

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast)

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 (EP&A Act)</i> • <i>Local Government Act 1993 (LG Act)</i> • <i>Roads Act 1993 (Roads Act)</i> • <i>State Environmental Planning Policy (State and Regional Development) 2011 (SEPP State and Regional Development)</i> • <i>State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)</i> • <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65)</i> • <i>State Environmental Planning Policy (Coastal Management)</i>

	<p>2018 (SEPP Coastal Management)</p> <ul style="list-style-type: none">• <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)</i>• <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 (CCLEP)</i>• <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i>• <i>Gosford Development Control Plan 2013 (GDCP 2013)</i>• <i>Apartment Design Guide (ADG)</i>																																							
List all documents submitted with this report for the Panel's consideration	<p>Attachments:</p> <ol style="list-style-type: none">1. Proposed Conditions of Consent2. Architectural Plans prepared by Chapman Architecture, ECM Document No: 272881333. ADG Compliance Table4. GDCP 2013 Compliance Table5. Landscape Plans prepared by 24 GRP Landscape, ECM Document No. 25939036 <p>Supporting Documents:</p> <table><tr><th>Document</th><th>Prepared by</th><th>Date / Issue</th></tr><tr><td>Statement of Environmental Effects</td><td>City Plan Strategy & Development</td><td>1 05/06/18</td></tr><tr><td>Survey Plans</td><td>SurvCorp</td><td>28/02/17</td></tr><tr><td>Waste Management Plan (Operational)</td><td>LID Consulting</td><td>29/03/18</td></tr><tr><td>Waste Management Strategy (Demolition & Construction)</td><td>SECA Solution</td><td>22/05/17</td></tr><tr><td>Response to Pre-Da Meeting Matters</td><td>City Plan Strategy & Development</td><td>Undated</td></tr><tr><td>Preliminary Contamination Assessment</td><td>Coffey</td><td>2 24/03/16</td></tr><tr><td>Phase 2 Contamination Assessment</td><td>Coffey</td><td>1 20/05/16</td></tr><tr><td>Preliminary Environmental Site Investigation Report (Contamination)</td><td>LG Consult</td><td>22/11/17</td></tr><tr><td>Design Verification Statement,</td><td>Chapman Architecture</td><td>A 01/05/17</td></tr><tr><td>Traffic Noise Assessment</td><td>RCA Australia</td><td>3 03/07/17</td></tr><tr><td>Clause 5.5 Coastal Zone Compliance Table</td><td>City Plan Strategy & Development</td><td>Undated</td></tr><tr><td>Geotechnical Investigation Report</td><td>LG Consult</td><td>01/06/17</td></tr></table>	Document	Prepared by	Date / Issue	Statement of Environmental Effects	City Plan Strategy & Development	1 05/06/18	Survey Plans	SurvCorp	28/02/17	Waste Management Plan (Operational)	LID Consulting	29/03/18	Waste Management Strategy (Demolition & Construction)	SECA Solution	22/05/17	Response to Pre-Da Meeting Matters	City Plan Strategy & Development	Undated	Preliminary Contamination Assessment	Coffey	2 24/03/16	Phase 2 Contamination Assessment	Coffey	1 20/05/16	Preliminary Environmental Site Investigation Report (Contamination)	LG Consult	22/11/17	Design Verification Statement,	Chapman Architecture	A 01/05/17	Traffic Noise Assessment	RCA Australia	3 03/07/17	Clause 5.5 Coastal Zone Compliance Table	City Plan Strategy & Development	Undated	Geotechnical Investigation Report	LG Consult	01/06/17
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	Crime Prevention through Environmental Design Assessment	Barker Ryan Stewart	2 05/07/17
	Accessibility Design Review	ABE Consulting	10/07/17
	Traffic Impact Statement	SECA Solution	24/07/17
	Updated Autoturn Statement	SECA Solution	08/05/18
	Integrated Water Cycle Management Plan	James E Allen & Partners	P2 17/07/17
	Stormwater Concept Plans	James E Allen & Partners	P2 17/07/17
	Wind Tunnel Test	EGB Productions	7 31/05/17
	BASIX Certificate	Solar Smart	05/06/18
	NatHERS Certificates	David Seddon	13/07/17
	BCA 'Deemed to Satisfy' Section J Report	Brian Teplicanec	April 17
	Thermal Assessor Certificate	Solar Smart	13/07/17
	Loading Dock Management Plan	SECA Solution	08/05/18
	Shadow Analysis	Simmersion Holdings	Undated
	BCA Assessment Report	Steve Watson & Partners	R2.1 05/07/17
	Sewer Main Diversion Works	James E Allen & Partners	P4 11/08/2019
	Flood Risk Assessment Report	SRB Consulting Engineers	Issue 3 05/06/17
	Construction Management Plan	Catalyst Project Consulting Pty Ltd	Rev 1 14/06/19
	Concurrence Letter from Sydney Trains	Sydney Trains	08/08/16
Report prepared by	E Murphy		
Report date	5 November 2019		

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 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

N/A

4.6 of the LEP) has been received, has it been attached to the assessment report?

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s7.24)?

Yes

Conditions

Have draft conditions been provided to the applicant for comment?

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.

Yes

CENTRAL COAST COUNCIL DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number	DA49578/2016
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Summary

A development application has been received for the staged construction of a mixed use commercial and shop top housing development with 184 units, including the demolition of existing structures at No. 321-331 Mann Street, Gosford.

The original development application lodged on 1 April 2016, proposed development at No. 321 and No. 325 Mann Street, Gosford and did not include No. 331 Mann Street. Given No. 333-337 Mann Street, Gosford benefited from a deferred commencement consent for a mixed use development under DA49489/2016, the original proposal created a situation where No. 331 would become an 'isolated' site.

In response to concerns from the Joint Regional Planning Panel over the creation of this isolated site the applicant was able to purchase the site and modified the development application to include the site known as No. 331 Mann Street in the development application on 16 January 2018.

The application was lodged on 1 April 2016 and therefore receives the benefit of clause 8.9 of the *Gosford Local Environmental Plan 2014* (GLEP 2014). This clause allows a 30% bonus on the prescribed height and FSR specified for the relevant sites within the Gosford Central Business District. This clause stated that development consent may be granted under this clause only if the development application was lodged before 3 April 2016 and not finally determined immediately before the commencement of the *Gosford Local Environmental Plan 2014 (Amendment No. 27)*.

The question arose would the additional site of No. 331 Mann Street also benefit from the 30% Height and FSR bonus via Clause 8.9 of GLEP 2014. While the application was lodged on 1 April 2016, the additional sites were added by way of an amended application on 16 January 2018.

Clause 55 of the *Environmental Planning and Assessment Regulation 2000* allows an applicant to amend or vary a development application with the consent authority's agreement at any time before the application is determined. By virtue of Council's acceptance of the site known as No. 331 Mann Street to be included in the development application and as the application was lodged on 1 April 2016, Clause 8.9 would apply across the entire site in accordance with the definition of site area in the GLEP 2014. Independent planning advice was sought from DFP Planning Consultants, and a separate legal opinion from and Lindsay Taylor Lawyers on if the bonus under Clause 8.9 would apply to the whole site, including the additional Lot known as No. 331 Mann Street. Both advices have confirmed this position.

The 'base' building height control applicable to the site is 60m, the 30% bonus results in a 78m limit. The 'base' FSR applicable to the site is 5:1, the bonus 30% results in a FSR of 6.5:1.

The proposal seeks to utilise the 30% bonus to the Height of Buildings control and Floor Space Ratio control and proposes a height of 72.8m and an FSR of 6.5:1.

The application has also been subject to a number of design amendments in response to Council Officers concerns and comments from the Joint Regional Planning Panel. The proposal also requires and includes a relocation of a sewer line. The sewer line is proposed to be relocated in part on the neighbouring property – No. 333-337 Mann Street Gosford. The applicant and neighbouring landowner have advised that the use of No. 333-337 Mann Street has been agreed to and that a deed of agreement between the two property owners is being drafted and is forthcoming. At the timing of writing this report this has not been received and this agreement will be required by a deferred commencement condition.

The application also seeks a number of minor variations to Gosford Development Control Plan 2013 (GDCP 2013) and Apartment Design Guide (AGD), the extent of which are supportable. The proposal will not detract from the character or scenic qualities of the area to an unacceptable extent, or have unreasonable impacts on the environment.

The application has been assessed using the heads of consideration specified under section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and relevant Council policies.

RECOMMENDATION

- A** *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, 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*
- B** *That Council advise those who made written submissions of the Panel's decision.*

Precis

Delegation Level	Regional Planning Panel
Reason for Delegation Level	Development over \$20 million
Property Lot & DP	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.
Property Address	321 Mann Street, GOSFORD, No. 325 Mann Street, GOSFORD & No. 331 Mann Street, GOSFORD
Site Area	3310.4sqm
Zoning	B4 Mixed Use
Proposal	Mixed use commercial and shop top housing development with 184 units, including the demolition of existing structures and Staged Construction
Application Type	Development Application
Current Use	Commercial
Integrated Development	No
Application Lodged	1 April 2016
Applicant	Mann Street Enterprises Pty Ltd
Estimated Cost of Works	\$62,903,565 – Capital Investment Value (CIV)
Advertised and Notified / Notified Only	Exhibition periods: 24 April 2016 to 13 May 2016, 15 February 2018 to 10 April 2018 and 26 June 2018 to 19 July 2018
Submissions	Five (5) total. One (1) submission was received for the first notification period. Four (4) submissions were received for the second notification period. No submissions were received for the final notification period.
Disclosure of Political Donations & Gifts	No
Site Inspection	24/01/2019 and 12/06/2019
Recommendation	Deferred Commencement Approval, subject to conditions

Variations to Policies

Policy	Clause/ Description	% Variance
GDCP 2013	Maximum floor plate size – 60% exceedance, supported given combining of sites and appropriate articulation Maximum building depth – 6% variation, supported Maximum building dimension over 24m – 9% variation, supported Residential front setbacks above 24m – 33% variation, supported as is a continuation of lower compliant setback Residential side and rear setbacks above 24m – 8% variation, supported	

	as complies with ADG setback requirements Site cover – 9% variation, supported as adequate deep soil and landscaping Vehicle Access – 33% variation to driveway width, supported given scale of development On-site parking – No motorcycle parking spaces allocated (2 required) acceptable given additional car parking spaces above the minimum Housing Choice and Mix – 96% variation to 1 bed units (49% provided), supported
<i>State Environmental Planning Policy No. 65 (Apartment Design Guide).</i>	Solar Access – 18.5% achieve 3 hours - 73% variation, supported as 81% achieve 2 hours Natural Cross ventilation – 17% variation, supported Habitable room depths – variable up to 10% variation, supported

The Site and Surrounds

The site is located on the eastern side of Mann Street, south of the intersection with Etna Street. The site has an area of 3,310sqm, is regular in shape, with a frontage to Mann Street of approximately 73m. The site is relatively flat with a slight southward slope generally following the slope of Mann Street.

No. 321 Mann Street contains a commercial premise comprising a two storey building, car parking areas at front and rear and associated business identification signage. No. 325-331 Mann Street contain a vehicle sales premises comprising a single storey and two storey sales buildings, vehicle display areas and associated business identification signage and retaining wall structures. The site does not comprise any remnant vegetation, open space areas or deep soil landscaping areas.

The site is zoned B4 Mixed Use under *Gosford Local Environmental Plan 2014* (GLEP 2014). The site is not identified as being "bushfire prone land" on Council's bushfire maps.

The property shares a common boundary with a vehicle sales premise to the north (No. 333-337 Mann Street) and a commercial premise to the south (No. 319 Mann Street). To the east the site shares a common boundary with a residential flat building (No. 12-14 Hills Street), a multi-storey commercial premise (No. 16-18 Hills Street), a commercial premise (No. 18A Hills Street) and a dwelling house (No. 24 Hills Street). To the south-east, the site adjoins a currently vacant block of land (No. 6-10 Hills Street).

A vehicle sale and hire premises, as well as a commercial premise are located to the west across Mann Street. The Central Coast railway corridor is located further to the west. Figure 1 below shows an aerial image of the site:



Figure 1 - Aerial photograph



Figure 2 – Site as viewed from Mann Street facing north



Figure 3 - Site as viewed from Mann Street facing south

Details of recent development consents for similar developments in proximity of the site are provided below:

1. Development Application No. DA49489/2016

Proposal:	Retail, Commercial & Shop Top Housing
Property:	333-337 Mann Street, Gosford (adjoining to the North of the subject property)
Status:	Deferred Commencement Consent activated on 17 January 2018. The consent lapses on 15 December 2019. The consent has not yet been commenced.



Figure 4: DA 49489/2014 located at No. 333-337 Mann Street, Gosford (adjoins the subject site).

2. Development Application No. 43268/2014

Proposal: Mixed Use Development (38 Units) with Ground Floor Commercial Premises and Demolition of Existing Structures
Property: 357 & 359 Mann Street, North Gosford
Status: Consent lapses 30 March 2020



Figure 5: DA 43268/2014 located at No. 357 & 359 Mann Street, North Gosford

3. Development Application No. 46259/2014

Proposal: Mixed Use Development comprising 31 Boarding House Rooms, 16 Residential Units and Retail Shop
 Property: 47 Beane Street, Gosford
 Status: Under construction



Figure 6: DA 43268/2014 located at No. 47 Beane Street, North Gosford

Background

Original application and addition of isolated site

The original application was lodged on 1 April 2016 over lots 8, 9, 10 & 11, Sec 1, DP 1591, Nos. 321 – 325 Mann Street, Gosford. This application proposed a 21 storey mixed use development comprising retail (150sqm), commercial (340sqm) and shop top housing (102 units) in a single tower over podium base.

After discussion with the applicant regarding the isolation of the adjoining site at No. 331 Mann Street the applicant submitted an amended proposal on 16 January 2018 including the previously isolated two lots as part of the development. The amended application is over lots 8, 9, 10, 11, 12 & 13, Sec 1, DP 1521, Nos. 321 – 331 Mann Street, Gosford.

Regional Planning Panel Briefing June 2018

The Joint Regional Planning Panel was briefed on 28 June 2018 regarding the amended proposal. The Councils briefing noted that insufficient information has been provided to enable a determination with a recommendation of support. It was determined that a legal opinion should be sought on whether the additional lots added to the proposal would benefit from the 30% bonus provisions under Clause 8.9 of GLEP 2014.

An independent opinion from DFP Planning Consultants was sought, and it was provided on 15 November 2018. This advice included the following:

Clause 55 of the Environmental Planning and Assessment Regulation 2000 (the Reg) allows an applicant to amend or vary a development application with the consent authority's agreement at any time before the application is determined.

By virtue of Council's acceptance of the site known as 331 Mann Street to be included in the development application and as the application was lodged on 1 April 2016, Council are in a position to permit cl 8.9 to apply across the entire site in accordance with the definition of site area in the GLEP.

... it is our opinion that the entire development site is subject to cl 8.9. When this approach is taken the development proposal complies with both the height and F.S.R development standards by virtue of cl 8.9 of the GLEP.

Following on from the advice from DFP Planning, an independent legal opinion was also sought from Lindsay Taylor Lawyers, and it was provided on 3 October 2019. This advice similarly concluded:

Therefore, the bonus provisions of the former clause 8.9 of GLEP 2014 do apply to the DA generally. This includes the development now proposed on No. 331 Mann Street, being the additional Lots 12 & 13 Sec 1 DP 1591.

