

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast)

Supplementary Council Assessment Report

Panel Reference	2016HCC024
DA Number	49578/2016
Local Government Area	Central Coast Council
Proposed Development	Proposed mixed use commercial and shop top housing development with 184 units, including the demolition of existing structures and staged construction.
Street Address	Lot: 8 SEC: 1 DP:1591, Lot 9 SEC: 1 DP: 1591, Lot: 10 SEC: 1: DP: 1591, Lot: 11 SEC: 1 DP: 1591, Lot: 12 SEC 1 DP: 1591, Lot: 13 SEC: 1 DP: 1591 No. 321 Mann Street, GOSFORD, No. 325 Mann Street, GOSFORD & No. 331 Mann Street, GOSFORD.
Applicant	Mann St Enterprises Pty Ltd
Owner	Mann St Enterprises Pty Ltd
Date of DA Lodgement	1 April 2016
Number of Submissions	Five (5)
Recommendation	Deferred Commencement Approval, subject to conditions
Regional Development Criteria - Schedule 7 of the State Environment Planning Policy (State and Regional Development) 2011	Capital Investment Value > \$20M and lodged before 1 March 2018.
List of all relevant 4.15(1)(a) matters	<ul style="list-style-type: none"> • <i>Environmental Planning & Assessment Act 1979</i> (EP&A Act) • <i>Local Government Act 1993</i> (LG Act) • <i>Roads Act 1993</i> (Roads Act) • <i>State Environmental Planning Policy (State and Regional Development) 2011</i> (SEPP State and Regional Development) • <i>State Environmental Planning Policy No 55 - Remediation of Land</i> (SEPP 55)

	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development</i> (SEPP 65) • <i>State Environmental Planning Policy (Coastal Management) 2018</i> (SEPP Coastal Management) • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> (BASIX) • <i>State Environmental Planning Policy (Gosford City Centre) 2018</i> • <i>Central Coast Regional Plan 2036</i> • <i>Draft Central Coast Local Environmental Plan 2018</i> (CCLEP) • <i>Gosford Local Environmental Plan 2014</i> (GLEP 2014) • <i>Gosford Development Control Plan 2013</i> (GDGP 2013) • <i>Apartment Design Guide</i> (ADG)
List all documents submitted with this report for the Panel's consideration	<p>Attachments:</p> <ol style="list-style-type: none"> 1. Regional Planning Panel Record of Deferral 2. Applicants Cover letter addressing issues raised 3. Amended plans prepared by Chapman Architecture - Revision M dated 10/02/2020 4. Councils Traffic and Transport Engineers Memo 5. Proposed Conditions of Consent 6. Previous Documents considered by the Panel (Council Assessment Report, Conditions of Consent, Plans, Landscape Plans, Numerical Compliance Tables)
Report prepared by	Erin Murphy – Senior Development Planner
Report date	15 April 2020

**CENTRAL COAST COUNCIL
DEVELOPMENT APPLICATION ASSESSMENT REPORT**

Application Number

DA49578/2016

Summary

The purpose of this report is for the Regional Planning Panel to consider a supplementary report for Development Application DA49578/2016 for the staged construction of a mixed use commercial and shop top housing development with 184 (now 182) units, 265 car parking spaces including the demolition of existing structures at No. 321-331 Mann Street, Gosford. The report was previously considered (and deferred) at the RPP meeting on 27 November 2019.

RECOMMENDATION

- A** That the additional information be considered in the Panel's determination of the application.
- B** *That the Hunter and Central Coast Regional Planning Panel as consent authority grant consent to Development Application DA49578/2016 at No. 321-331 Mann Street, Gosford for the proposed staged construction of a mixed use commercial and shop top housing development with 184 units, 265 car parking spaces including the demolition of existing structures, subject to deferred commencement conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act and other relevant issues*
- C** *That Council advise those who made written submissions of the Panel's decision*

Background

The development application was considered by the Regional Planning Panel at its meeting held Wednesday 27 November 2019. The application was recommended for deferred commencement approval in the assessment report presented by Council officers to the meeting.

