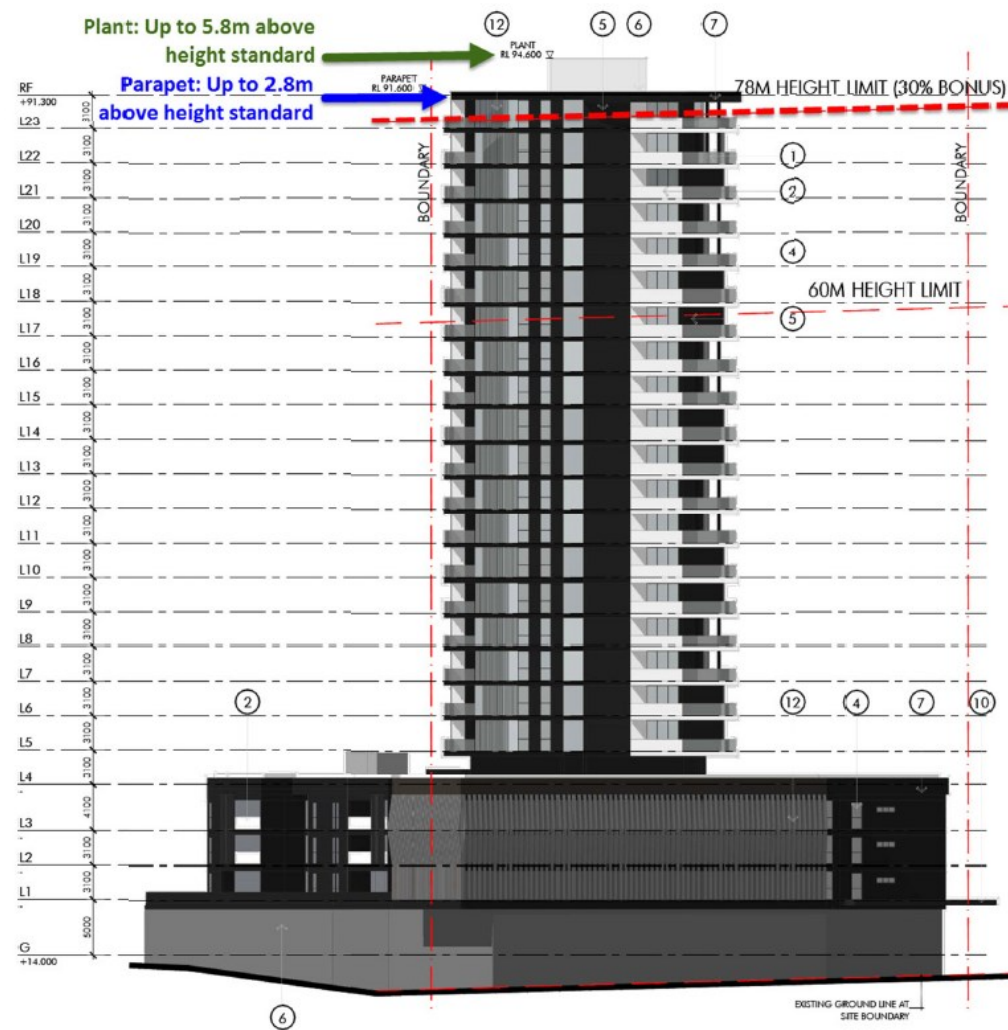


Figure 2 – Height compliance elevation

2.0 Justification for the exception and matters for consideration

Table 2 assesses the proposed variation from the height of buildings standard against the cl. 4.6 considerations.

More details follow in Sections 3.0 to 6.0 assessing the proposed variation against the accepted tests for the assessment of a development standard variations established by the NSW Land and Environment Court in *Wehbe v Pittwater Council* [2007] NSW LEC 82 and the principles outlined in *Winten Developments Pty Ltd v North Sydney Council* [2001] NSWLEC 46) and more recently *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90.