Council Officers agree with this conclusion.

Amendments January 2019

The most recent set of amended plans were received on 18 January 2019 and included the following architectural design refinements:

- Refinement of vertical louvres on the east and west elevations - angled towards north to provide solar access in winter months and shading in summer months

-
- Direct pedestrian access from lift lobbies to level 4 podium facilities added, high walls around podium level apartments' private outdoor spaces added for visual and acoustic privacy
 - Residential lobbies increased in size and frontage with stairs and toilets have moved away from residential lobbies.

Sewer location

The issue of the sewer location on the site has been raised multiple times on both at the Pre-DA stage, the original and amended scheme with the added Lot, requiring compliance with Council's Building over Adjacent to Sewer Water Mains Guidelines. The latest set of amended plans did not achieve compliance with these guidelines. The plan includes section of the sewer line, with changes in direction, without required manholes and located within the footprint of the building. The Guidelines requires manholes at proposed bends and all sewer manhole are required to be outside the footprint of the proposed building with minimum of 1.5m radial clearance.

A meeting was held with the applicant's specialist hydraulic consultant on 24 April 2019. An option of consolidation of services with the neighbouring property (No. 333-337 Mann Street) was discussed. The applicant was advised that any proposal to use the neighbouring land would require written consent from the landowner. The applicant and neighbouring landowner have advised that the use of No. 333-337 Mann Street has been agreed to and that a deed of agreement between the two property owners is being drafted and is forthcoming. At the timing of writing this report this has not been received and this agreement will be required by a deferred commencement condition. The final sewer relocation plans, received and dated 11 August 2019, have been reviewed by Council's Water and Sewer Officer who have no objection to the proposal subject to recommended conditions and the neighbouring landowner's consent being received.

The Proposed Development

The proposal comprises the construction of a 20 storey mixed use building, with commercial use and shop top housing comprising:

- 2 levels of basement car parking with commercial tenancies on basement level 1
- Ground level commercial parking and loading dock skinned by commercial premises
- Three levels of above ground car parking for commercial and residential integrated with commercial space to the Mann Street frontage
- 18 levels of 184 residential units:
 - 90 x 1 bedroom
 - 60 x 2 bedroom
 - 34 x 3 bedroom
- 30 adaptable units
- Car parking accessed from new 2 way driveway to Mann Street
- 265 car parking spaces:
 - 185 residential spaces
 - 9 residential visitor spaces

-
- 71 commercial car parking spaces
 - A waste room within each residential floor will accommodate temporary waste storage. The garbage will be moved to a garbage collection room on the ground floor
 - Waste collection vehicles will enter the ground floor loading dock via the shared driveway. The loading dock can accommodate vehicles up to 10.5m in length and provides sufficient turning space so that trucks can enter and exit the site in a forward direction
 - Landscaping of the building and its surrounds including podium communal open space and a pool
 - On site detention
 - Sewer diversion and relocation
 - Demolition of existing structures

The applicant has proposed a staged construction:

- Stage 1 includes the basement parking and the commercial podium levels including parking. This stage includes all demolition of existing buildings, footpath and road works and utility and service works. This stage will include the landscaping planter boxes to the Mann Street frontage to screen the lift, garbage chute and fire stair shaft overruns.
- Stage 2 includes the residential Tower "1" which is the southernmost tower and includes potential options available for the treatment of the blank concrete wall on the north elevation of Stage 2 tower; full details will be required via a condition of consent.
- Stage 3 includes the residential Tower "2" which is the northernmost tower and includes the pool sauna and steam room.

A Construction Management Plan prepared by Catalyst Project Consulting Pty Ltd, dated 14 June 2019 further details these stages.

Figure 8 shows a photomontage of the proposed development as viewed from Mann Street. Figure 9 provides cross-sections of the development which illustrates the configuration of the commercial space and parking areas. Figure 10 shows the ground floor plan. Figure 11 shows the podium Landscape Plan.



Figure 8 - Photomontage of proposed development

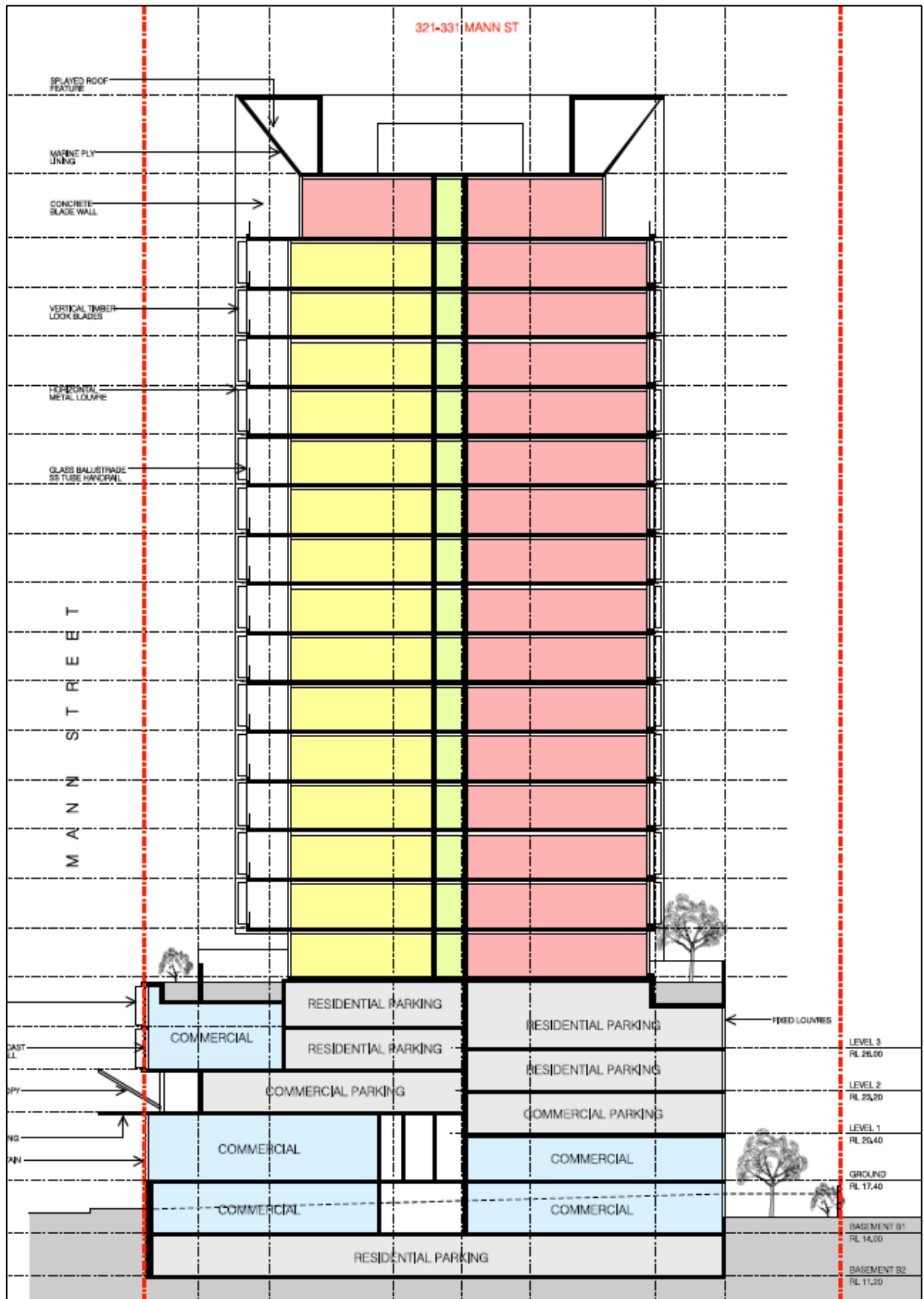


Figure 9 – Cross Section

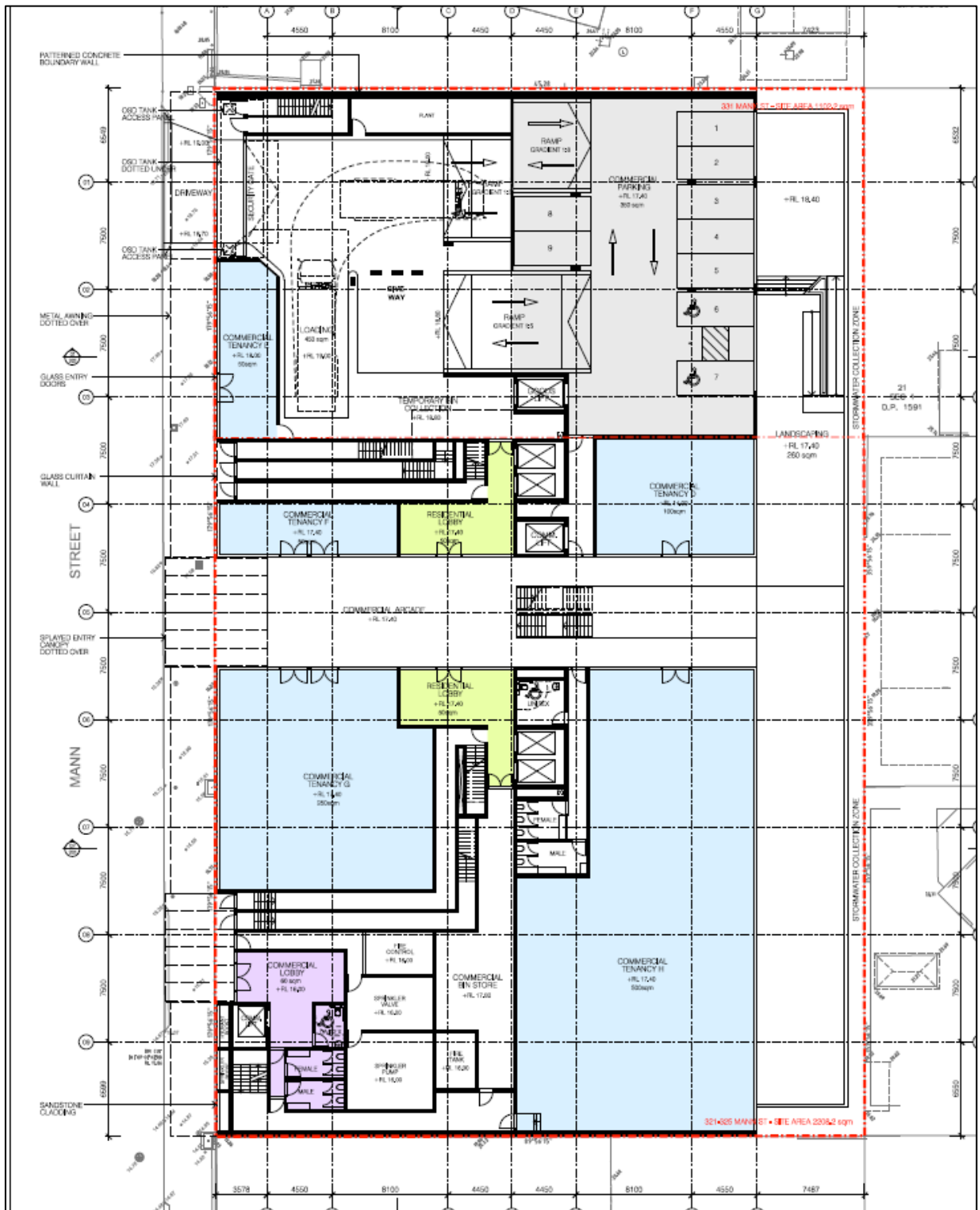


Figure 10 – Ground Floor Plan



History

The following table details the history of development consents issued in relation to the sites:

Allotments	Development Applications
321 Mann Street	<ul style="list-style-type: none">• 1993 – Commercial Premise• 1993 – Motor showroom• 1993 – Signs• 1994 - Signs• 1997 – Signs• 1998 – Motor showroom• 1998 – Motor showroom additions• 1999 – Signs• 2005 – Five (5) replacement signs to new corporate image
325 Mann Street	<ul style="list-style-type: none">• 1991 - Signs• 1996 – Commercial premise• 2003 – Establishment of Use - Motor Showroom & Sales, New Shop Front and 2 Signs Establishment Of Use Signs Commercial Premise• 2008 – Three (3) Signs with text associated with 'Central Coast Eurocar' and 'Skoda'
331 Mann Street	<ul style="list-style-type: none">• 2001 – New Building Toilets

s. 4.15 (1)(d) of the EP&A Act: Any Submission Made in Accordance with this Act or Regulations

Section 4.15 (1)(d) of the EP&A Act requires consideration of any submissions received during notification of the proposal.

Public Submissions

The application has been notified on three (3) separate occasions in accordance with Chapter 7.3.2 Notification of Development Proposals of GDCP 2013:

- The initial proposal was notified between 22 April 2016 and 13 May 2016. As a result of this notification period, one (1) submission was received.
- The amended development application was re-notified between 15 February 2018 and 9 April 2018. As a result of this notification period, four (4) submissions were received.
- A third notification period for further design revisions and additional information took place between 28 June 2018 and 19 July 2018. No submissions were received from this notification period.

The amended plans received 18 January 2019 were not renotified as included minor architectural refinements only.

The issues have been addressed in the assessment of the application pursuant to the heads of consideration contained within section 4.15 of the *Environmental Planning and Assessment Act 1979* and as set out below.

- ***Excessive height and overshadowing of Showground Road properties***

Comment: The height complies with the Maximum Building Height control specified under the GLEP 2014 and is consistent with the character of the area. There is overshadowing of properties on Showground Road does occur at 8am in mid-winter; however these shadows have passed by 9am. The proposal does not result in an unreasonable overshadowing of residential properties.

- ***Too many 1 bedroom units***

Comment: The proposal is considered to provide an acceptable mix of 1, 2 and 3 bedroom units.

- ***Insufficient visitor parking spaces (9) and resident car parking spaces – parking stress on the street***

Comment: No visitor car parking spaces are required under the Clause 8.6 Car Parking of the GLEP 2014 or Section 7.1 Car parking GDCP 2013 for shop top housing or commercial premises. The site is located in the city centre within 300m of the Gosford train station and adequate on site car parking has been provided including 9 visitor spaces.

- ***Driveway too close to Traffic Lights – pedestrian safety concerns***

Comment: The development application is supported by a Traffic Impact Statement, dated 14 July 2017, prepared by SECA Solution, which has been reviewed by Councils Engineer. It is concluded that the major intersections are controlled by traffic signals allowing for pedestrians to cross the major roads in a safe and efficient manner.

- ***Privacy impacts from properties in Hill Street, loss of outlook***

Comment: The proposed tower has fully compliant 12m setbacks from both side and rear boundaries which is fully compliant with the Apartment Design Guide requirements in terms of maintaining privacy. The tower is compliant with both height and setback controls and therefore any impacts on outlook are considered to be reasonable.

- ***Infrastructure should be prioritised over development***

Comment: The site is within walking distance of both bus and train stations in addition to a range of retail, commercial and services available with the Gosford City Centre. Appropriate conditions are imposed in relation to servicing the development with

utilities. The site is subject to developer contributions which will contribute to required infrastructure within the area.

- ***All new developments should have environmentally sustainable building materials and architectural design***

Comment: 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. The application is also supported by a BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability.

- ***Insufficient information***

Comment: The notification of amended plans between 15 February 2018 and 9 April 2018 did not include all relevant reports. This was noted and the application was re-notified between 28 June 2018 and 19 July 2018 to address this.