At that time, the Panel resolved to defer determination of the development application subject to the provision of further information and design amendments as follows:

- Provide amended plans that increase the size of the 'slot' between the two tower forms (mid units fronting Mann Street) to enable the tower form to read more as two separate tower forms from the Mann Street frontage.

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- Suggested Level 4 redesign to achieve improved aural and visual privacy to residential units while maintaining reasonable access to sunlight to living rooms and private open space areas for those apartments adjoining the communal open space areas.
 - Consideration should be given in the amended plans to providing a community room at the northern end of Level 4 adjoining the pool area and the relocation of the southern BBQ area to the northern communal open space area to concentrate active communal space at the northern end of the podium and to enable a design capable of providing greater separation between the communal facilities and adjoining residential apartments. A satisfactory separation distance is to be provided between residential units and the active and passive communal open space areas with consideration given to siting of windows and achievement of adequate sunlight access and privacy.
 - Units 5 and 11 are to be redesigned to provide for one communal corridor between both lifts and enabling direct access from the internal corridor to both the northern and southern communal open space areas.
 - Provide amended plans that provides for the proposed awning at the front of the building to be setback 600mm from the kerb line in Mann Street.
 - Council's traffic engineer is to confirm whether site lines are adequate and/or whether any modifications are required to address the RMS comments, particularly in relation to safety considerations. Consideration should also be given to a left in/left out scenario.
 - Further details are to be provided for the proposed architectural and landscape design of the north and south façade planters (planter boxes), including but not limited to planting schedule including consideration of soil depth, access to sunlight and wind conditions, operational and maintenance details and architectural planter box façade design details. Consideration of an alternative façade treatment that exhibits design excellence may be submitted for further assessment by Council's Architect as an alternative to the planter boxes.

The Panel made the following comments in consideration of the application:

"The Panel was conceptually supportive of the proposed development subject to some design improvements being made to address concerns with the bulk of the building as read from Mann Street; additional information to address the lack of detailing regarding the design and ongoing maintenance of the proposed green façade; and amendments to address the unsatisfactory level 4 design response that provides insufficient visual and acoustic privacy to residents of the dwellings adjoining the communal open space areas and possibly inadequate solar access to living areas should high walls be used to provide increased privacy.

While the panel had some concerns with the bulk and scale of the development it noted that it complied with the applicable height and FSR standards under the LEP and that the proposed materials and finishes contributed to the design excellence of the building and would assist in mitigating the bulk and scale.

The Panel considered that the amenity of the residential apartments on Level 4 would be impacted by the proximity and design of the surrounding communal open space area. This included the proximity of the living room and terrace of the southern apartments to the proposed RBQ area, the proximity of the northern apartment terraces and habitable room windows to the pool area and associated deck area; and the east facing apartments to the communal walkway between the northern and southern communal open space areas. The Panel was also of the opinion that given the number of units proposed, a communal meeting room should be provided in accordance with 4F-2 of the Apartment Design Guide, preferably adjacent the pool area to provide some separation between apartments and active outdoor communal open spaces."

Further Information and Applicant's response

Following the deferral of the matter at the RPP meeting, the applicant provided the additional information to Council in response to the Panel determination, including:

- Applicants Cover letter addressing issues raised
- Amended plans prepared by Chapman Architecture - Revision M dated 10/02/2020
- Amended Waste Management Plan prepared by Lid - dated 11/02/2020

The amendments include:

- Increased size of 'slot' between the tower forms, from 1.6m to 4.1m on the eastern elevation;
- Removal of communal open space along the eastern boundary of the podium, with this area to be allocated to private open space for the units on this level;
- Addition of a 2m hedge/wall between the units to the south of the podium level and the communal open space;
- Deletion of the two northernmost units on the podium level and additional of a fitness area and community room;
- Reconfiguration of podium level, including removal of cross through units to allow for a shared, continuous corridor, allowing all units to access both the northern and southern areas of communal open space from this corridor;
- Setback of 600mm for awning along Mann Street added; and
- Reconfiguration of the ground floor with the addition of service corridor to allow for commercial waste bin transfer through the service corridor rather than through the residential lobbies.

The amendments result in an overall reduction of units from 184 to 182. The Gross Floor Area is reduced marginally from 21,510sqm to 21,508sqm.