Table 2 – Exception to standard - Clause 4.6 GLEP 2014 – Height

GLEP 2014 - Clause 4.6	Compliance
(1) <i>The objectives of this clause are as follows:</i> (a) <i>to provide an appropriate degree of flexibility in applying certain development standards to particular development</i> (b) <i>to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</i>	✓ Flexibility is appropriate in this instance given that: • The departure is minor (+3.6% to the parapet and +7.4% to the plant room) • The tower component of Building A has a footprint of just 750m² and occupies less than 15% of the total site (5,017m²) • The proposal does not utilise all of the available FSR (6.5:1 permitted including incentives and 5.5:1 proposed) and given this the proposal cannot be categorised as an overdevelopment of the site • Realising the proposed FSR by proposing a minor departure from the height of building standards is more desirable than alternative massing options. For example: – Increasing the footprint of the Building A tower so that it is larger than 750m² would increase building bulk so that the tower exceeded the GDCP 2014 cl 4.1.2.4 maximum floor plate size control (750m²) – Increasing the footprint of the Building A tower would also increase the number of apartments per level contrary to the ADG (9 apartments per level are proposed which already exceeds the ADG design criteria which requires a maximum of 8 apartments per level) – Increasing the height of Building B (four storeys) would diminish the design quality and podium/tower form of the proposal which achieves a human scale • Given the above, the proposed elements which have a height greater than 78m achieve a better outcome for and from the development, allowing flexibility in this case • Most of the height non-compliance comprises the roof plant with a small non-compliance relating Level 23.
(2) <i>Development may contravene a standard</i>	✓ The height standard is not excluded from the clause.
(3) <i>Written request required that seeks to justify the contravention of the standard by demonstrating:</i> (a) <i>that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</i> (b) <i>that there are sufficient environmental planning grounds to justify contravening the development standard.</i>	✓ Compliance with the 78m height standard in GLEP 2014 would be unreasonable and unnecessary as: • The additional height above the building height standard is sited and designed in a manner that is unlikely to result in significant adverse impacts upon adjacent properties or the public realm by way of overshadowing, visual massing, view loss or privacy impacts • There is minimal difference in the impacts between a building that strictly complies with height control • The non-complying elements of the building are setback from the property boundaries and therefore the interface with those properties will not generate any significant visual or privacy impacts • Passersby would not appreciate the additional height given the relatively minor non-compliance and height above the nearby streets/public domain ✓ There are sufficient planning grounds to justify contravening the development standard:

GLEP 2014 - Clause 4.6	Compliance
	- As detailed in this clause 4.6 request and the SEE, the height non-compliance does not give rise to any unreasonably adverse overshadowing, privacy, view, bulk/scale/streetscape, heritage or other environmental effects - See also points at subclause (1), (3) and (4).
(4) Development consent must not be granted unless:	✓ Subclause 3 has been adequately addressed (see above).
(a) the consent authority is satisfied that:	The proposal is in the public interest as it consistent with the objectives of the standard and the zone as detailed below:
(i) the written request has addressed subclause (3)	Height Objectives The proposal satisfies the relevant objectives of the height standard (cl. 4.3(1)) as follows:
(ii) the proposed development is in the public interest (consistent with the objectives of the standard and the zone)	(a) to establish maximum height limits for buildings, (b) to permit building heights that encourage high quality urban form, (c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity, (e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area, (f) to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.
(b) the concurrence of the Director-General has been obtained.	<u>Objective (a)</u> No comment required.
	<u>Objective (b)</u> Objective (b) encourages high quality urban forms. The proposal is consistent with this by comprising a high standard of architectural/landscape design and a four storey podium with an articulated tower element. The four storey podium form with setback tower provides a human scale. This part of Mann Street is an appropriate location for taller towers given its main street status, proximity to the station and lower ground level.
	<u>Objective (c)</u> Consistent with Objective (c), the proposal will not unreasonably reduce sky and sunlight exposure for buildings and public areas.
	<u>Objective (d)</u> Objective (d) seeks to provide an appropriate transition in built form and land use intensity. Again, given its location on Mann Street, close to the station, the site is ideally positioned to accommodate a taller, higher density building. As shown by the GLEP 2016 height map extract at Figure 1 , the site and in particular proposed Building A, adjoins land that is subject to a 72m height standard (93.6m with bonus height). An appropriate transition in built form is therefore achievable.
	<u>Objective (e)</u> Objective (e) relates to view corridors, views and natural topography. Located