Submissions from Public Authorities

The application was referred to the following State Government Agencies:

- Roads and Maritime Services
- Sydney Trains
- NSW Police

Comments received from each are summarised and addressed below:

Roads and Maritime Services

The application was referred to the NSW Roads and Maritime Services (RMS) for assessment and comment. Correspondence from RMS was received on 22 August 2018. A summary of the advice provided to Council in the correspondence can be found below with comments were relevant:

Roads and Maritime recommends that the following matters should be considered by Council in determining this development:

- *It is noted that several high-rise mixed use and residential developments have been supported within the Gosford CBD and surrounds in recent years which are likely to generate significant traffic volumes. Whilst most sites are within 800m of public transport facilities, it is considered there will be a cumulative impact on the safety and efficiency of the road network within and around the CBD area due to increased pedestrian and vehicular movements.*

Comment: Noted.

- *Council should ensure that an appropriate funding mechanism is in place to obtain equitable monetary contribution from developers towards future road network upgrades and / or traffic management measures required to accommodate developments within the city centre and surrounds.*

Comment: Any future development consent issued will require monetary contributions in accordance with Council's development contributions plans.

- *Roads and Maritime has no proposal that requires any part of the property.*

Comment: Noted.

- *Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.*

Comment: Recommended Condition 4.22 requires a Traffic and Pedestrian Management Plan to be prepared and provided to Council prior to the issue of a Construction Certificate.

- Council should have consideration for appropriate sight line distances in accordance with Section 3 of the *Austroads Guide to Road Design Part 4A (Unsignalised and Signalised Intersections)* and the relevant Australian Standards (i.e. AS2890:1:2004) and should be satisfied that the location of the proposed driveway promotes safe vehicle movements.

Comment: Council's Engineering divisions has reviewed the proposal's access and traffic requirements and are satisfactory subject to detailed design required by Conditions 3.8.

Sydney Trains

The application was referred to Sydney Trains who granted concurrence under Clause 86 of *State Environmental Planning Policy (Infrastructure) 2007*. Sydney Trains granted concurrence subject to conditions in a letter dated 8 August 2016.

... Sydney Trains now advises that the proposed development is being assessed in accordance with the requirements of Clause 86(4) being:

- a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:*
 - (i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and*
 - (ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and*
- b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.*

In this regard, Sydney Trains has taken the above matters into consideration and has decided to grant its concurrence to the development proposed in development application 49578/2016 subject to Council imposing the deferred commencement condition provided

in Attachment A and operational conditions listed in Attachment B that will need to be complied with upon satisfaction of the Deferred Commencement Condition.

The deferred commencement consent is reproduced below:

Deferred Commencement Condition

This consent is not to operate until the Applicant satisfies the Council, within 12 months of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the Council:

A1

The Applicant shall prepare and provide to Sydney Trains for approval/certification the following items:

- 1. Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.*
- 2. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.*
- 3. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.*
- 4. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.*
- 5. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.*

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

The amended application was re-referred to Sydney Trains in July 2018. Sydney Trains confirmed via email dated 8 August 2019 that *"If there have been no changes to the DA since the amendments in July [2018], then our conditions remain the same"*. Given the changes to the plans in 18 January 2019 where minor architectural refinements only, it was not considered necessary to re-refer to Sydney trains.

NSW Police Force

The application was referred to the NSW Police Force who provided the following comments on 20 February 2018:

'Going through the documentation that has been sent, it appears that the CPTED principles have been covered quite well.... They have covered very well information in relation and I am happy with all points highlighted in 3. Conclusion, Surveillance, Access Control, Territorial Reinforcement and Space Management Recommendations. I have no objections to this DA.'

Internal Consultation

Architect

Comments were received from Council's Architect on 10 July 2018 which supported the amended application in principle subject to addressing the following issues:

- *Amend the vertical louvres to ensure compliance with the solar access controls in the ADG while providing appropriate screening for summer sun control.*
- *Provide direct pedestrian access to the communal area and pool from the Level 4 lift foyers and ensure communal access does not have detrimental impacts on the privacy of adjoining units.*
- *The residential lift lobbies are directly off the commercial arcade, adjacent to public toilets and stairs and are considered narrow and inadequate in size to service the 77 units on each lift core. Residential lobbies should be separate from commercial entries, have adequate area and seating for residents and create a desirable residential identity for the building.*
- *Consider further variation to distinguish this building from the architect's nearly identical application at 333 Man Street should be considered.'*

As a result of the above comments, additional information was requested from the applicant on 18 December 2018. Amended plans were received by Council on 16 January 2019. Accordingly, Council's Architect provided the following comments in relation to the amended plans on 25 February 2019:

Amend the vertical louvres to ensure compliance with the solar access controls in the ADG while providing appropriate screening for summer sun control.

Vertical louvres on the east and west elevations are now angled towards north to improve solar access in winter months and shading in summer. This is an improvement but the use of adjustable louvres would further improve this and give occupants the option of personal control of their unit.

Provide direct pedestrian access to the communal area and pool from the Level 4 lift foyers and ensure communal access does not have detrimental impacts on the privacy of adjoining units.

Direct pedestrian access from lift lobbies to level 4 podium facilities is provided. High walls around podium level apartments' private outdoor spaces will provide visual and acoustic privacy.

A preferable option may be to redesigning units 5 and 11 to provide access to the pool and communal open space from both lift cores. This could allow a larger private open space for units facing east and eliminate the need for the high courtyard walls.

The residential lift lobbies are directly off the commercial arcade, adjacent to public toilets and stairs and are considered narrow and inadequate in size to service the 77 units on each lift core. Residential lobbies should be separate from commercial entries, have adequate area and seating for residents and create a desirable residential identity for the building.

Residential lobbies have been increased in size and frontage and have adequate space for seating. Stairs and toilets have been moved away from residential lobbies. The applicant's assertion that the arcade provides a grand single entry point to the site which doubles as a commercial arcade is considered acceptable.

Consider further variation to distinguish this building from the architect's nearly identical application at 333 Man Street should be considered.

The architect's response is "A consistent architectural language is a positive outcome". Though it is considered that some variation between adjoining buildings adds visual interest to the streetscape, this is not justification for refusal.

RECOMMENDATION

There is no objection to the application on architectural grounds.

Engineering

The proposal has been assessed by Council's Senior Development Assessment Engineer who makes the following comments on the proposal dated 19 February 2018:

INTRODUCTION

This assessment has been undertaken in relation to the development engineering matters associated with a proposal for a mixed development comprising 184 residential units over 20 storeys and 2 storeys of commercial units within the 6 existing lots, together with the demolition of all existing structures on the site. The site is known as 321, 323, 325, & 331 Mann Street Gosford, or 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.

ROAD WORKS, ACCESS, & TRAFFIC

Road works

The site has a frontage to Mann Street. There is existing kerb and gutter across the frontage of the site, however there are extensive areas of existing vehicular laybacks within the site frontage that will need to be removed, and the existing kerb and

gutter is an older standard (180mm height) that will also need to be replaced. The existing footway is fully constructed in plain concrete with the exception of a small section within the northern part of the footway frontage where there the footway is not fully formed. It is recommended that the existing kerb & gutter and vehicle laybacks within the site frontage be removed and reconstructed to the current standards. The footway is to be reformed at 2% from the back of kerb to the property boundary across the full frontage of the site, and reconstructed to comply with the requirements of the Gosford City Centre Streetscape Design Guidelines prepared by Oculus dated September 2011.

No road works are required as a result of the proposed development other than those associated with replacement of kerb and gutter (indicated above) and longitudinal street drainage (indicated below in the section on 'drainage').

Access

Within the road reserve

The development proposes a single vehicular access crossing that will provide for two way movements and also facilitate servicing arrangements. Revised plans provided with the application indicate that this crossing is proposed at 7.2m wide and splayed out to the kerb line so that it is wide enough to cater for the swept turning path of all passenger and servicing vehicles entering & exiting the development.

Within the site

Access within the site is provided to a number of separate parking levels between basement level and level 3, and a servicing area (on the ground floor level) via a combination of ramps and circulation driveways. The internal access and parking arrangements appear to comply with AS2890 and will be conditioned for comply with this Standard.

Car parking

It is noted that the development proposes 365 car parking spaces for the residential and commercial tenancies within the development including 7 spaces for people with disabilities. Vehicular access to the residential parking area will be restricted to tenants, via a security roller door openable with a buzzer. Storage space for bicycles is proposed within the development. The planner will need to assess the numerical provision of car parking spaces.

Waste Servicing

Appendix E of the Traffic Impact Statement prepared by SECA Solution dated 24 July 2017 that was submitted with the amended application indicates that the development will cater for a Council waste contractor vehicle (10.46m long) to enter and exit the site in a forward direction as part of the waste servicing operation for the development. Separate comments from Council's Solid Waste Officer should be sought by the planner to confirm that the correct waste truck associated with the new Council waste servicing contract and associated provider has been utilised in the swept path analysis.

Other matters

The proposal includes a continuous pedestrian awning over the Mann Street frontage that extends over the kerb line and in some areas overhangs the Mann Street road pavement. The awning is to be amended so that it is located a minimum of 600mm behind the kerb line. (The planner should also check to see if compliance with Council's Gosford DCP2013 would result in a setback greater than 600mm behind the kerb line. Furthermore the planner should consider amendments to this awning in relation to the architectural design of the proposed development).

Traffic

A Traffic Impact Statement prepared by SECA Solution dated 24 July 2017 was submitted with the amended details for the application. This report indicates that the proposal will have a minimal impact upon the local road network, the parking demands can be accommodated on-site, and that the proposed access, servicing, and parking arrangements comply with AS2890.

FLOODING & DRAINAGE

Flooding

Council's records indicate that the site is affected by the Gosford CBD Overland Flow Flood Study. The adjoining site to the east is SP68909 (No 12-14 Hill Street). There is a sag low point in the road in front of SP68909 and the stormwater for SP68909 discharges to a drainage pipeline (& Council drainage easement) that traverses the front corner of that corner of this site. Secondary stormwater flows appear to occur over the adjoining site to the south of SP68909 and the adjoining site on the southern side of the subject development site. The majority of the upstream catchment is captured by this drainage system. According to the Gosford CBD Overland Flow Flood Study, there are small areas within the rear of the site that are affected by flooding (ponding) up to 1.3m deep in the current situation.

A revised Flood Risk Assessment Report prepared by SRB Consulting Engineers (Project No 21609 Issue 3 dated June 2017) was submitted for this amended application. This report addresses the overland flows over the adjoining property to the south and the contributing sub-catchment between Hills Street and the subject site that would generate stormwater flows into the site. Results and recommendations associated with this report indicate:

- The overland flows from the neighbouring catchment (between Hills Street & the site) is 0.3m³/s in the 1%AEP storm event.*
- It is proposed to capture and convey these 1%AEP overland flows (i.e. 0.3m³/s) with a series of surface inlet pits within a recessed collection area adjacent to the eastern site boundary combined with a 300-450mm diameter pipeline through to Mann Street that would convey the 1% AEP flows around the post-developed site.*
- A 1.6m wide secondary flowpath adjacent to the southern boundary is proposed to cater for the partial blockage of the piped system, which was found to have a maximum flow depth in the order of 90mm, assuming a 50% blockage in the 1% AEP event. Maximum 1% AEP flood levels through the developed site were found to range between RL 18.60 within the rear collection zone, and down to RL 15.00 adjacent to the south-western corner of the site.*

Diversion / retaining walls and raised thresholds would be constructed either side of the rear collection zone and secondary flowpath to ensure flows are retained within the subject site and to maintain adequate freeboard to the development site.

- *Any proposed doors within the secondary flowpath should be constructed with open grates / voids over the bottom 150mm to ensure the free passage of flood waters.*

These matters can be appropriately conditioned.

Drainage

The site is relatively flat but generally grades to Mann Street and to the rear where it ponds up to 1.3m deep. Stormwater from the site discharges to Mann Street.

The proposal has the potential to increase stormwater runoff through additional impervious areas created by the development. Therefore the development will need to provide on-site detention (OSD) in accordance with the requirements of chapter 6.7 of Council's DCP2013 to limit post development flows back to predevelopment flows for all storm events up to and including the 1%AEP recurrence interval.

The proposal has the potential to increase nutrient/pollutant runoff from the site that could impact on the water quality downstream of the site. The proposal will therefore need to provide nutrient/pollution controls in accordance with Chapter 6.7 of Council's DCP2013.

The development will need to provide retention of rainwater/stormwater for reuse within the development in accordance with Chapter 6.7 of Council's DCP2013.

Integrated Water Cycle Management Plan

With the proposed amendment to the development to now include an additional two lots to the development site, a new IWCMP prepared by James E Allen & Partners (Project No. 2017-34 Rev P2 dated 17th July 2017) has now been submitted. In this regard, the report indicates the following:

- *On-site detention is to be provided with a total volume of 89.3m³, with a post development discharge in the 1%AEP retained to 0.161m³/s.*
- *Retention of rainwater (30,000 litres) for reuse with the development.*
- *Provision of nutrient control in a treatment train approach.*

This revised report has satisfactorily the requirements for on-site detention.

Interallotment drainage

There is an existing drainage system in the south-western corner of SP14004 (No 16-18 Hills Street) that discharges to an existing interallotment drainage system & 1m x 1m drainage easement in the north-western corner of SP68909 (No 12-14 Hills Street), that then discharges into the north eastern corner of Lot 9 Sec 1 DP 1591 (subject site – part of No 321 Mann Street). The stormwater drainage system for the subject development is to incorporate the provision of a separate interallotment drainage system through the site to convey the stormwater from

SP14004 via SP68909 to Council's piped drainage system in Mann Street. An easement to drain water benefitting SP14004 & SP68909 would need to be created over this new interallotment drainage pipeline. It is noted that the interallotment drainage pipeline could connect to the drainage pipeline proposed along the rear eastern and side southern boundaries of the site. It is recommended that the application be conditioned to connect the interallotment drainage pipeline that enters the site from the south western corner of SP68909 (No 12-14 Hills Street) to the proposed drainage pipeline within the rear eastern part of the site (in the vicinity of Pits 1.6-1.8 indicated in the plan prepared by SRB consulting (Project No 21609 Drawing No 21609_4, Sheet 4 of 4, Issue C dated 05.06.17. An easement to drain water 1m wide would need to be created over this pipeline from Pit 1.3 to Pit 1.8 indicated in the SRB plan in favour of SP14004 & SP68909.

Street drainage

Council's records do not indicate the existence of longitudinal street drainage system within the site frontage. The stormwater concept plan prepared James E Allen & Partners (Job No 2017-34, Drawing No SWME-01, Issue P2 dated 17.07.17) indicates that it is proposed to extend longitudinal street drainage from the site downstream to the existing drainage pit in front of the adjoining building on the neighbouring lot (No 319 Mann Street). It is noted that part of the existing line has near zero cover which would not facilitate suitable grades for connection of stormwater from the development with adequate cover to current standards. To provide suitable stormwater connection, part of the existing drainage system would need to be reconstructed/lowered to the next downstream pit in front of the driveway for No 319 Mann Street. (These pits are approximately 11m apart). Furthermore, longitudinal street drainage across the full frontage of the site is to be constructed to avoid the required kerb & gutter works for this development being further reconstructed if/when a development proposal for No 333 Mann Street (to the north of the site) is constructed and they need to connect to the Council piped system.