Council has considered the Applicant's response to the matters raised by the Panel and the following is provided for the Panel's consideration.

Panels comments: Provide amended plans that increase the size of the slot between the two tower forms (mid units fronting Mann Street) to enable the tower form to read more as two separate tower forms from the Mann Street frontage.

Applicants comments: The slot between two buildings, from being 1.6 meters before it is almost triple increased into 4.1 meters. As can be seen in floor plans and especially in the visualization from Mann Street, the proposal distance of 4.1 meters enables from the pedestrian level visual perception of two volumes.

Council comments: The increase in the width of the slot from 1.6m to 4.1m creates a greater visual separation between the tower forms. This is demonstrated in Figure 1 below. The impact of the increased slot on the floorplan is shown in Figure 2.



Figure 1: Photomontages showing increased slot between tower forms

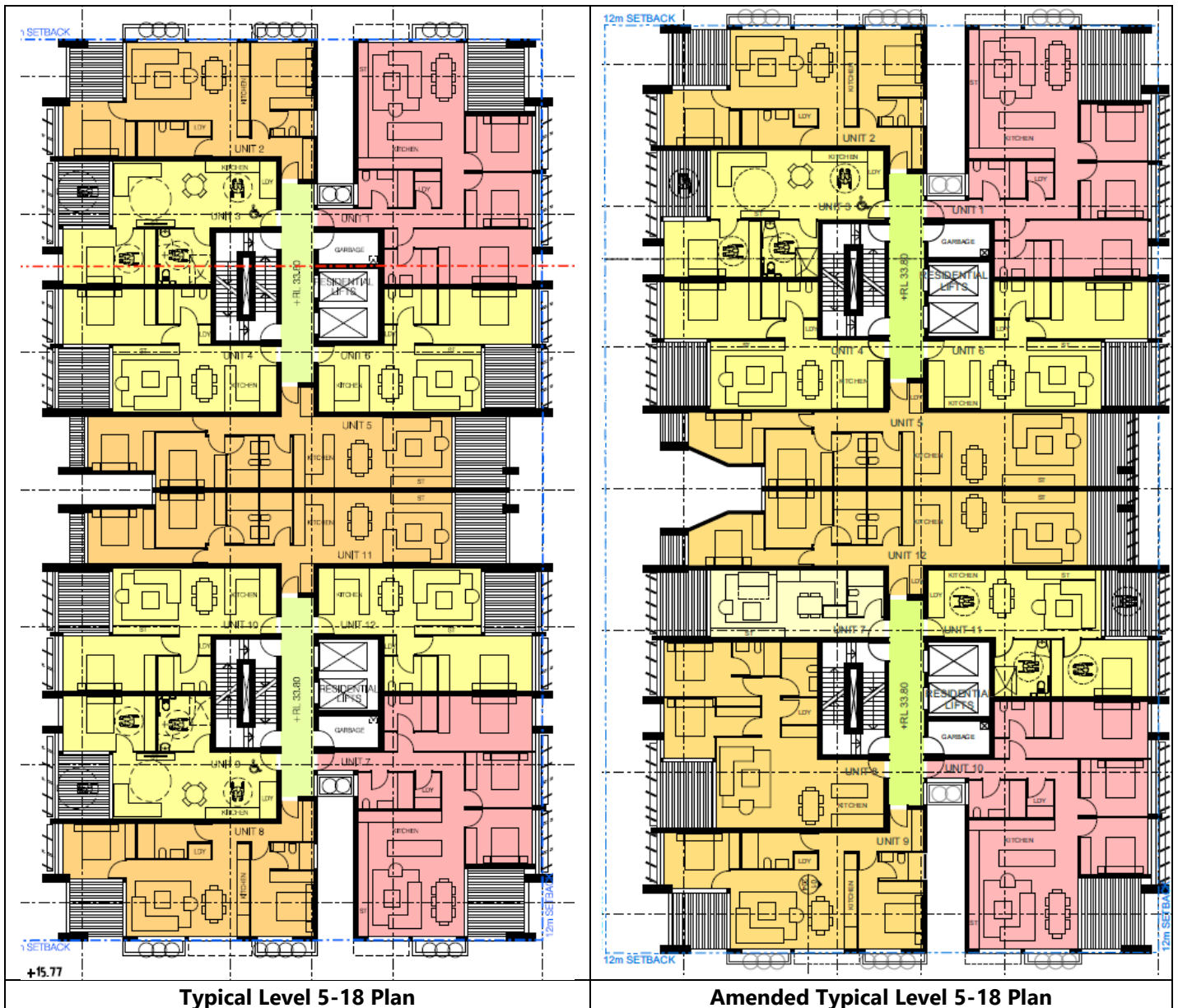


Figure 2: Typical level 5-18 plan showing increased slot between tower forms

Panels comments: Level 4 is to be redesigned to achieve improved aural and visual privacy to all residential units while maintaining reasonable access to sunlight to living rooms and private open space areas for those apartments adjoining the communal open space areas.

Applicants Comments: In order to achieve substantial improvement aural and visual privacy to the residents in level 4, without compromising the access to sunlight to living areas and private open space, the communal area on the eastern side is proposed to be removed. This area will be left to the occupants of the respective apartments, which will be used for gardening.