GLEP 2014 - Clause 4.6	Compliance
	well below the surrounding ridgelines, the site is an appropriate location for a tall building. Additionally, the low site coverage of the Building A tower (15%) limits the view impacts of the proposal. <u>Objective (f)</u> Objective (f) seeks to protect open space from overshadowing and view loss. The proposal satisfies this object as it will not overshadow any parks or affect views from them. Zone Objectives The objectives of Zone B4 – Mixed Use are: – <i>To provide a mixture of compatible land uses.</i> – <i>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.</i> – <i>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.</i> – <i>To allow development in Point Frederick to take advantage of and retain view corridors while avoiding a continuous built edge along the waterfront.</i> – <i>To create opportunities to improve the public domain and pedestrian links of Gosford City Centre.</i> – <i>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.</i> – <i>To protect and enhance the scenic qualities and character of Gosford City Centre.</i> The proposal satisfies these zone objectives as follows: • The proposal includes a mix of retail (ground floor) and higher density residential development, with separate pedestrian and car park entries provided for each use. • The proximity of the site to Gosford Station makes it an ideal location for retail uses and higher density residential development, maximising public transport usage. Walking and cycling will also be promoted given the proximity of the site to the commercial core and the provision of 104 bicycle parking spaces. • The podium form and active street frontage will improve the public domain along the site's long frontage to Mann Street. • The proposal will enhance the scenic quality of Gosford City Centre by redeveloping a large underutilised city edge site and providing a high quality of architecture and landscape design. • The objectives of the zone would be somewhat defeated and thwarted if compliance with the height standard was required as it would reduce the site's development potential by around two levels which equates to 1,500m² and 18 apartments (noting that the proposal is already below the permitted FSR –

GLEP 2014 - Clause 4.6	Compliance
	5.5:1 proposed and 6.5:1 permitted). Alternatively, retention of the proposed FSR/GFA would necessitate less desirable built forms (eg. a taller podium of larger tower footprint).
	✓ Gosford City Council has delegations with respect to cl. 4.6.
(5) The Director-General must consider:	✓ The non-compliance with the height standard does not raise matters of significance for State or regional planning in fact the proposed mixed use development will promote Gosford's role as the Central Coast's Regional City/Hub.
(a) whether contravention raises any matter of significance for State or regional environmental planning	✓ No matters of public interest arise as the impacts of the non-complying element are reasonable.
(b) the public benefit of maintaining standard	
(c) other matters.	
(6) N/A	N/A
(7) Consent authority must keep a record of matters in subclause (3).	Noted
(8) N/A	N/A

3.0 *Wehbe v Pittwater Council [2007]* NSW LEC 827

In his decision in *Wehbe v Pittwater Council [2007]* NSW LEC 827, Chief Justice Preston expressed the view that there are five different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy. The five tests are considered below.

(i) The objectives of the standard are achieved notwithstanding non-compliance with the standard

Consistency with the objectives of the standard, and the absence of any environmental impacts, would demonstrate that strict compliance with the height standard is both unreasonable and unnecessary in this instance.

As noted in **Table 2**, the proposal is consistent with the objectives to cl. 4.3, satisfying *Wehbe* test (i). As such, it is unreasonable and unnecessary in this circumstance to comply with the development standard.

(ii) The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;

Not applicable. The underlying objective or purpose of the standard is relevant to the development and is achieved as outlined in (i) above.

(iii) The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;

The objectives of the zone would be somewhat defeated or thwarted if compliance with the height standard was required as it would:

- Reduce the site's development potential by around two levels which equates to 1,500m² and 18 apartments, noting that the proposal is already well below the permitted FSR – 5.5:1 proposed and 6.5:1 permitted. Given that the proposal does not utilise all of the available FSR/GFA, it cannot be categorised as an overdevelopment of the site and the additional height does not result in an excessive development yield.