WATER & SEWER

Water & sewer matters do not form part of this engineering assessment. It is noted however, that the proposal would require a sewer diversion, compliance with Council's guidelines for building over/near sewer & water mains, and the requirement for a Section 307 Certificate (with associated contributions). The planner is to ensure that separate comments are received from Council's Water Assessment Team to the point where they are satisfied with proposed sewer diversions and other matters related to water & sewer provision in the area that would be associated with and/or affected by the development

OTHER MATTERS

Geotechnical

Geotechnical engineering matters do not form part of this assessment.

Street trees

The original landscaping plans indicated a street tree planting schedule in Mann Street, however it was noted that the location of the trees in the footway may have

been affected by the proposed awning. The revised landscaping plans no longer indicate street trees within the road reserve.

CONCLUSION & RECOMMENDATIONS

As a result of the development engineering assessment of this application and the revised information submitted for this application it is recommended that:

- 1. The location of the awning within the road reserve is to be amended so that it is located a minimum of 600mm behind the kerb line.*
- 2. Subject to required amendments to the awning within the road reserve indicated above, and no objections from Council's Water Assessment Team and Waste Assessment Unit, it is recommended that the development engineering conditions indicated below be included in a development consent issued in relation to the assessed proposal.*

Heritage

The application was referred to Council's Heritage Program and Projects Officer due to its proximity to a locally listed heritage item at No. 299 Mann Street, approximately 50m to the south. Council's Heritage Program and Projects Officer made the following comments:

'I have reviewed the development application. I note that the subject site is not a heritage item but that it is in the vicinity of the Mitre 10 building at 299 Mann Street.

I have some concern with the proposed development with regard to the bulk and scale of the building when viewed from Mann Street and places to the west of the railway line. The podium level at street level is articulated, however the residential tower above will appear excessively bulky in elevation and does not respect the traditional smaller allotment sizes that are part of the character of this part of the streetscape.

If it is not possible to physically separate the tower element into two separate towers then increased articulation of the front elevation would be appropriate including increased recessing of the centre component of the building that links the north and south towers. This materials and colours used for this element could also be amended to make it darker in colour and thus more recessive. Alternatively green walls could be employed to provide a contrasting element and texture to the streetscape.

Overall however the proposed development at street level would have minimal impact on heritage items within its vicinity.'

Water and Sewer

Council's Water and Sewer Officer has reviewed the proposed sewer relocation plan. Subject to the adjoining owners providing the consent for the use of their land for the proposed arrangement there are no objections subject to recommended conditions.

Building

The application was referred to Council's Environmental Health and Building Surveyor who provided the following comments:

'Council's interpretation of the classification of buildings and structures in accordance with Part A3 of the BCA is: Class 2, 5, 6, 7a, 9b & 10b

The Geotechnical report on the foundations materials, advise the foundations are suitable and will complete a more detail study as the project proceeds. I discussed the content of the report with a geotechnical officer from the company's office.'

Trees

The application was referred to Council Tree Assessment Office who provided the following comments:

Further to Tree Comments 16/2/18 and following discussions between Council's Planner and Engineer, I have been advised that street tree planting is not considered practical on this occasion due to existing underground services and proposed awnings.

It is accepted that successful street tree planting in the city centre has resulted from road openings beyond the footpath as part of a past overall street scape project that hasn't extended to this part of Mann Street.

Councils Engineer raised a concern, that the proposed low (0.5m high) landscaping on the footpath will cause problems for parked cars opening doors. I agree with the engineers concern and not aware of this kind of landscape treatment to city centre footpaths.

Considering the constraints of the footpath area, it may be impractical to expect worthwhile landscaping at the front of this development.

Suitable native tree species have been nominated for the rear court yard, consisting of Lilly Pilly and Water Gum capable of heights to 10m.

Environment /Ecology

The application was referred to Council's Environmental Officer who provided the following comments:

Council's Environmental Assessment Officer has assessed the environmental impact of the above proposal in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The objectives of the relevant policies, zoning objectives and potential environmental impacts associated with the proposal have been considered. Council's Environmental Assessment Officer has no objection to the proposal...

Ecologically Sustainable Principles

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.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the development 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.

Assessment

This application has been assessed using the heads of consideration specified under section 4.15 of the EP&A Act, and relevant Council policies. The assessment has identified the following key issues, which are elaborated upon for the Panel's information.

s. 4.15 (1)(a)(i) of the EP&A Act: Provisions of any environmental planning instruments/Plans/Policies

The relevant Environmental Planning Instruments are addressed below:

State Environmental Planning Policies (SEPP)

State Environmental Planning Policy (Gosford City Centre) 2018

This SEPP applies to land within the Gosford City Centre including the subject site. However this application was lodged in 2016, before the commencement of this Policy on 12 October 2018. In accordance with the savings provisions under Clause 1.8A, the application must be determined as if this Policy had not commenced.

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

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 (Coastal Management) 2018

The provisions of State Environmental Planning Policy (Coastal Management) 2018 require Council consider the aims and objectives of the SEPP when determining an application within the Coastal Management Area. The Coastal Management Area is an area defined on maps issued by the NSW Department of Planning & Environment and the subject property falls within this zone.

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

State Environmental Planning Policy 55-Remediation of Land

Clause 7 of SEPP 55 requires Council to consider whether the land is contaminated when determining a Development Application.

The proposed development will entail ground disturbance through the excavation of the site to accommodate basement carparking and the construction of footings for the proposed new building.

The applicant has provided the following information in relation to contamination:

- A Preliminary Contamination Assessment (PCA) prepared by Coffey, dated 24 March 2016. This report relates to No. 321-325 Mann Street
- A Phase 2 Contamination Assessment prepared by Coffey, dated 20 May 2016. This report relates to No. 321-325 Mann Street.
- Preliminary Environmental Site Investigation Report (PESI) prepared by LG Consult dated 22 November 2017. This report relates to No. 331 Mann Street.

In summary the Phase 2 Contamination Assessment for No. 321-325 Mann Street states:

Based on the results of the Phase 2 Contamination Assessment, the likelihood of gross soil contamination being present across the site is considered to be low. Low levels of some heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons were recorded in some samples analysed, though not at concentrations exceeding the adopted health investigation levels.

In view of the proposed future land use, the preliminary Conceptual Site Model (CSM) can be updated. The chemical substances within areas of environmental concern (AECs) previously reported by Coffey are considered unlikely to present potentially complete exposure pathways that might result in an unacceptable risk to human health or the environment.

The majority of the AECs identified by Coffey in the PCA were assessed in this Phase 2 CA. At the client's request, AEC #5 (the hazardous materials in the building on 325 Mann Street) was not assessed. The client has advised that a construction demolition report and plan for the site has previously been submitted to Council. It is assumed that appropriate methods for the removal of hazardous substances from the buildings are included in this demolition report. Coffey advises that inappropriate removal of hazardous materials can potentially add significant remediation or management costs during development.

Based on the results of this assessment, Coffey considers that further assessments, remediation or management works are not warranted at this stage. The site is considered to be suitable, from a contamination viewpoint, for the proposed high-density residential and commercial land use.

Council's Environmental Officer reviewed the two Contamination Assessments for No. 321-325 Mann Street and made the following comments on 12 July 2016, and concluded that the application was acceptable subject to the recommended conditions:

- The Stage 2 Contamination Assessment involved testing of 6 boreholes for potential chemicals of concern.*
- The Health Investigation Levels adopted for the assessment was for HIL B Scenario (High density residential, not including a sizeable garden). The Ecological Investigations adopted was for an urban/residential scenario. This is considered appropriate.*
- Boreholes were dug to a maximum of 1.1m below ground surface with samples taken at 0.5m intervals. This is considered shallow however it is unlikely that any contaminants would be absent in the first 1m but present below that and as no contaminants exceeding the adopted HIL's were detected, this is considered sufficient.*
- The site contains some contaminants due to previous land use as a sawmill and vehicle dealership/workshop.*
- Groundwater is expected to be present at 10m below natural ground surface. This was not sampled and is not considered likely to be encountered during construction works.*
- Low levels of some heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons were recorded in some samples analyses however these were below the adopted health investigation levels and ecological investigation levels.*
- The Contamination consultant concluded that no further assessments, remediation or management works are required and that the site is considered suitable, from a contamination viewpoint, for the proposed high-density residential and commercial land use. This conclusion will be accepted in good faith.*
- An Area of Environmental Concern (AEC#5) was identified in the Phase 1 Contamination Assessment however it was not tested as part of the Phase 2 Assessment at the request of the Applicant. AEC#5 is described as potential asbestos containing material sheeting in the external walls of the building on 325 Mann St. The omission of this area from the contamination assessment is accepted provided that the asbestos containing material will be removed in accordance with the NSW Workcover Code of Practice for the Safe Removal of Asbestos. The presence of asbestos within buildings is common and is not always addressed within contamination assessments, which primarily aim to identify contaminants within the soil and groundwater.*
- Lead and benzo(a)pyrene concentrations in some samples were reported above the NSW EPA (2014) General Solid Waste Contaminant Threshold criteria. This means that*

the soils beneath the site are currently classified as Restricted Solid Waste and should be disposed of accordingly.

The Preliminary Environmental Site Investigation Report (PESI) undertaken in relation to No. 331 Mann Street provides the following conclusions:

- Prior to the current layout the site appeared to have comprised mainly residential land until 1960's. The land has been used for commercial purposes and mainly as car parking area since the former residential building structures were demolished sometime between 1954 to 1964. What are now the office shed and garage shed at the site appear to have been constructed sometime between 1976 and 1986 and the site layout has remained the same since then;*
- The site has been used as commercial land for approximately 50 years. No significant changes were noted on the site during this period;*
- Laboratory analytical results indicated that the fill materials at the locations sampled and analysed did not contain concentrations of TRHs, BTEX, PAHs, OCPs, OPPs, PCBs, metals and asbestos that were greater than the HILs B/C/D and EILs B/C/D land use criteria (for mixed commercial/high density residential/recreational land use), at the time tested;*
- Given that no evident sources of mobile contamination could be visually identified on site, it is considered that potential contaminants associated with past and present land uses are minimal;*
- The site condition and the past and current site activities described in this PESI with targeted soil sampling indicate a low potential for significant or gross contamination; and*
- Based on the above findings the site subject to this PESI is likely to be suitable for the proposed use as multi-storey mixed use building with 2 basement levels, consistent with a Zone B4 – Mixed Use zoning.*

Council's Environmental Officer reviewed the Preliminary Environmental Site Investigation Report (PESI) undertaken in relation to No. 331 Mann Street and made the following comments on 15 August 2019 and concluded that the application was acceptable subject to the recommended conditions:

- I have reviewed the Preliminary Environmental Site Investigation Report (PESI) prepared by LG Consult dated 22 November 2017 and it has been prepared generally in accordance with the NSW EPAs Guidelines.*
- I have also reviewed the amended SEE dated June 2018, the amended plans dated June 2018 and am satisfied that the site is suitable for its proposed use (commercial shop top housing and basement parking), from a contamination perspective.*

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

The proposal is subject to the requirements of *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* (SEPP 65). The application is supported by a Design Verification Statement prepared by Chapman Architecture (NSW Registration No. 8144).

The 'Apartment Design Guide: Tools for improving the design of residential apartment development' (ADG) provides objectives, design criteria and design guidance on how residential development proposals can meet the Design Quality Principles contained within Schedule 1 of SEPP 65, through good design and planning practice. The Design Verification Statement prepared by Chapman Architecture also incorporates a 'Response to SEPP 65 Design Quality Principles and Response to Apartment Design Guide'.

The proposed development has been assessed by Council's Architect where objections were raised. A revised design was subsequently submitted to Council and Council's Architect raised no further objections. Please refer to referral comments provided previously in this report.

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.

The proposal is considered acceptable having regard to the requirements of the ADG. For further consideration, refer to the ADG Compliance Table contained within **Attachment 3**.

State Environmental Planning Policy (State and Regional Development) 2011

The aims of *State Environmental Planning Policy (State and Regional Development) 2011* (the SEPP) are to identify development that is State significant development, State significant infrastructure and critical State significant infrastructure or regionally significant development and to confer functions on the relevant state or regional planning panels to determine development applications.

Amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act) came into force on 1 March 2018 and resulted in amendments to the SEPP. The categories of regionally significant development are identified in schedule 7 of the SEPP. The threshold for general development has changed; development that has a capital investment value (CIV) of more than \$30 million is now considered regionally significant development.

The application was lodged prior to the amendment of the EP&A Act. Transitional provisions apply in this instance. Any development applications lodged but not determined before 1 March 2018 that met the former CIV threshold of more than \$20 million will remain with the Regional Planning Panel for determination. The proposed development has a capital investment value of \$62,903,565 and is identified as regional development for the purposes of the SEPP. The Hunter and Central Coast Regional Planning Panel is therefore the determining authority for this application.

State Environmental Planning Policy (Infrastructure) 2007

Clause 86 *Excavation in, above, below or adjacent to rail corridor* applies as the site is within 25m of the access to the rail corridor.

The application was referred to Sydney Trains who granted concurrence under Clause as detailed under the 'External Referrals' heading above.

Clause 87 Impact of rail noise or vibration on non-rail development applies to residential development that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration

Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette.

The consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,
- anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

The site is approximately 70m from the rail corridor and a noise assessment prepared by RCA submitted with the application states:

'Provided the structure and façade treatments are executed in accordance with this report, the level of internal noise generated by road traffic on Mann Street and rail traffic from the Main Northern Railway will remain within the limits specified by the Development near Rail Corridors and Busy Roads – Interim Guideline.'

Conditions of any future consent can ensure the development complies with the recommended structure and façade treatments within the report.

Clause 104 Traffic-generating development applies as the proposed development is considered a traffic generating development within schedule 3 as referred to in this clause as it involves more than 75 dwellings and the site is within 90m of a connection to a classified road (Pacific Highway at the corner of Racecourse Road and Mann Street, north of the site). It also contains more than 200 parking spaces.

As required, the application was referred to RMS (as discussed previously in this report under the heading 'External Referrals').

In relation to traffic impacts, Council's Development Engineer provided the following comments:

'A Traffic Impact Statement prepared by SECA Solution dated 24 July 2017 was submitted with the amended details for the application. This report indicates that the proposal will have a minimal impact upon the local road network, the parking demands can be accommodated on-site, and that the proposed access, servicing, and parking arrangements comply with AS2890.'

Overall it is therefore considered that the accessibility, efficiency and safety of the site and road networks are satisfactory.

Regional Strategies

Central Coast Regional Plan 2036

The Central Coast Regional Plan 2036 provides a 20 year framework and guiding strategic planning document aimed at facilitating effective growth and services for the people of the region. It outlines a vision for the Central Coast to 2036; the challenges faced, and the goals and directions to follow to address these challenges and achieve the vision. It aims to build a strong economy capable of generating jobs, providing greater housing choice, essential infrastructure, lively centres for shopping, entertainment and dining, and protecting the natural environment.

The Central Coast Regional Plan 2036 identifies that population growth in the region will require the need for approximately 41,500 new homes by 2038. The proposal has been assessed having regards to the relevant goals and directions set out within the Central Coast Regional Plan 2036 and are considered to be consistent with this Plan.