In regard to the southern side, achieving sufficient visual and acoustic privacy to residents of the dwellings 8 and 9 adjoining the communal open space to the south, it is proposed a green hedge wall in height of 2 m following with glass layer in the inner side. While the former protects the two dwellings from visual permeability the second plays a sound protection role.

Council Comments: Combined with the other design amendments discussed further below the amendments to the podium level result in improved aural and visual privacy to the apartments on this level.



Figure 3: Podium level showing change to Communal open space

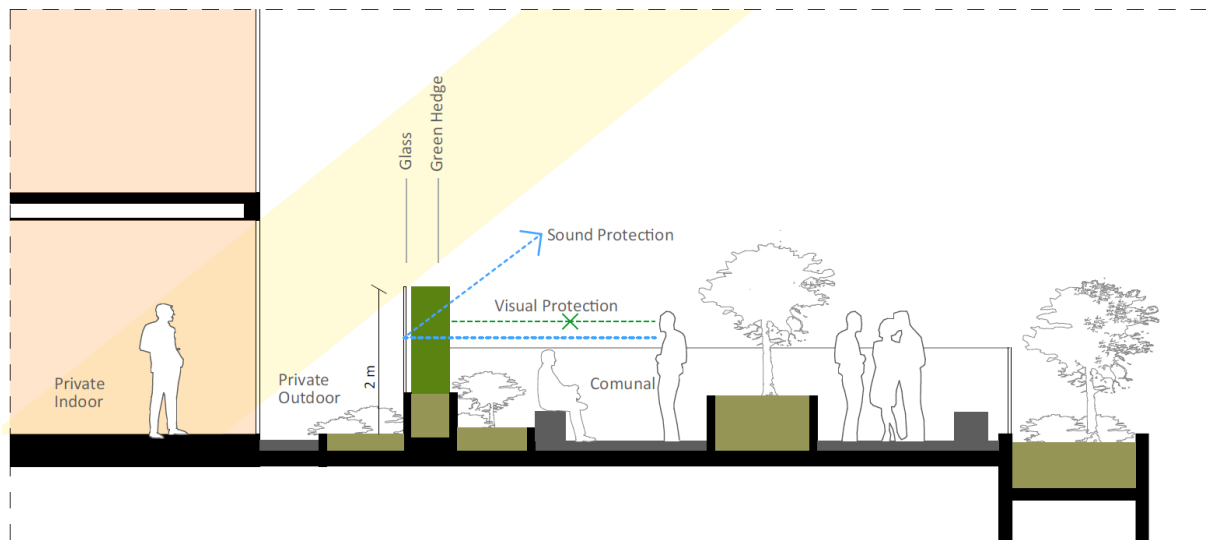


Figure 4: Section Through Apartments and communal open space at south end of podium

Panels comments: Consideration should be given in the amended plans to providing a community room at the northern end of Level 4 adjoining the pool area and the relocation of the southern BBQ area to the northern communal open space area to concentrate active communal space at the northern end of the podium and to enable a design capable of providing greater separation between the communal facilities and adjoining residential apartments. A satisfactory separation distance is to be provided between residential units and the active and passive communal open space areas with consideration given to siting of windows and achievement of adequate sunlight access and privacy.