Or

- Retention of the proposed FSR/GFA would necessitate a less desirable built form (eg. a taller podium of larger tower footprint) that is not consistent with GDCP 2014 and Council's strategic (see later).

(iv) The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and

This exception to development standards request does not rely on this reason.

(v) The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.

This exception to development standards request does not rely on this reason.

4.0 Winten Developments Pty Ltd v North Sydney Council [2001] NSWLEC 46

The exception to development standards request is assessed below against the accepted test for the assessment of development standard variation established by *Winten Developments Pty Ltd v North Sydney Council [2001] NSWLEC 46*.

A Is the planning control in question a development standard?

Yes, cl. 4.3(2) and cl. 8.9(3)(a) of GLEP 2014 2011 are a development standards.

B What is the underlying object or purpose of the standard?

The underlying objectives of the standards are assessed in Table 2.

C Is compliance with the development standard unnecessary or unreasonable in the circumstances of the case?

Table 2 demonstrates that compliance is unnecessary and unreasonable.

D. Is compliance with the development standard consistent with the aims of the Policy (to provide flexibility in the application of development standards); and, in particular, does compliance with the development standard tend to hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act, 1979?

The arguments contained in this Clause 4.6 variation support the case to allow flexibility in the application of the standard.

The non-compliance with the development standard allows for an orderly use of the land and has been designed with consideration to the desired future character of the area.

Additionally, the Objects of the Act are satisfied as:

- The departure from the height standards in GLEP 2014 will have no negative consequences in terms of the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment; and
- The departure from the height standards in GLEP 2014 allows for the orderly and economic use of the site in a manner which otherwise achieves the outcomes and objectives of the relevant planning controls (noting that the proposal does not utilise all of the available FSR/GFA).

E. Is the objection well founded?

As the cl. 4.6 exception to development standards request appropriately addresses *Wehbe v Pittwater Council [2007] NSW LEC 827*, the proposed variation is well founded.

5.0 Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90

The exception to development standard request is assessed below against the accepted test for the assessment of development standard variation established by *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*.

What are the grounds particular to this circumstance, to support a variation to the standard?

The variation is supportable given the following particular circumstances:

- The site is large (5,071m²) and the FSR standards in GLEP 2014 provide for a maximum FSR of 6.5:1 which equates to 32,962m² of GFA.
- The proposal with an FSR of 5.5:1 (27,820m²) does not utilise all of the available FSR/GFA (being 5,142m² below the permitted maximum FSR/GFA).
- The site is ideally positioned to accommodate a taller building noting that the *Gosford City Centre - Statement Of Strategic Intent* includes the following design guideline (p. 56):
Locate taller towers on Mann Street, with surrounding streets decreasing in height.
- GDCP 2013:
 - Limits tower footprints to a maximum floorplate of 750m²
 - Limits building depth to 24m
 - Requires street frontage heights of up to 16m with a setback tower to achieve comfortable street environments.
- Given these GDCP 2014 controls and the site shape/configuration (long and mostly narrow), the site can support just one tower.
- The site conditions and planning controls limit massing options on the site and discourage any increase in the proposed tower footprint of Building A or additional podium height. Realising most of the permitted FSR/GFA necessitates extra height.
- The proposal reinforces Mann Street as the central spine of Gosford and comprises a fine grain podium with a setback taller tower, consistent with GDCP 2014 and Council's strategic planning (most notably *Gosford City Centre Statement of Strategic Intent*).
- The proposed elements that exceed the height standard (comprising the Building A plant room and part of Level 23) would have a minor and acceptable impact and achieve a better environmental outcome when compared with the alternative massing options of a larger tower footprint or increased podium height.