Local Environmental Plans

Gosford Local Environmental Plan 2014 (GLEP 2014)

Zoning and Permissibility

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

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

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.*

					Objectives
Clause 4.3 Height of Buildings	Base 60m Bonus 78m*	73.4m	Yes	-	Yes
Clause 4.4 Floor Space Ratio	Base 5:1 Bonus 6.5:1*	6.5:1	Yes	-	Yes
Clause 8.4 Minimum Building street frontage	24m	47m	Yes	-	Yes

* Includes 30% bonus permitted under Clause 8.9 of GLEP 2014

Clause 4.3 Height of Buildings

The provisions of Clause 4.3 (Height of Buildings) within GLEP 2014 establishes a maximum height limit for buildings. The applicable height control indicated on the GLEP Height of Buildings map is 60 metres.

To promote development within Gosford and surrounds, GLEP 2014 was amended in April 2015 via Amendment 12 to extend the 30% bonus height and floor space provisions under Clause 8.9 (Development Incentives). In relation to building height, Clause 8.9(3)(a) (30% bonus) establishes a maximum height of 78 metres.

The proposed development displays a maximum building height of 73.4 metres and is therefore compliant with the GLEP provisions (see 8.9 further below).

Clause 4.4 Floor Space Ratio

The provisions of Clause 4.4 (Floor Space Ratio) within GLEP 2014 establish a maximum floor space ratio (FSR) for buildings. The applicable FSR control is 5:1.

Clause 8.9 (Development Incentives) within GLEP 2014 provides a 30% bonus to incentivise development, which is applicable to this development application. Clause 8.9 (3)(b) (30% bonus) establishes a maximum FSR of 6.5:1

The proposed development displays a maximum FSR of 6.5:1 and is therefore compliant with the GLEP provisions (see 8.9 further below).

7.1 Acid sulfate soils

The site is mapped as containing Class 5 acid sulfate soils. The Geotechnical Report prepared by Land and Ground Water Consulting Pty Ltd submitted with the application states:

'A review of the ASS risk maps prepared by Department of Land and Water Conservation (1997)² for Gosford indicates the site is located in an area designated as "No Known Occurrence". Therefore, acid sulfate soils are not known or expected to occur in these areas. This map defines that land management activities are not likely to be affected by acid sulfate soil materials.

No indicators of acid sulfate soils were observed during the site inspection completed on 20 April 2017.'

Notwithstanding, appropriate conditions could be placed on any future consent issued to ensure appropriate measures are taken should acid sulfate soils be encountered

Clause 7.2 Flood Planning

The subject site is flood prone. Council's development engineer provided the following comments regarding the flood prone nature of the site.

'Council's records indicate that the site is affected by the Gosford CBD Overland Flow Flood Study. The adjoining site to the east is SP68909 (No 12-14 Hill Street). There is a sag low point in the road in front of SP68909 and the stormwater for SP68909 discharges to a drainage pipeline (& Council drainage easement) that traverses the front corner of that corner of this site. Secondary stormwater flows appear to occur over the adjoining site to the south of SP68909 and the adjoining site on the southern side of the subject development site. The majority of the upstream catchment is captured by this drainage system. According to the Gosford CBD Overland Flow Flood Study, there are small areas within the rear of the site that are affected by flooding (ponding) up to 1.3m deep in the current situation.'

It has been determined based on Council's Development Engineering assessment of the Flood Risk Assessment Report prepared by SRB Consulting Engineers (Project No 21609 Issue 3 dated June 2017) that the report addresses the overland flows over the adjoining property to the south and the contributing sub-catchment between Hills Street and the subject site that would generate stormwater flows into the site.

As such the proposal is considered to satisfy the requirements of this clause.

PART 8 – Additional Local Provisions – Gosford City Centre

The site is located within the Gosford City Centre as per the 'key sites map' of the GLEP. As such Part 8 of the GLEP applies to the proposal.

8.1 Objectives.

The objectives of Part 8 for the Gosford 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 above objectives. The development will provide increased economic activities and population, near a major public transport route, to support the economic and social revitalisation of the Gosford city centre. The design meets the criteria for design excellence and SEPP 65 requirements. The proposal adds to housing choice in the locality, and is within walking distance of a range of shops, services and public transport.

8.4 Minimum building street frontage

This clause requires developments to have a minimum street frontage of 24m. The subject site has a 47m total frontage and complies.

8.5 Design Excellence

The provisions of Clause 8.5 (Design Excellence) of GLEP 2014 require Council to consider that the development exhibits design excellence. Consideration of the proposal against the matters attributed to design excellence, having regard to Clause 8.5(3) of GLEP 2014 is provided below:

- a) *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved*

It is considered the proposed design achieves a built form and scale appropriate to the B4 zone objectives and those of the City Centre as detailed within this Assessment Report. The design incorporates a range of materials and detailing which provide for internal amenity and design variation.

The podium has appropriate façade articulation and materials, including awnings, glazing, timber panelling, vertical glass fins and textured concrete; the tower is also articulated on all sides by offset planter boxes, bay windows and vertical timber louvres. Concrete blade walls and deep recesses help to enhance the vertical nature of the apartment tower.

The consolidation of the northern site has addressed previous concerns regarding its isolation and is considered to result in a superior planning and urban design outcome. A mixed use building with a retail and commercial use on the street and residential units above is appropriate in this location and is consistent with the likely future character of the area.

-
- b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain*

The appearance of the building is considered to define and positively contribute to the public domain and streetscape, which is well overdue for, and undergoing renewal.

The buildings design consists of three distinct built form components: a ground floor retail level, a podium with commercial space at the Mann Street frontage and a residential tower. The building integrates with its context and the public domain by building to the street alignment and providing a street wall height that is consistent with the typical range of the area.

Activation of the street and public domain occurs at the pedestrian level through the use of awnings for weather protection, ground level commercial and residential lobbies, and ground level commercial (potentially café) spaces. Commercial tenancies and the residential lobbies improve the safety and security of the public domain through passive surveillance and clearly defined public and private spaces. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas. public domain improvements such as upgraded footpaths will also contribute to an improved public domain.

- c) whether the proposed development detrimentally impacts on view corridors*

The proposed site it is not located in any identified view corridor identified in GDCP 2013 and is not considered likely to unreasonably impact on views.

- d) whether the proposed development detrimentally overshadows Kibble Park, William Street Plaza, Burns Park and the waterfront open space adjoining The Broadwater,*

The proposed development does not overshadow these areas.

- e) Any relevant requirements of applicable development control plans*

GDCP 2013 has been considered within this Assessment Report and the proposal is considered worthy of support.

- f) how the proposed development addresses the following matters:*

- i. the suitability of the land for development,*
- ii. existing and proposed uses and use mix,*
- iii. heritage issues and streetscape constraints,*
- iv. the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*

-
- v. *bulk, massing and modulation of buildings,*
 - vi. *street frontage heights,*
 - vii. *environmental impacts such as sustainable design, overshadowing, wind and reflectivity,*
 - viii. *the achievement of the principles of ecologically sustainable development, with particular emphasis on water saving and recycling,*
 - ix. *pedestrian, cycle, vehicular and service access, circulation and requirements,*
 - x. *the impact on, and any proposed improvements to, the public domain.*

The development is consistent with the zoning and the Gosford City Centre locality and is considered suitable for the site which is relatively flat, well located and serviced.

The site is underutilised at present, with 1-2 storey commercial and vehicle sale hire uses. The proposed mixed use will allow for residential units which will contribute to housing choice for the locality. The proposal also includes flexible commercial tenancies that could support a range of uses, including cafes/restaurants and retail at street level, which is a positive outcome for the site and street.

The development is considered contribute positively to streetscape through improved activation, built form and materials and will not have any unreasonable on the heritage item to the south.

The proposal includes a single, articulated, residential tower, achieving a consistent 6m setback to Mann Street and 12m setbacks to both side and rear boundaries. These setbacks allow for reasonable relationships with both the existing buildings as well as the approved and potential future towers within the area.

The setbacks and massing of the development are appropriate having regard to the desired character of the Gosford City Centre. The building presents well to the street with the commercial space providing for an active street frontage to Mann Street. The podium is three storeys which is in line with the desired future character of the street as well as the adjacent approval at No. 333-337 Mann Street (DA49489/2014).

The design incorporates elements in response to environmental matters, such as solar access, stormwater management and overshadowing. The development allows for water reuse in landscaped areas and provides adequate deep soil zones.

The proposal improves the public domain and pedestrian experience along Mann Street and provides appropriate vehicle access and servicing within the site.

8.6 Car Parking

The total floor area of all parts of the building to be used for 'commercial activities' is 2,540m². At the required minimum rate of 1 space per 75m², 34 commercial parking spaces are required. 71 spaces are proposed to be provided. This clause does not specifically require any visitor parking spaces. The site included 9 visitor car parking spaces, which is considered to be adequate considering the sites location in the city centre and within 300m of the Gosford train station.

Clause 8.9 Development incentives

This clause applies to the site as it applies to land identified as being within Gosford City Centre. The development seeks to utilise the bonus provisions under Clause 8.9 (Development Incentives) within GLEP 2014 in relation to building height and FSR. Clause 8.9(3)(a) of GLEP 2014 (30% bonus) establishes a maximum height of 78m and FSR of 6.5:1.

On 17 February 2017, amendment No. 27 to the GLEP came into force which amended Clause 8.9(4) to read:

Development consent may be granted under this clause only if the development application was lodged before 3 April 2016 and not finally determined immediately before the commencement of Gosford Local Environmental Plan 2014 (Amendment No 27).

The original development application proposed development on No. 321-325 Mann Street, Gosford. It was lodged on 1 April 2016 so as to receive the benefit of Clause 8.9 of the GLEP 2014.

On 5 December 2017 the applicant modified the development application (prior to any determination made) to include the site known as No. 331 Mann Street in the proposal. This change was enacted in light of a number of matters raised by Council, in particular the issue of a potential risk of an isolated site being formed (i.e. No. 331 Mann Street) following the determination of DA49489/2016 for 'Retail, Commercial & Shop Top Housing' development at No. 333-337 Mann Street which benefited from the 30% bonus under clause 8.9 of the GLEP 2014.

Clause 55 of the *Environmental Planning and Assessment Regulation 2000* (the Reg) allows an applicant to amend or vary a development application with the consent authority's agreement at any time before the application is determined.

By virtue of Council's acceptance of the site known as No. 331 Mann Street to be included in the development application and as the application was lodged on 1 April 2016, it is considered that Clause 8.9 is able to apply across the entire site in accordance with the definition of site area in the GLEP 2014. Therefore:

- The height of the building proposed on No. 331 Mann Street is compliant; and
- The FSR of 6.5:1 is also compliant.

s. 4.15(1)(a)(ii) of the EP& A Act: Draft Environmental Planning Instruments:

Draft Central Coast Local Environmental Plan 2018

The Draft Central Coast Local Environment Plan applies to the wider Local Government Area, however does not apply to this land as it is covered by State Environmental Planning Policy (Gosford City Centre) 2018.

State Environmental Planning Policy (Gosford City Centre) 2018

The Gosford City Centre SEPP commenced on 12 October 2018. The savings provisions under Clause 1.8A of the Gosford City Centre SEPP, states that *"If a development application has been made before the commencement of this Policy in relation to land to which this Policy applies and the application has not been finally determined before that commencement, the application must be determined as if this Policy had not commenced."*

The application was lodged on 1 April 2016, and therefore the application is to be determined as if this SEPP had not commenced. The SEPP is a matter for consideration.

The site is zoned B4 Mixed Use under the Gosford City Centre SEPP. The zoning objectives include two additional objections as compared to B4 zoning under the GLEP 2014, being:

- To create opportunities to improve the public domain and pedestrian links of Gosford City Centre.
- To protect and enhance the scenic qualities and character of Gosford City Centre.

The proposed development meets these additional objectives of the zone, in that it will result in an improved and activated public domain and result in a modern, well designed addition, consistent with the desired character of the Gosford City Centre.

The 'base' Floor Space Ratio applicable to the site is 5:1 and the 'base' maximum building height is 60m under the Gosford City Centre SEPP. These are the same as the base FSR and building height under the Gosford LEP 2014. Where the Gosford LEP 2014 has a 30% bonus available to both FSR and height, the Gosford City Centre SEPP allows for exceptions to height and floorspace under Clause 8.4 'Exceptions to height and floor space in Zones B3, B4 and B6'.

Clause 8.4(3) of the Gosford City Centre SEPP is applicable to the subject site, as the site is between 2,800 and 5,600sqm and has a street frontage of over 36m. This clause allows for development consent to be granted for a building height that exceeds the maximum height shown for the land on the Height of Buildings Map, by an amount to be determined by the consent authority, subject to design excellence including review by a design review panel.

It is noted that no exceedance of Floor Space Ratio is afforded to site of the subject sites size under this clause. Smaller sites, less than 2,800sqm, or with a street frontage of less than 26m, can vary FSR, but not height, while larger site, 5,600sqm and over, can vary both FSR and height of buildings.

Podium or street frontage height is also controlled under clause 8.2 'Building height on Mann Street', limiting it to three storeys. The proposal complies with this control.

Overall the proposal is considered consistent with the aims and objectives of the Gosford City Centre SEPP.

s. 4.15(1)(a)(iii) of the EP&A Act: Provisions of any development control plan

Gosford Development Control Plan 2013 (GDCP 2013)

GCDP 2013 provides objectives, design criteria and design guidance on how development proposals can achieve good design and planning practice. The proposal is considered acceptable having regard to the requirements of GCDP 2013. For a detailed consideration, refer to the GCDP 2013 Compliance Table contained within **Attachment 4**.

s. 4.15(1)(b) of the EP&A Act: Likely Impacts of the Development

Section 4.15 (1)(b) of the EP&A Act requires consideration of the likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. The likely impacts of the development are addressed below:

a) Built Environment

The proposed built form is considered acceptable in the context of the site.

b) Access and Transport

The impact of the proposal on pedestrian access, parking and the road network has been considered by Council's engineer who supports the application subject to conditions. The site is within walking distance of public transport, and a range of commercial, service and retail opportunities. The car parking provided exceeds the minimum requirements of the Roads and Maritime Services Guide to Traffic Generating Development, the GLEP 2014 and the GDCP 2013 as required by the Apartment Design Guide.

c) Context and Setting

The site is located within the B4 Mixed Use zone of the GLEP 2014, which is currently in transition to include higher density forms of development. The impacts of the proposal have been considered in the assessment of the application. The mixed use commercial and residential development is considered to be in line with the desired future character of the area.

d) Natural Environment

The site is within the established urban area. It is not considered that the development will result in unacceptable impacts on the natural environment.

e) Economic Impacts

The proposed scale of the development continues to contribute to the economic revitalisation of Gosford. The provision of additional dwellings proximate to the city centre contributes positively to the vibrancy and commercial vitality of the centre. The additional commercial space and associated commercial parking provided by the proposed development in close proximity to the CBD will also have a positive economic impact of the immediate area and greatly locality. Additional commercial space will result in increased business activity and employment opportunity in the City fringe.

f) Social Impacts

This site and the surrounding area in general, has aged considerably and as not taken advantage of the areas location in terms of its proximity to the train station and city core. The proposed development will not only revitalise this site but it will have a flow on effect through increased activity to the area in general.

The progressive improvement of properties along Mann Street will encourage walkability, activation and patronage of business within the city core and fringes. Again, the increased local population will also support local business and services.

s. 4.15 (1)(c) of the EP&A Act: Suitability of the Site for the Development

The site is zoned B4 Mixed Use which permits a range of uses. 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 not impacted by constraints such as flooding, or flora and fauna constraints. As such the site is considered suitable for this type of development.

s. 4.15 (1)(d) of the EP&A Act: Any Submission Made In Accordance With This Act Or Regulations

Submissions received in relation to the proposal have been considered within this report.

s. 4.15 (1)(e) of the EP&A Act: The Public Interest

The approval of the application is considered to be in the public interest. The development will provide additional housing choice, including a range of apartment sizes, and commercial activities and services in a locality which is highly accessible to Gosford City Centre and related employment services and transport options.