Applicants Comments: The community room, as required by 4F-2 of the Apartment Design Guide, and as suggested by the panel, it is located to the northern side- adjacent to the pool area providing a certain separation between apartments and outdoor communal activities. Following the same principles and aims, we have proposed a fitness on the upper left side, making thus a clear buffer zone between communal spaces and apartments. Moreover, as suggested the BBQ area is relocated to the north side near the pool.

Council Comments: The design amendments in line with the panels recommendations and represent an acceptable design response.

Panels comments: Units 5 and 11 are to be redesigned to provide for one communal corridor between both lifts and enabling direct access from the internal corridor to both the northern and southern communal open space areas.

Applicants Comments: Units 5 and 11 are redesigned in order to provide one communal corridor between both communications cores, connecting both northern and southern side.

Council Comments: The design amendments are noted. The addition of the corridor, combined with the addition of the gym and community room to the north, does result in the loss of two corner apartments and two cross through apartments (which are reconfigured to single aspect apartments). This results in a loss of naturally cross ventilated apartments from 30/60 to 26/58 (on levels 4-8) so 50% to 45%. It is noted that apartments at level 9 and above are deemed to be naturally cross ventilated and not included in these calculations. However,

the improved amenity, increased common facilities and access to these facilities overall is considered to be a positive design and amenity outcome overall.

Panels comments: Provide amended plans that provides for the proposed awning at the front of the building to be setback 600mm from the kerb line in Mann Street.

Applicants Comments: The setback of 600mm from Mann Street is provided.

Council Comments: Setback of the awning is noted. A condition is recommended to ensure the awning and glass canopy elements are setback 600mm from the kerb line on Mann Street.

Panels comments: Council's traffic engineer is to confirm whether site lines are adequate and/or whether any modifications are required to address the RMS comments, particularly in relation to safety considerations. Consideration should also be given to a left in/left out scenario.

Council Comments: Council's Traffic and Transport Engineer has provided a memo, which is included at Attachment 3. The memo notes that while the desirable sight distance of 83m is not achieved, a 65m sightline is achieved, which meets the minimum requirements. The memo also notes the following:

On revisiting the site, I observed that the actual traffic speed environment in front of the development site for both directions of Mann Street is in the order of 40 to 50KPH, which is significantly lower than the posted speed zone of 60KPH. The speed environment is traffic calmed due to the operation of the nearby Mann Street/Etna Street Racecourse Road traffic signals. The signals have two approach lanes on each approach.

For the Mann Street northbound direction queues often extend past the proposed driveway, which slows traffic. For the southbound direction traffic often stops at the signals which creates a slower speed environment overall. When-ever southbound traffic has a green phase, traffic is delayed by traffic turning right into Racecourse Road. Also, the two southbound lanes must merge into one lane in front the site due current on-street parking which lowers the traffic speed environment considerably.

In my view the proposed driveway location is likely to have minimal adverse traffic impacts due to the slower observed speed environment of 40 to 50KPH speed as outlined above.

The memo concludes:

According to Councils' Geocortex system the proposed driveway location on Mann Street satisfies a minimum requirement for sight lines under Austroads Guide to Road Design 4A (Un-signalised and Signalised) and AS2890.1:2004 to cater for the proposed development with minimal traffic impacts.

Panels comments: Further details are to be provided for the proposed architectural and landscape design of the north and south façade planters, including but not limited to planting schedule including consideration of soil depth, access to sunlight and wind conditions,

operational and maintenance details and architectural planter box façade design details. Consideration of an alternative façade treatment that exhibits design excellence may be submitted for further assessment by Council's Architect as an alternative to the planter boxes.