6.0 Public interest and matters of State or regional significance

6.1 Is the proposal in the public interest?

This cl. 4.6 exception to development standards request and the accompanying plans and technical reports contained within the SEE demonstrate the public advantages of developing the site. In summary:

- The proposal amalgamates and redevelops a large underutilised site at the edge of Gosford City Centre
- A high standard of architectural and landscape design proposed
- An appropriate mix of uses (ground floor retail with higher density housing above) is proposed on a site ideally located close to the railway station and Gosford City Centre
- The proposal will contribute to Gosford City's role as the Regional Centre/Hub of the Central Coast by providing appropriate housing and jobs (during and after construction).

Accordingly, it is considered that the proposed development is likely to have only positive social and economic impacts in the locality

No unreasonable public disadvantages have been identified as it has been demonstrated that any environmental or other impacts associated with the development are minimal and/or can be adequately managed.

6.2 Matters of State or Regional Significance

The non-compliance with the height of buildings standard does not raise matters of significance for State or regional planning.

6.3 The public benefit of maintaining the standard

There is no public benefit in maintaining strict compliance with the development standard in this instance.

Mixed Use Development 280-310 Mann Street, Gosford NSW;
Date: 24.03.2016

Apartment Design Guide (ADG) Design Verification

I hereby confirm that I have designed, or directed the design of, the above project and that the Design Quality Principles contained in Part 4 of the Apartment Design Code have been addressed and generally achieved in the documentation for the above mentioned apartments in this development.

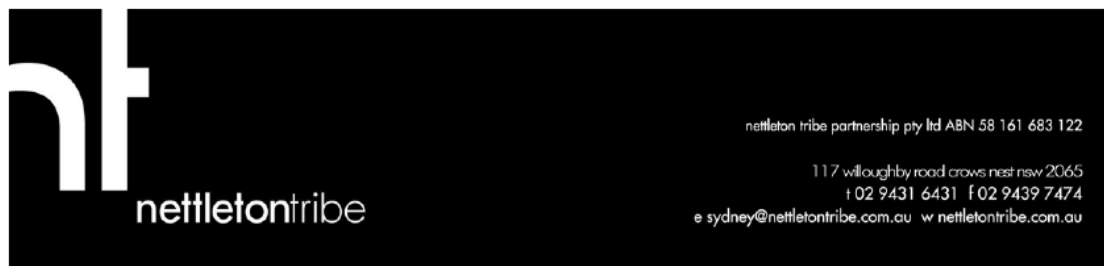
Yours sincerely
nettleontribe partnership



Jeremy Bishop
Registered Architect

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registered architects - michael morgan no. 4771 - trevor hamilton no. 3762 - jeremy bishop no. 5530 - justin morgan no.
glen mallett no. 7323 - bernard waller no. 7780



29.3.2016

280-310 Mann Street, Gosford

ARCHITECTURAL DESIGN STATEMENT ADG DESIGN QUALITY PRINCIPLES ASSESSMENT

CONTEXT & NEIGHBOURING CHARACTER

- The overall site area is 5071m²;
- The site is in a B4 mixed use zone within Gosford City Council, located north of Gosford Railway station and the bus terminal along Mann Street. The site has a frontage along Mann Street of approx... 165m facing directly east. The western boundary backs onto the rail corridor. The south boundary consists of low scale building servicing the Bus terminal. High level district and ocean views are offered to the south-east over existing low level buildings;
- The precinct is characterised by variety of building types, scales and periods consisting of retail, mixed use, and commercial buildings in proximity;
- There is substantial transient vehicle traffic along Mann Street with low to moderate pedestrian use.
- Council's future desired scale and character for the area is for larger mixed use tower developments with increased activation to street and laneways frontages to enhance and extend the Gosford City character and appeal;
- This site is envisaged to be an important element of Gosford city with the growing Residential and Business precinct. The expected increase in density and pedestrian traffic along Mann Street is a driving factor in an appropriate building and public domain design solution;
- The proposed building responds to the future desired character of the precinct with a high quality mixed use building of appropriate scale and built form;
- To activate the street frontages, all retail shopfronts focus on Mann Street. Multiple residential entry points are integrated within the elongated public domain and together with the retail frontages improves pedestrian activation and residential address.