Other Matters for Consideration

Development Contribution Plan

The *Gosford City Centre Special Infrastructure Contribution Determination* came into effect on Friday 12 October 2018. A Special Infrastructure Contribution levy of two per cent on the cost of development is required for new development within the Gosford City Centre. This applies to development located on residential and business zoned land that has a cost of development of \$1 million and over. See **Condition 3.12**.

Section 7.12 A contributions for the Gosford City Centre remains in place however the contribution levy has been reduced from 4% to 1%. **Condition 3.13** is recommended requiring the development contribution to be paid prior to the issue of any Construction Certificate.

Planning Agreements

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

Political Donations

During assessment of the application there were no political donations were declared by the Applicant, Applicant's consultant, owner, objectors and/or residents.

Conclusion

This application has been assessed under the heads of consideration of section 4.15 of the *Environmental Planning and Assessment Act 1979* and all relevant instruments and policies. 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 deferred commencement approval pursuant to section 4.16 of the *Environmental Planning and Assessment Act*.

Attachments

1. Proposed Conditions of Consent
2. Architectural Plans prepared by Chapman Architecture
3. ADG Compliance Table
4. GDCP 2013 Compliance Table
5. Landscape Plans prepared by 24 GRP Landscape

ATTACHMENT 1

Proposed Conditions of Consent

1. DEFERRED COMMENCEMENT

1.1. This consent does not operate until the following have been satisfied

- a) The Applicant shall prepare and provide to Sydney Trains for approval/certification the following items:
 - i. Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.
 - ii. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
 - iii. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
 - iv. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.
 - v. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

- b) The submission of the following to allow the applicant to gain permission to undertake sewer relocation work:
 - i. A sewer relocation is required as shown on James E Allen & Partners Sewer Main Diversion Works, version P4 dated 11/08/2019. Detailed design of the sewer relocation is to be carried out in accordance with Councils Building over Adjacent to Sewer Water Mains Guidelines.
 - ii. Written permission and deed of agreement to enter the site and construct the sewer location is to be obtained from the owners of No. 333-337 Mann Street.

Evidence must be produced to the consent authority sufficient to enable it to be satisfied that above conditions have been complied within Twelve (12) months of the date of this approval, otherwise this consent will lapse.

Upon compliance with the conditions of deferred commencement Council will issue an operative consent (including stamped plans) that is subject to the attached conditions.

2. PARAMETERS OF THIS CONSENT

2.1. 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 prepared by Chapman Architecture (ECM Document No. 27288133)

Drawing	Description	Issue	Date
DA - 001	Title sheet	L	18/01/2019
DA - 002	Project outline	L	18/01/2019
DA - 003	Site analysis	L	18/01/2019
DA - 004	External finishes	L	18/01/2019
DA - 005	Demolition plan	L	18/01/2019
DA - 006	Shadow diagrams	L	18/01/2019
DA - 007	Shadow diagrams	L	18/01/2019
DA - 008	Shadow diagrams	L	18/01/2019
DA - 009	Apartment compliance diagrams	L	18/01/2019
DA - 010	Apartment compliance diagrams	L	18/01/2019
DA - 011	Apartment compliance diagrams	L	18/01/2019
DA - 101	Basement 2 & basement 1 plans	L	18/01/2019
DA - 102	Ground floor & level 1 plans	L	18/01/2019
DA - 103	Level 2 & level 3 plans	L	18/01/2019
DA - 104	Podium & typical level plans	L	18/01/2019
DA - 105	Penthouse level & roof plans	L	18/01/2019
DA - 201	Sections	L	18/01/2019
DA - 202	Sections	L	18/01/2019
DA - 301	West elevation	L	18/01/2019
DA - 302	North & south elevations	L	18/01/2019
DA - 303	East elevation	L	18/01/2019
DA - 013	Staging plan	L	18/01/2019

Supporting Documentation

Document	Prepared by	Issue Date	ECM Doc No.
Statement of Environmental Effects	City Plan Strategy & Development	1 05/06/18	25939060
Survey Plans	SurvCorp	28/02/17	25904284
Waste Management Plan (Operational)	LID Consulting	29/03/18	25904279
Waste Management Strategy (Demolition &	SECA Solution	22/05/17	25904280

Construction)			
Response to Pre-Da Meeting Matters	City Plan Strategy & Development	Undated	25904281
Preliminary Contamination Assessment	Coffey	2 24/03/16	25904297
Phase 2 Contamination Assessment	Coffey	1 20/05/16	22678749
Preliminary Environmental Site Investigation Report (Contamination)	LG Consult	22/11/17	25904296 25904295 25904294 25904293 25904292
Design Verification Statement,	Chapman Architecture	A 01/05/17	25904298
Traffic Noise Assessment	RCA Australia	3 03/07/17	25904299
Clause 5.5 Coastal Zone Compliance Table	City Plan Strategy & Development	Undated	25904301
Geotechnical Investigation Report	LG Consult	01/06/17	25904263
Crime Prevention through Environmental Design Assessment	Barker Ryan Stewart	2 05/07/17	25904302
Accessibility Design Review	ABE Consulting	10/07/17	25904303
Traffic Impact Statement	SECA Solution	24/07/17	25904304
Updated Autoturn Statement	SECA Solution	08/05/18	25904305
Integrated Water Cycle Management Plan	James E Allen & Partners	P2 17/07/17	25904306
Stormwater Concept Plans	James E Allen & Partners	P2 17/07/17	25904307
Wind Tunnel Test	EGB Productions	7 31/05/17	25904308
BASIX Certificate	Solar Smart	05/06/18	25904309
NatHERS Certificates	David Seddon	13/07/17	25904310
BCA 'Deemed to Satisfy' Section J Report	Brian Teplicanec	April 17	25904311
Thermal Assessor Certificate	Solar Smart	13/07/17	25904312
Loading Dock Management Plan	SECA Solution	08/05/18	25904313
Shadow Analysis	Simmersion Holdings	Undated	25904314
BCA Assessment	Steve Watson &	R2.1	25904315

Report	Partners	05/07/17	
Sewer Main Diversion Works	James E Allen & Partners	P4 11/08/2019	27106616
Construction Management Plan	Catalyst Project Consulting Pty Ltd	Rev 1 14/06/19	27100257
Flood Risk Assessment Report	SRB Consulting Engineers	Issue 3 05/06/17	25904317
Concurrence Letter from Sydney Trains	Sydney Trains	08/08/16	23096406

2.2. Comply with the concurrence conditions from Sydney Trains letter dated 8 August 2016, as reproduced below:

- a) *If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains 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 Sydney Trains.*
- b) *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".*
- c) *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.*
- d) *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 Sydney Trains. The Principal 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.*
- e) *If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/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 corridor. The Principal 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.*

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- f) If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.*
 - g) Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.*
 - h) No rock anchors/bolts are to be installed into Sydney Trains property or easements.*
 - i) Prior to the issuing of an Occupation Certificate the Applicant is to submit 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 easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied*
 - j) Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and 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.*
 - k) Prior to the issue of a Construction Certificate 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 works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.*
 - l) Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.*

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- m) *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. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.*
- n) *Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.*

Note: Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply

- 2.3. Carry out all building works in accordance with the Building Code of Australia.
- 2.4. Comply with all commitments listed in the BASIX Certificate for the development as required under clause 97A of the *Environmental Planning and Assessment Regulation 2000*.

3. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

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

- 3.1. 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.
 - c. Demolition approved by this consent.
- 3.2. 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. Replacement of the existing kerb and gutter in Mann Street with new kerb and gutter across the full frontage of the site and where existing kerb and gutter is affected by required drainage works.
- b. Footway formation graded at +2% from the top of kerb to the property boundary, across the full frontage of the site in Mann Street.
- c. Full width upgrade of the footway across the full frontages of the site in Mann Street in accordance with the Gosford City Centre "Streetscape Design Guidelines" prepared by Oculus dated September 2011.
- d. Heavy-duty vehicle crossing that has a minimum width of 6.2m at the boundary and splayed to the kerb line to facilitate the swept turning paths of the largest vehicle required to enter and exit the development. The vehicular access crossing shall be 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.

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- g. The piping of stormwater from within the site to Council's piped drainage system located in Mann Street.
 - h. Longitudinal street drainage across the full frontage of the site and to the south of the site to connect to the existing piped Council drainage system in front of the driveway associated with No 319 Mann Street (i.e. approximately 17m south of the southern boundary alignment of the site where the stormwater pipeline crosses Mann Street. This would also require reconstruction of approximately 11m of the existing piped drainage system). Kerb inlet pits shall be provided at the northern end of the required works in line with the northern boundary of the site, where the drainage from the site connects into the street drainage system (e.g. interallotment drainage connection), and elsewhere as required to connect existing drainage infrastructure within the street system (e.g. outlet from on-site detention system).
 - i. 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.

- 3.3. 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.
- 3.4. 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.
- 3.5. Submit an application to Council under Section 305 of the *Water Management Act 2000* to obtain a Section 307 Certificate of Compliance. The *Application for a 307 Certificate under Section 305 Water Management Act 2000* form can be found on Council's website www.centralcoast.nsw.gov.au. Early application is recommended.

A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

- 3.6. Submit design plans for approval by and to the satisfaction of the Water Authority (Council), for relocation of Council's sewer mains located within the development site
- 3.7. Submit engineering details prepared and certified by a practising structural engineer that comply with *Council's Building Over or Adjacent To Sewer and Water Main Guidelines* to

the satisfaction of Council. Engineering details must be submitted to Council's Water Assessment Team for approval. Plan assessment fees apply.

3.8. 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. The onsite detention system is to be generally in accordance with the Integrated Water Cycle Management Plan prepared by James E Allen & Partners (Project No. 2017-34 Rev P2 dated 17th July 2017).
- 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. The nutrient/pollution control measures are to be generally in accordance with the Integrated Water Cycle Management Plan prepared by James E Allen & Partners (Project No. 2017-34 Rev P2 dated 17th July 2017).
- 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. The onsite stormwater retention measures are to be generally in accordance with the Integrated Water Cycle Management Plan prepared by James E Allen & Partners (Project No. 2017-34 Rev P2 dated 17th July 2017).
- e. Interallotment drainage associated with the collection of the existing piped stormwater system that enters the site from the north western corner of SP68909 i.e. No 12-14 Hills Street. (Note: Stormwater from this pipeline is from SP14004 (No 16-18 Hills Street.) The interallotment drainage system is to connect to the proposed drainage pipeline within the eastern part of the site (in the vicinity of Pits 1.6-1.8 indicated in the plan prepared by SRB consulting (Project No 21609 Drawing No 21609_4, Sheet 4 of 4, Issue C dated 05.06.17).
- f. A secondary stormwater flow path generally in accordance with the recommendation contained in the "Flood Risk Assessment Report" prepared by SRB Consulting Civil Engineers, Ref: Project No 21609, Issue No. 3 dated 5 June 2017, and incorporating the following:
 - Capture and conveyance of overland flows (i.e. 0.3m³/s) with a series of surface inlet pits within a recessed collection area adjacent to the eastern site boundary

combined with a 300-450mm diameter pipeline through to Mann Street that would convey the 1% AEP flows around the post-developed site.

- A 1.6m wide secondary stormwater flowpath adjacent to the southern boundary to cater for the partial blockage of the piped system.
 - Diversion / retaining walls and raised thresholds constructed either side of the rear collection zone and secondary flowpath to ensure flows are retained within the subject site and to maintain adequate freeboard to the development site. Any proposed doors within the secondary flowpath are to be constructed with open grates / voids over the bottom 150mm to ensure the free passage of flood waters.
- g. Piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure to Council's drainage system located in Mann Street.

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

- 3.9. Ensure Construction Certificate Ground Floor Plan provides for access from the Commercial Lobby to permit transfer of waste to the Commercial waste storage enclosure consistent with Dwg No. WP.01, Revision F, dated 10 August 2016 by lid.
- 3.10. 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).

- 3.11. 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. Mail boxes:
 - i. Provide mail boxes for each residential building in one accessible location adjacent to the main entrance to the development;
 - ii. They should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building;
 - iii. Mail boxes shall be secure and large enough to accommodate articles such as newspapers;
 - b. Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:

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- i. Away from the street frontage;
 - ii. Integrated into the roof-scape design and in a position where such facilities will not become a skyline feature at the top of any building;
 - iii. Adequately setback from the perimeter wall or roof edge of buildings;
 - c. A master antenna must be provided for residential apartment buildings. This antenna shall be sited to minimise its visibility from surrounding public areas;
 - d. The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%;
 - e. A depth of one (1) metre must be provided to all landscape planters
 - f. Storage areas are to be provided in accordance with the following minimum rates:
 - i. 6m³ for studio and one bedroom units;
 - ii. 8m³ for two bedroom units;
 - iii. 10m³ for three plus bedroom units; and

At least 50% of the required storage areas are to be provided within each dwelling.

- g. The external colour schedule of the development must be consistent with the photomontage referenced as supporting documentation in Condition 1.1 of this Consent.

3.12. **Special Infrastructure Contribution – Gosford City Centre** - Obtain a determination by the Planning Secretary as to whether a special infrastructure contribution is required to be made under the Environmental Planning and Assessment (Special Infrastructure Contribution – Gosford City Centre) Determination 2018 (2018 Determination). The developer must do so before the time by which a special infrastructure contribution, if made as a monetary contribution, would have to be paid under the 2018 Determination.

To assist the Planning Secretary in making that determination, the developer is to provide the Planning Secretary with an up-to-date estimate of the proposed cost of carrying out the development, as referred to in the 2018 Determination.

If the Planning Secretary determines that a special infrastructure contribution is required to be made under the 2018 Determination, a contribution must be made in accordance with that Determination (as in force when this consent takes effect).

A person may not apply for a construction certificate in relation to development the subject of this development consent unless the person provides, in connection with the application, written evidence from the Department of Planning and Environment that the special infrastructure contribution for the development (or that part of the development

for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

In this condition:

developer means the person having the benefit of this development consent, and

Planning Secretary means the Secretary of the Department of Planning and Environment.

More information - Please contact the Department of Planning and Environment by email to: SIContributions@planning.nsw.gov.au

- 3.13. Pay to council a contribution amount of **\$629,036** 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 Gosford or on council's website:

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

- 3.14. Submit an application to Council under Section 305 of the *Water Management Act 2000* to obtain a Section 307 Certificate of Compliance. The *Application for a 307 Certificate under Section 305 Water Management Act 2000* form can be found on Council's website www.centralcoast.nsw.gov.au. Early application is recommended.

A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

- 3.15. Submit to Council's Environment Officer for approval, a Soil and Water Management Plan in accordance with Section 6.3 of the Gosford Development Control Plan 2013 and the 'Blue Book' (*Managing Urban Stormwater: Soils and Construction, Landcom, 2004*). The plan shall be prepared by a suitably qualified environmental/civil consultant and shall be adaptive to address all stages of the construction.

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- 3.16. 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 No. 333-337 Mann Street, No 319 Mann Street and no's 24, 18A, 16-18 and 12-14 Hills Street Gosford. The report must document and provide photographs that clearly depict any existing damage to the improvements erected upon allotments immediately adjoining the development site and to the road, kerb, footpath, driveways, water supply and sewer infrastructure, street trees and street signs or any other Council asset in the vicinity of the development.