Applicants Comments: The alternative architectural proposal design for the southern and northern facade, as can be seen in Detail D1, consists of lightweight boxes made out of nano self-cleaning composite aluminium. Instead of being filled out with soil as initially proposed, on the new proposal, the inner side is filled with common shallow plastic liner boxes, which can be easily replaced and maintained by the residents themselves. The external dimensions of planter boxes have been remodelled now are much thinner around 350 mm. Otherwise, the nano self-cleaning composite panels with superior self-cleaning performance, antipollution property, acid resistance, and alkali resistance. The nano self-cleaning panel is an updated decorative material. It has a hydrophobic and lipophobic surface, which makes it more repellent to water and dirt.

Council Comments: The planter details are shown on the amended drawings and as shown in Figures 5 and 6. While individual occupant management of the proposed planters will not result in a unified landscaped façade, some variation is acceptable and the planter boxes themselves add articulation and visual interest to the northern and southern facades.

It is noted that an updated landscape plan has not been provided. A condition is recommended to require an updated landscape plan, that aligns with the submitted landscape plans as well as the amended plans. The condition will require plants for the planter boxes to be identified and are to be low maintenance, specific to the two aspects (i.e. north and south elevations) and appropriate for the available soil depth.

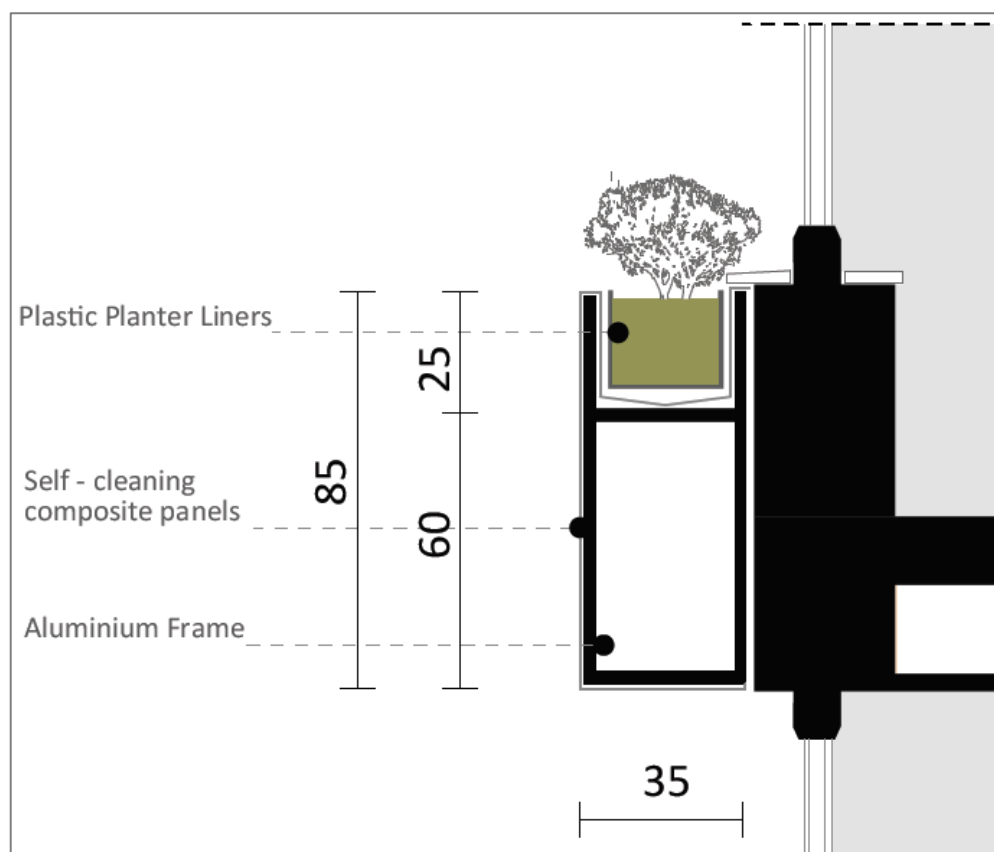


Figure 5: Section Through proposed planters

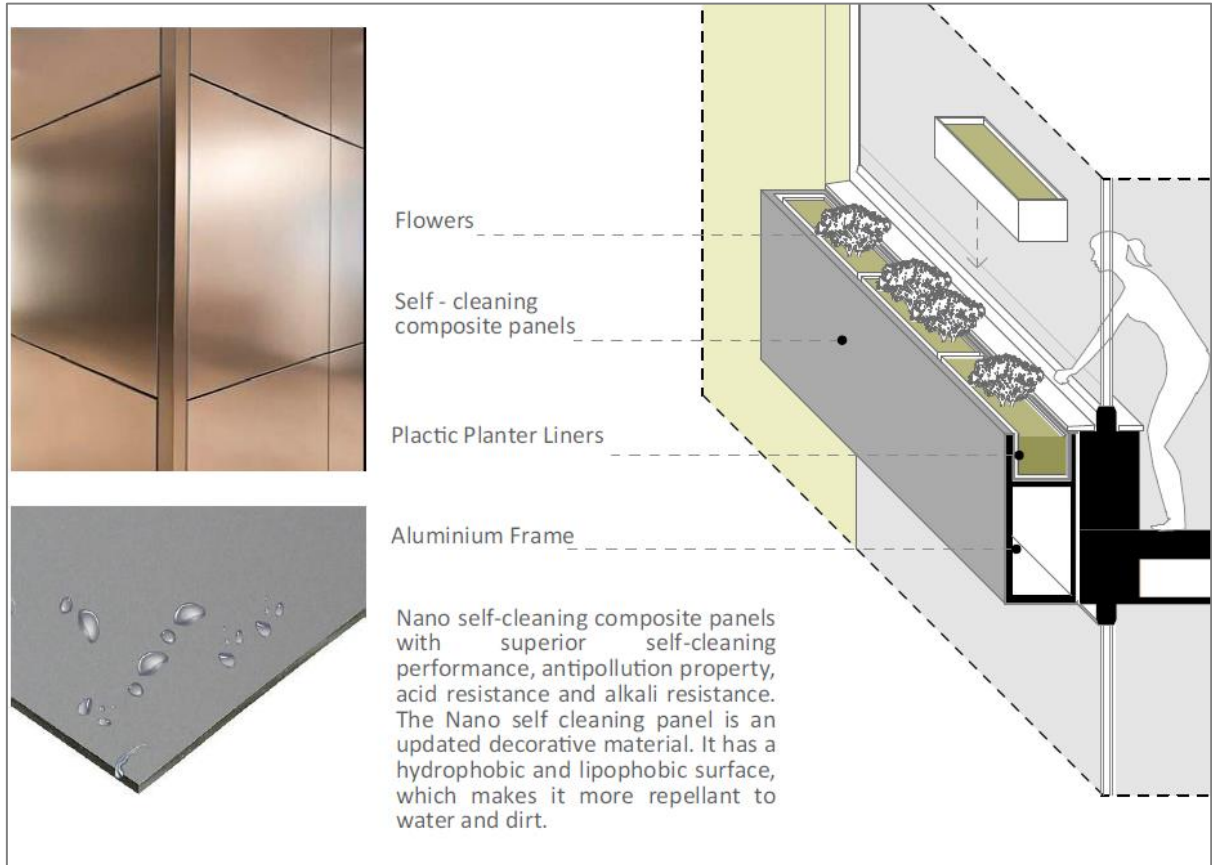


Figure 6: Planter details

Waste Modifications: The applicant has also made minor modifications to the ground floor plan, with the addition of service corridor to allow for commercial bulk waste bin transfer through the service corridor rather than through the residential lobbies. This is demonstrated in Figure 7. Council's Waste Management Assessment Officer has reviewed the amended architectural plans and Waste Management Plan and is satisfied with the proposed arrangement. Appropriate conditions have been recommended.