BUILT FORM & SCALE

- The proposed bulk and height is consistent with the intent and desired character of the precinct as described in the Gosford City Council LEP and DCP, which proposed a podium and tower element for the site;
- Whilst the permissible LEP height is 60m, the height of the proposed Building is generally consistent with the 30% Bonus control at 75m.
- The Architectural form intentionally expresses the tower element cranked relative to the 4 storey podium along Mann street.
- The single footprint tower volume is articulated by sculptural balconies, and introducing slots to create a series of vertical and slender expressions;
- The external balconies of the tower are articulated through a rhythmical repetition in groups of two alternating between each group to address refinement in proportions and scale;
- The residential tower is a direct result of addressing orientation and overlying the solar access amenity and view opportunities. The north western section of the tower takes advantage of solar access and high level district views above the railway lines. The south eastern section of the tower contains the larger apartments maximising high level ocean views. The core has also been placed in this location to better articulate the building by way of incorporating a large recess in the tower.
- The articulated towers sit on a podium element as proposed in Council's DCP;
- The podium to the Mann street frontage is built to the setback line and is predominantly 4 storeys which is in keeping with the planning proposal and Council's desired scale for Mann street frontage;

DENSITY

- The proposed development is consistent with the aims and objectives of the Gosford City Council LEP and DCP in relation to height and Built form.
- The proposed Residential component has a mixture of 1 and 2 bedroom apartments at various sizes to cater for different levels of demand and affordability.
- The proposed Density is considered sustainable in this location with close proximity to infrastructure, public transport and amenity;

SUSTAINABILITY

- The built form and planning of the building balance site constraints with important aspects of energy efficiencies, addressing issues such as cross flow ventilation and solar access.
- The residential footprint volume is articulated and divided into smaller tower forms by varying setbacks, and introducing slots to create a series of vertical and slender expressions. These forms result from overlaying the solar access amenity and view opportunities available. The main tower form frontage is oriented North West to maximise solar access. Secondary tower form (south East) fronts Mann Street at an angle to take advantage of district and ocean views.
- Use of performance glazing with fixed external sunshade control screens, will maximise views whilst filtering the solar glare.
- Roof water run-off will be collected for common landscaping irrigation;
- The building will incorporate water efficient fittings.
- A BASIX assessment accompanies the proposal.
- All lobbies and common areas will be fitted with timer motion sensor lighting. Lobbies and corridors have natural light and ventilation.

LANDSCAPING

- Landscape Design has been prepared by Site Image Landscape Architects to accompany the proposal;
- There are 2 areas of landscaping to be incorporated in the proposal:
 1. Ground level North and South Setback zones;
 2. Communal Open Space;
- Communal Open Space – Located at L4 podium this area will provide an extensive green outdoor area for the use of residents and will contain both active and passive spaces;

AMENITY

A high level of amenity is provided by the proposed development by incorporating the following principles:

- A mix of apartments achieved with efficient apartment planning;
- All apartments have large areas of glazing for access to light and natural ventilation;
- Majority of apartments are oriented to take advantage of district/ ocean views.
- All apartments have balconies which are 2m in depth and are of useable sizes;
- 67% of all residential apartments achieve cross ventilation;
- 69% of apartments achieve 2 or more hours of solar access to living areas in mid-winter;
- 65% of apartments achieve 3 or more hours of solar access to living areas in mid-winter;
- Natural light and ventilation are provided to all lobbies and corridors;
- Adequate separation and screening between apartments and balconies for visual and acoustic privacy;
- Generally all the apartments will have the back of kitchens within 8m from windows.
- 2.7m high ceilings will be provided to all habitable areas;
- Security storage areas will be provided in the basements to all apartments in accordance with the ADG guidelines will be met through a combination of basement storage area and internal storage area within apartments;
- Accessible main building entry and lift access are provided to all basements and residential floors. Adaptable unit requirements are met in accordance with the DCP requirements;