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).

- 3.17. Prior to the issue of the Construction Certificate for Stage 2 "Residential Tower 1" Submit to Councils' Section Manager of Development Assessment South for approval the proposed treatment of the blank concrete wall on the north elevation of Stage 2 Tower as per the Construction Management Plan dated 14 June 2019.
- 3.18. Prior to the issue of the Construction Certificate for Stage 2 "Residential Tower 1" submit to the accredited certifier a site specific noise and vibration management plan, prepared by a suitable qualified acoustic consultant, for approval. The plan must address and measures required to appropriately mitigate the noise and vibration levels of any residents of the Stage 2 "Residential Tower 1" during the construction noise during construction of Stage 3 "Residential Tower 2".
- 3.19. The recommendations under part 6 of the Traffic Noise Assessment, prepared by RCA Australia, version 3, dated 03/07/17 must be included in the Construction Certificate.
- 3.20. All conditions under this section must be met prior to the issue of any Construction Certificate for the relevant stage.

4. PRIOR TO COMMENCEMENT OF ANY WORKS

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

- 4.1. 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

- 4.2. A hazardous materials survey must be carried out of the building located at 325 Mann Street prior to any demolition works taking place. This should be carried out by a suitably qualified workplace health and safety consultant or occupational hygienist. This should include sampling and analysis of the potential ACM fragments on the basement level of 321 Mann Street. The report must be provided to Council for approval.
- 4.3. 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 Beane Street to the intersection of Mann Street and Etna Street. Approval of these details must be obtained from Council. Updated details must be provided during construction if details change.
- 4.4. Provide toilet facilities at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:
 - a. Be a standard flushing toilet connected to a public sewer, or
 - b. Have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - c. Be a temporary closet approved under the Local Government Act 1993
- 4.5. Prevent public access to the construction site in accordance with the NSW WorkCover publication titled 'Site Security and Public Access onto Housing Construction Sites' when building work is not in progress or the site is unoccupied. 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.

- 4.6. Install a hoarding or construction site fence between the work site and any public place to prevent any materials from or in connection with the work falling onto the public place. The use of barbed wire and/or electric fencing is not to form part of the hoarding or construction site fence.

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

- 4.7. Disconnect and cap the property's sewer at the inspection shaft.

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- 4.8. 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.
- 4.9. Submit to Council an application for a vehicular access crossing (fees apply). The form can be found on Gosford City Council's web site www.gosford.nsw.gov.au
- 4.10. Undertake demolition involving asbestos in accordance with the Work Health and Safety Act 2011.

The person having the benefit of this consent must ensure that the removal of:

- a. more than 10sqm of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist,
- b. friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence, and

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the Work Health and Safety Regulation 2011.

- 4.11. 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.
- 4.12. Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
 - diverting uncontaminated run-off around cleared or disturbed areas, and
 - preventing the tracking of sediment by vehicles onto roads, and
 - stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

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.

- 4.13. 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

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- 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.

- 4.14. 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.

- 4.15. Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.
- 4.16. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.
- 4.17. 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.
- 4.18. Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.
- 4.19. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.
- 4.20. 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.
- 4.21. Submit 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.

- 4.22. Submit to the Principal Certifying Authority a Traffic and Pedestrian Management Plan prepared by a suitably qualified professional.

The Plan must be prepared in consultation with Council, and where required, the approval of Council's Traffic Committee obtained.

The Plan must address, but not be limited to, the following matters:

- ingress and egress of vehicles to the Subject Site
- loading and unloading, including construction zones
- predicted traffic volumes, types and routes
- pedestrian and traffic management methods, and
- other relevant matters

The Applicant must submit a copy of the final Plan to Council, prior to the commencement of work.

- 4.23. Identify proposed haulage routes to and from the site on plans accompanied by a dilapidation report for the road carriageway and kerbs from the site to the nearest State road. Amendments to the haulage routes are to be approved by Council.
- 4.24. All conditions under this section must be met prior to the commencement of any works.

5. DURING WORKS

All conditions under this section must be met during works

- 5.1. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:

- 7.00am and 5.00pm Monday to Saturday

No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.

- 5.2. All demolition works must be undertaken in accordance with the hazardous materials survey as approved by Council referred to in condition 4.2.
- 5.3. Implement and maintain all erosion and sediment control at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the

works has been stabilised and rehabilitated so that it no longer acts as a source of sediment. The controls must comply with Council's Code of Practice of Erosion and Sedimentation Control and Gosford DCP 2013 Chapter 6.3 - Erosion and Sedimentation Control.

- 5.4. 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.
 - 5.5. Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by S. Morgan, dated 20 September 2018.
 - 5.6. Compliance with all Demolition and Construction commitments detailed within the Waste Management Strategy dated 13 July 2016 by SECA Solution.
 - 5.7. Ensure a minimum 4.0m clear vertical ceiling height in all waste vehicle manoeuvring areas.
 - 5.8. 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.
 - 5.9. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains), is discovered during the course of the work:
 - a) All excavation or disturbance of the area must stop immediately in that area, and
 - b) The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.
- Note:** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.
- 5.10. 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.
 - 5.11. Ensure no obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs etc.
 - 5.12. Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*.

5.13. Action the following when an excavation extends below the level of the base of the footings of any building, structure or work on adjoining land:

- a. notify the owner of the adjoining land, and
- b. protect and support the building, structure or work from possible damage from the excavation, and
- c. underpin the building, structure or work where necessary, to prevent any such damage.

These actions must be undertaken by the person having the benefit of the development consent at their own expense.

5.14. Implement the requirements of the Waste Management Plan listed as supporting documentation in this development consent.

5.15. 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.

5.16. No fill other than as shown on the approved plans is permitted.

5.17. 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.

5.18. Incorporate the Crime Prevention Through Environmental Design (CPTED) recommendations in accordance with the CPTED report Prepared by Barker Ryan and Stewart and which forms part of the supporting documentation for this consent and include the following:

- 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.
- 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.

5.19. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.

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- 5.20. Erect or install prior to the swimming pool being filled with water all the required swimming pool safety barriers and gates in accordance with the approved plans and specifications and the provisions of the Swimming Pools Act 1992, Swimming Pools Regulations 2008 and Australian Standard AS 1926.1-2012 including the display of an approved sign regarding pool safety and resuscitation techniques that contains all of the following information:
- "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL"
 - "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES"
 - "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900mm CLEAR OF THE POOL FENCE AT ALL TIMES" and
 - A simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques (for infants, children and adults)
- 5.21. Dispose filter backwash and overflow to the sewer. The sewer connection must be completed prior to the filling of the pool with water and in a manner that will not cause a nuisance, or where sewer is not available, the disposal of filter backwash must be discharged into a rubble absorption trench to the satisfaction of the Principal Certifying Authority.
- 5.22. Do not fill the swimming pool with water until each window which is capable of giving access to the swimming pool enclosure has been protected with suitable security screens complying with the provisions of Clause 2.6 of Australian Standard AS 1926.1-2012. This applies to all windows where the height of the sill of the lowest openable portion of the window is less than 1.8 metres above the adjoining ground surface level, or the sill of the lowest openable portion of the window is less than 1.2 metres above the internal floor surface level.
- 5.23. Do not give to offensive noise as defined in the Protection of the Environment Operations Act 1997.
- 5.24. Implement dust control measures to ensure airborne dust particulates are abated and airborne movement of sediment blown from exposed disturbed areas is contained within the site.
- 5.25. Do not give rise to air pollution as defined in the Protection of the Environment Operations Act 1997.
- 5.26. 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).
- 5.27. All conditions under this section must be met during works.

6. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

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

- 6.1. Submit an application for the Occupation Certificate to the Principal Certifying Authority for approval.
- 6.2. Do not occupy the premises until the Occupation Certificate has been issued.
- 6.3. 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*.
- 6.4. 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.
- 6.5. 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.
- 6.6. Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.
- 6.7. 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 an easement to drain water minimum 1m wide within the eastern and southern boundaries of the site for the purposes of interallotment drainage. The easement shall benefit SP14004 and SP68909
 - c. Create a 'Restriction as to User' over the secondary flow path to ensure that the shape of the flow path is not altered.

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
 - (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.

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

- 6.8. 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.
- 6.9. 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.
- 6.10. 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.
- 6.11. Erect a warning notice in a prominent position in the immediate vicinity of the swimming pool in accordance with the Swimming Pools Act 1992. The warning notice must contain the information prescribed by Clause 10 of the Swimming Pools Regulation 2008.
- 6.12. Install a swimming pool fence in accordance with the Swimming Pools Act 1992 and the requirements of AS1926.1-2012: Swimming pool safety: Safety barriers for swimming pools.
- 6.13. Dispose the backwash from the pool filter and overflow system to the sewer.

7. ONGOING OPERATION

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

-
- 7.3. Store all waste generated on the premises in a manner so that it does not pollute the environment.
 - 7.4. Transport all waste generated on the premises to a facility which is licensed to receive that material.
 - 7.5. No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
 - 7.6. Locate the approved waste storage enclosure / area as indicated on Project / Drawing Number DA-101 and DA-102, Issue K, dated 17 August 2017.
 - 7.7. Construct and manage the waste storage enclosure in accordance with the provisions of Gosford Development Control Plan 2013, Part 7: Chapter 7.2 - Waste Management, Appendix D and Appendix G, as applicable.
 - 7.8. Construct and manage garbage chutes in accordance with the provisions of Gosford Development Control Plan 2013, Part 7: Chapter 7.2 - Waste Management, Appendix F.
 - 7.9. Do not place or store waste material, waste product or waste packaging outside the approved waste storage enclosure.
 - 7.10. No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs etc.
 - 7.11. Comply with all On-going Use commitments detailed within the Revised Waste Management Plan dated 10 August 2016 by lid.
 - 7.12. Residential waste vehicle manoeuvring to be in accordance with the Swept Turning Path details by TEF Consulting, Job 16022, Revision A dated 22 September 2016.
 - 7.13. Commercial waste to be serviced at such times to not conflict with Residential waste servicing.
 - 7.14. Residential bulk waste bins to be transferred to the Residential bulk waste bin servicing/ storage location the evening before servicing.
 - 7.15. Garden/landscaping waste to be removed off site by the garden/landscaping contractor.
 - 7.16. 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.
 - 7.17. Construct and manage garbage chutes in accordance with the provisions of Gosford DCP 2013, Part 7: Chapter 7.2 - Waste Management, Appendix F.
 - 7.18. Maintain the site landscaping for the life of the development.

-
- 7.19. Operate all mechanical plant equipment and machinery (ie. air conditioning unit and/or heat pump) in accordance with the Protection of the Environment Operation Act 1997.

8. 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.

ADVISORY NOTES

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities 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.
- 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.
- 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.

- 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: www.centralcoast.nsw.gov.au

This condition only applies if installation / alteration of plumbing and / or drainage works are proposed (excludes stormwater drainage).

- 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.

- The inspection fee for works associated with approvals under the *Roads Act 1993* is calculated in accordance with Council's current fees and charges policy.
- 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.

-
- It is an offence under the *National Parks and Wildlife Act 1974* to knowingly disturb an Aboriginal artefact without consent.

ATTACHMENT 2**Architectural Plans prepared by Chapman Architecture**

ECM Document No: 27288133



321-331 Mann St

SHOP TOP HOUSING DEVELOPMENT

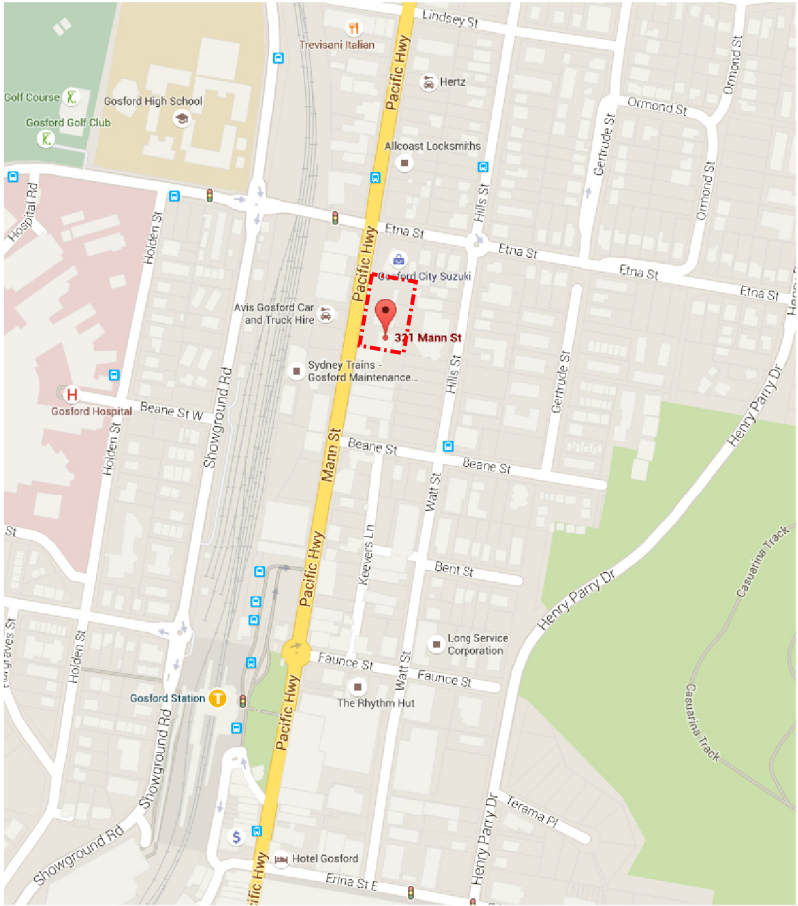
321-331 MANN ST

GOSFORD

NSW

DEVELOPMENT APPLICATION

SITE LOCATION



AERIAL PHOTOGRAPH



ARCHITECTURAL DRAWING SCHEDULE

DA - 001	TITLE SHEET
DA - 002	PROJECT OUTLINE
DA - 003	SITE ANALYSIS
DA - 004	EXTERNAL FINISHES
DA - 005	DEMOLITION PLAN
DA - 006	SHADOW DIAGRAMS
DA - 007	SHADOW DIAGRAMS
DA - 008	SHADOW DIAGRAMS
DA - 009	APARTMENT COMPLIANCE DIAGRAMS
DA - 010	APARTMENT COMPLIANCE DIAGRAMS
DA - 011	APARTMENT COMPLIANCE DIAGRAMS
DA - 101	BASEMENT 2 & BASEMENT 1 PLANS
DA - 102	GROUND FLOOR & LEVEL 1 PLANS
DA - 103	LEVEL 2 & LEVEL 3 PLANS
DA - 104	PODIUM & TYPICAL LEVEL PLANS
DA - 105	PENTHOUSE LEVEL & ROOF PLANS
DA - 201	SECTIONS
DA - 202	SECTIONS
DA - 301	WEST ELEVATION
DA - 302	NORTH & SOUTH ELEVATIONS
DA - 303	EAST ELEVATION

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ISSUE	DESCRIPTION	DATE
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B	DA DRAFT REVISION	03.02.2017
C	DA DRAFT REVISION	10.02.2017
D	COUNCIL REVIEW	20.02.2017
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F	ISSUE TO CONSULTANTS	14.03.2017
G	ISSUE TO CONSULTANTS	11.04.2017
H	ISSUE TO CONSULTANTS	26.04.2017
I	DA SUBMISSION	26.05.2017
J	DA ADDITIONAL INFORMATION	13.06.2018
K	COUNCIL REQUESTED UPDATES	18.01.2019