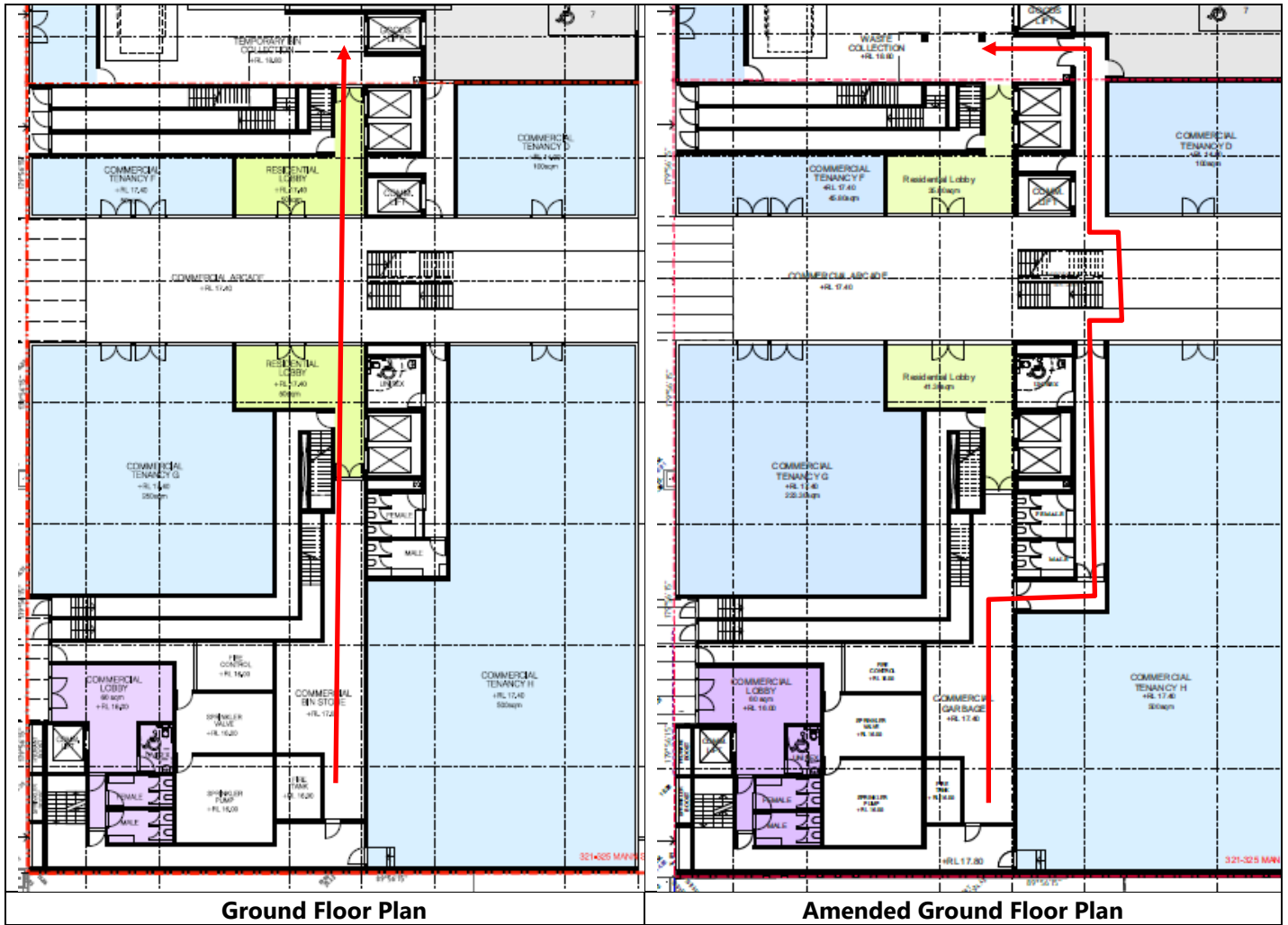


Figure 7: Ground floor plan showing waste transfer route

Attachments

1. Regional Planning Panel Record of Deferral (CM9 Doc: ECMD25449803)
2. Applicants Cover letter addressing issues raised (CM9 Doc: D13801696)
3. Amended plans prepared by Chapman Architecture - Revision M dated 10/02/2020 (CM9 Doc: D13812995)
4. Councils Traffic and Transport Engineers Memo (CM9 Doc: D13808030)
5. Proposed Conditions of Consent (CM9 Doc: D13834957)
6. Previous Documents considered by the Panel (Council Assessment Report, Conditions of Consent, Plans, Landscape Plans, Numerical Compliance Tables) (CM9 Doc: D13834848)