SAFETY

- Active retail frontages are provided to Mann street to provide High Levels of passive surveillance at different times of day and night;
- The main pedestrian residential entry is clearly identified accessible and direct level from Mann Street;
- The carpark entry is located further along Mann Street allowing more activation and passive surveillance along this frontage;

- There are apartments fronting Mann Street on the podium levels 1 to level 4, providing passive visual surveillance of the street and communal open space areas.
- All external areas will be well lit.
- Basement and Residential entry will be accessed by secure means, remote control and visitors through intercom;

HOUSING DIVERSITY AND SOCIAL DIMENSIONS

- The proposed development contributes to the future social fabric of the neighbourhood by promoting living opportunities in a quality environment in close proximity to public transport , schools, amenities, employment centres and recreation facilities;
- There is a continuous accessible path of travel from street or carpark to all apartment doors.
- The required number of adaptable and visitable apartments will be provided with associated car parking;
- A mix of apartment types offer a choice of accommodation, improving affordability:
 - 53 x 1 bed apartments (24%)
 - 166 x 2 bed apartments (76%)

AESTHETICS

- The proposed architectural language is contemporary with an emphasis on simple expression of forms and overlay of materials to add texture and visual interest.
- The built form and massing break up is reinforced by a variety of façade treatments which are applied to the different tall slender tower elements in a cohesive composition;
- The main tower is cranked at an angle relative to Mann Street. It utilises sculptural concrete and glass to create a distinctive and dynamic language. The façade articulation to the other building elements incorporates a selection of materials and elements such as precast concrete panels. Glass, balustrades/, black metal and feature blades on the podium create a finer textured language.
- The horizontal language of the podium is emphasised to contrast the vertical expression of the tower. The podium is clad in black metal and screened by a series of carved timber blades providing privacy and pattern of interest to the highway façade from both pedestrian and driver perspective. This is also replicated on the carpark podium screen to the west addressing the strong regular movement of the railway corridor.
- Clear shopfront glazing is proposed to the ground floor retail/ café areas along Mann Street to maximise visual transparency and activation. A horizontal metal and timber lined awning bisects the podium along Mann Street. Each residential entry lobby along the development is highlighted through alternate awning treatment in the form of frameless glass awning to address each residential entry points;
- The outcome is a distinctive development of high quality which will contribute positively to the desired future character of the locality and improvement to the existing streetscape and public domain along Mann Street and the Gosford City Centre;



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External Finishes Schedule

Project

Gosford Mixed Use

Address

280-310 Mann Street
Gosford, NSW

Job No.

4840

Revision

A

Issued By

VT

Checked By

VT

Approved By

Date

30.03.2016

EXTERNAL FINISHES SCHEDULE	
1. GLASS BALUSTRADE	POWDERCOATED ALUMINIUM - BLACK
2. SOLID BALUSTRADE / WALL	CONCRETE - WHITE
3. SOLID BALUSTRADE / WALL	CONCRETE - BLACK
4. ALUMINIUM FRAMED WINDOWS/DOORS	POWDERCOATED ALUMINIUM - BLACK
5. TEXTURED CONCRETE	CONCRETE - BLACK
6. TEXTURED CONCRETE	CONCRETE - GREY
7. CLADDING - ALUMINIUM COMPOSITE PANEL	ALPOLIC - BLACK
8. FIXED VERTICAL BLADES	ALUMINIUM BOX SECTION - TIMBER LOOK POWDERCOAT
9. GLASS AWNING	FRAMELESS CLEAR GLASS AWNING
10. FRAMED AWNING	ALPOLIC - BLACK
11. FULL HEIGHT SHOP FRONT GLAZING	FRAMING SECTIONS IN POWDERCOATED ALUMINIUM
12. FIXED METAL SCREENS	POWDERCOATED ALUMINIUM - BLACK
13. METAL LOUVRES	POWDERCOATED ALUMINIUM - BLACK

Note: to be read in conjunction with Architectural DA Elevations drawing numbers DA-21, DA-22 and DA-23;

Mixed Use Development
280-310 Mann Street, Gosford NSW

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