SCHEDULE OF AREAS:

Planning Calculations

Site Area	3310 sqm
Proposed GFA	21510 sqm
Proposed FSR	6.50 :1
Number of Apartments	184
Number of Parking Spaces	265

GFA Calculations

Residential (GFA)	14170 sqm
Commercial (GFA)	2540 sqm
Parking (Podium)	4800 sqm
Parking (Basement)	3410 sqm (non GFA)

GFA Calculations

	Commercial	Commercial Circulation	Unit 1 (3 Bed)	Unit 2 (2 Bed)	Unit 3 (1 Bed)	Unit 4 (1 Bed)	Unit 5 (2 Bed)	Unit 6 (1 Bed)	Unit 7 (3 Bed)	Unit 8 (2 Bed)	Unit 9 (1 Bed)	Unit 10 (1 Bed)	Unit 11 (2 Bed)	Unit 12 (1 Bed)	Unit 13-16 (Penthouse)	Residential Circulation
B2																20
B1																20
Ground																100
Level 1																20
Level 2																20
Level 3																20
Apartment Types			108	75	55	55	75	55	108	75	55	55	75	55	170	40
No. of Apartments			15	15	15	15	15	15	15	15	15	15	15	15	4	16
Total GFA	2420	120	1620	1125	825	825	1125	825	1620	1125	825	825	1125	825	680	800

NOTES:

- ALL BUILDING WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING ACT & REGULATIONS, THE BUILDING CODE OF AUSTRALIA AND RELEVANT STANDARDS.
- COMPLIANCE REQUIRED FOR ALL COUNCIL SEDIMENTATION & EROSION CONTROL MEASURES FOR EXTERNAL WORKS INCLUDING STORMWATER RUNOFF QUALITY REQUIREMENTS. REFER TO CIVIL ENGINEERS DRAWINGS FOR DETAIL.
- REFER TO SURVEY FOR RELEVANT INFORMATION INCLUDING SERVICES LOCATIONS, EXISTING LAYOUT & EXTENT OF REQUIRED DEMOLITION. ALL INFORMATION OF THE EXISTING SITE IS INDICATIVE ONLY.
- REFER TO RELEVANT CONSULTANT DOCUMENTATION FOR DETAILED INFORMATION ON SERVICES AND CIVIL ENGINEERING COMPONENTS.
- REFER TO LANDSCAPE ARCHITECTS DOCUMENTATION FOR INFORMATION ON LANDSCAPED AREAS, LANDSCAPING INFORMATION SHOWN ON ARCHITECTURAL DRAWINGS IS INDICATIVE ONLY.
- REFER TO STATEMENT OF ENVIRONMENTAL EFFECTS FOR ALL RELEVANT SUBMISSION DOCUMENTATION

ARCHITECT:

chapmanarchitecture
180 ERLBY ST BONDURUM
T: 0420 380 700
E: arch@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:

PROJECT OUTLINE

DRAWING NO.	ISSUE	DATE
DA-002	L	18.01.2019

SCALE:

1:100 @ A1





VIEW LOOKING SOUTH EAST



VIEW LOOKING EAST



VIEW LOOKING NORTH EAST

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ARCHITECT:
chapmanarchitecture
100 EMBLEY ST BOND JUNCTION
T: 0400 380 700
E: arch@chapmanarchitecture.com.au

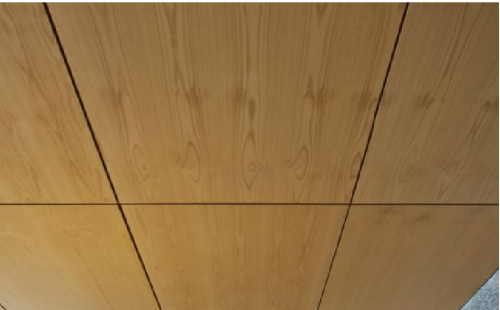
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321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:
SITE ANALYSIS PLAN
DRAWING NO.:
DA - 003
ISSUE:
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DATE:
18.01.2019

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PLANTER BOXES



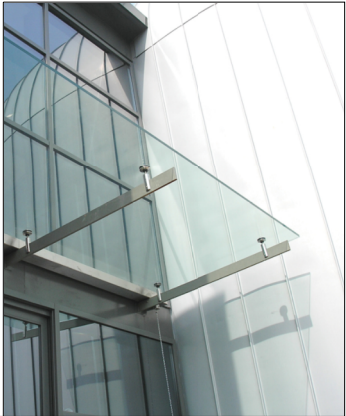
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COMPOSITE WOOD PANEL (TP)



VERTICAL TIMBER LOUVRES (LO)



CONCRETE BLADE WALLS (CN)



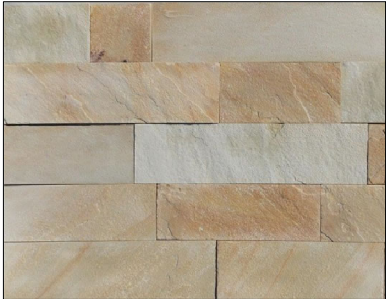
GLASS CANOPY



FROSTED GLASS FINS (GF)



GLASS CURTAIN WALLS & CAFE SEATING (GO)



SANDSTONE CLADDING (SC)

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ARCHITECT:
chapmanarchitecture
140 ERLBY ST BONDURUM JUNCTION
T: 0400 380 700
E: arch@chapmanarchitecture.com.au

PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

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chapmanarchitecture
162 EBLEY ST BONDI JUNCTION
T: 0420 382 700
E: andrew@chapmanarchitecture.com.au

CLIENT:
Mann St Enterprises Pty Ltd
atf
Mann St Enterprises Trust

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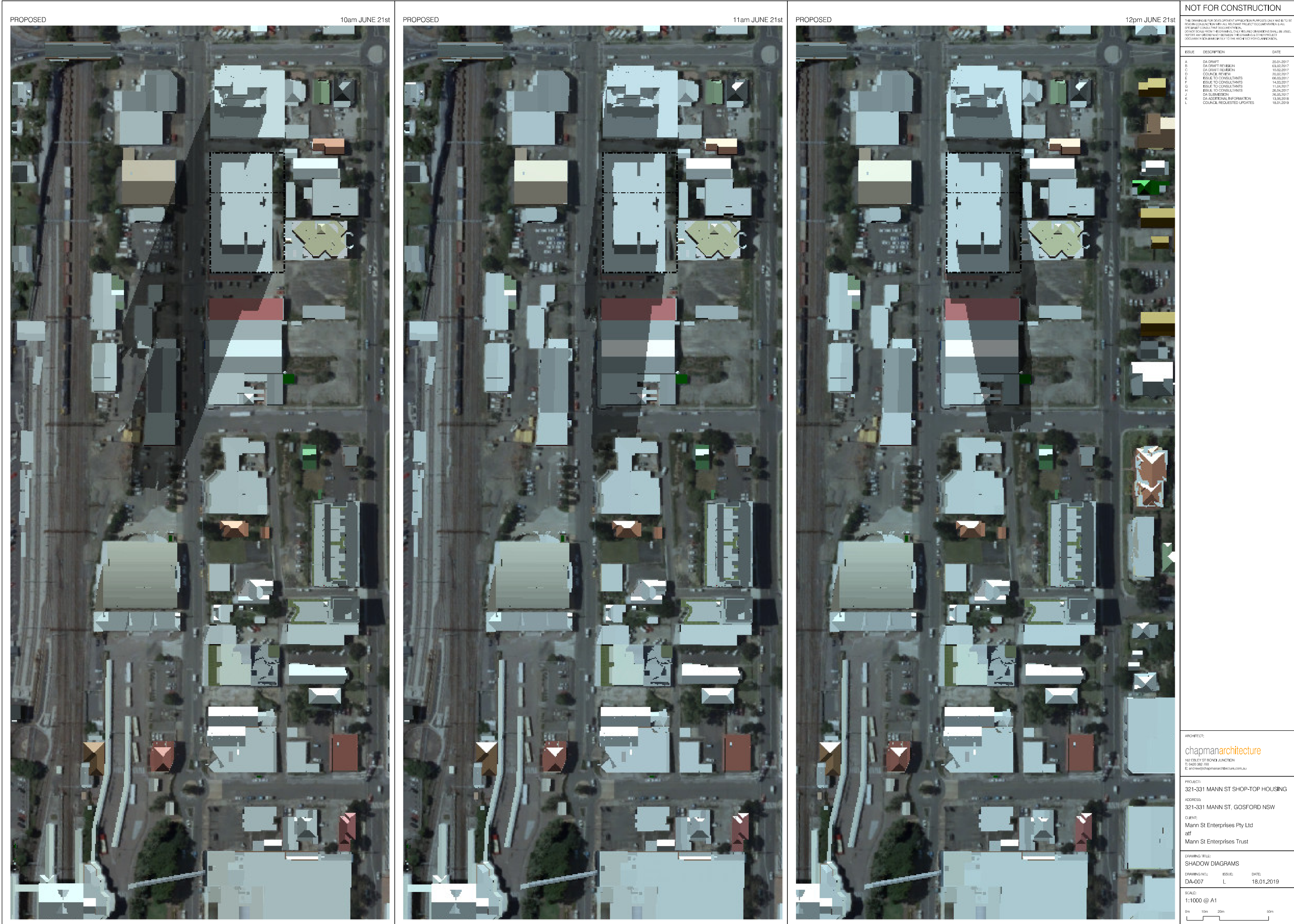
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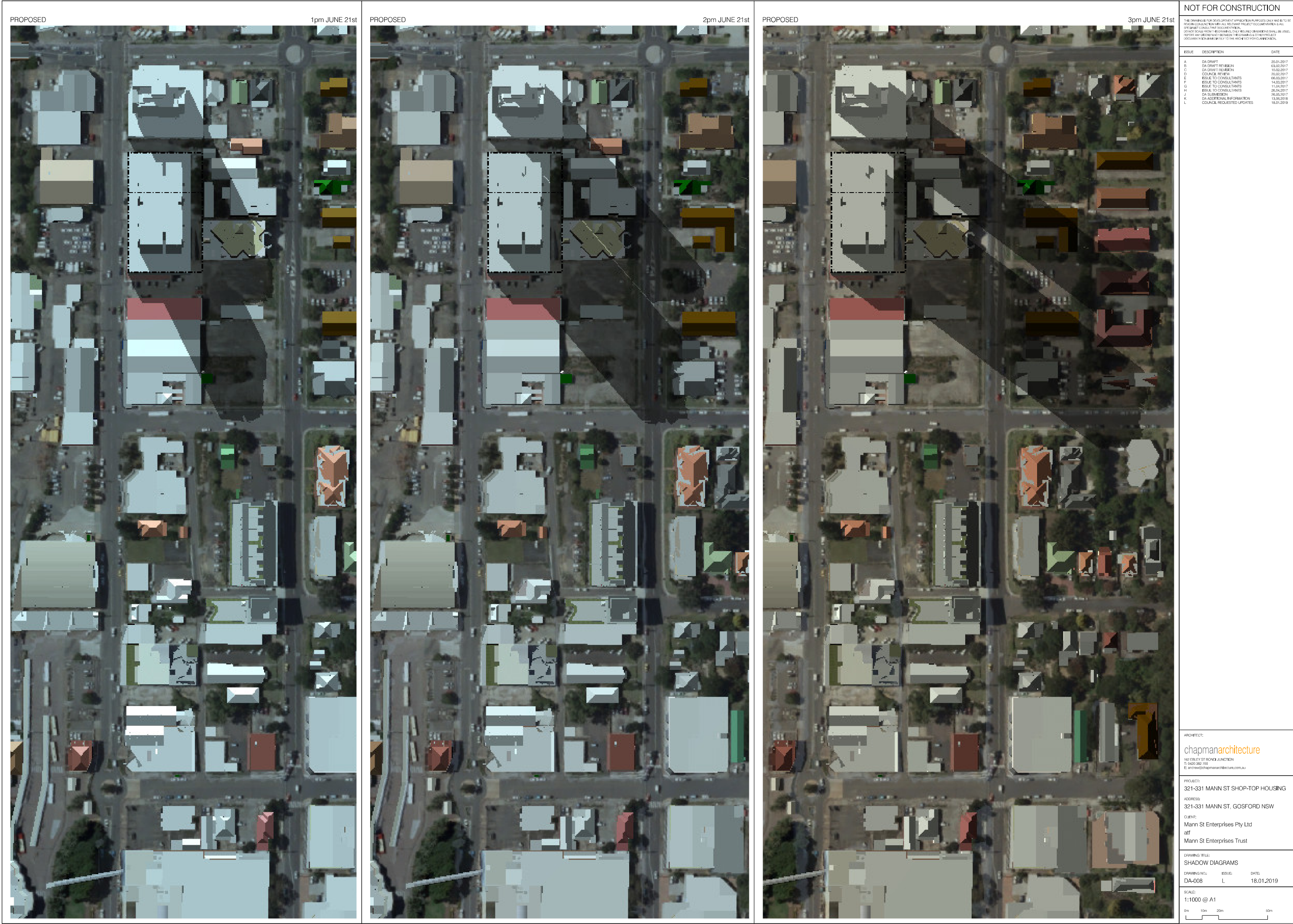
ARCHITECT:
chapmanarchitecture
100 EILEY ST BOND JUNCTION
T: 0400 380 700
E: aaron@chapmanarchitecture.com.au

PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

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SHADOW DIAGRAMS
DRAWING NO.: DA-006
ISSUE: L
DATE: 18.01.2019

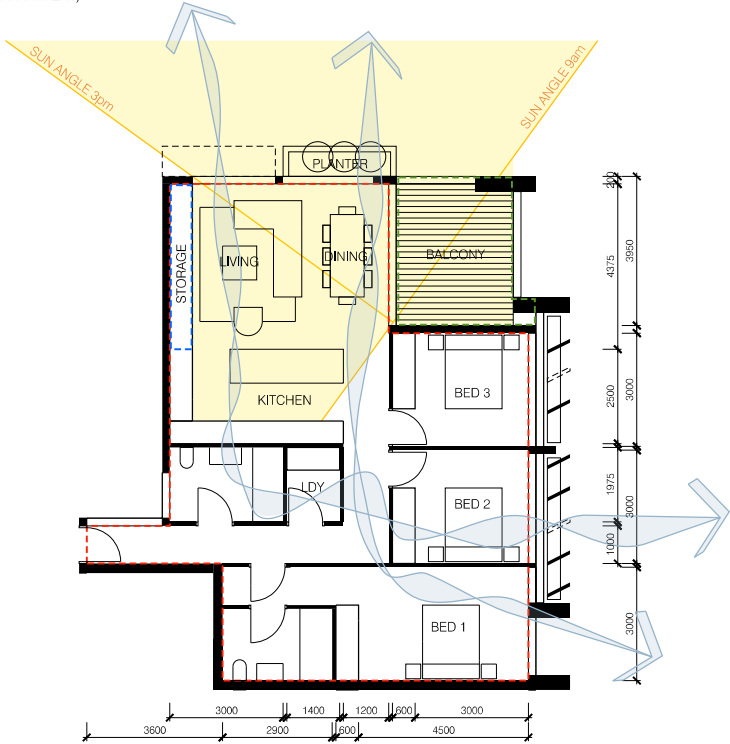
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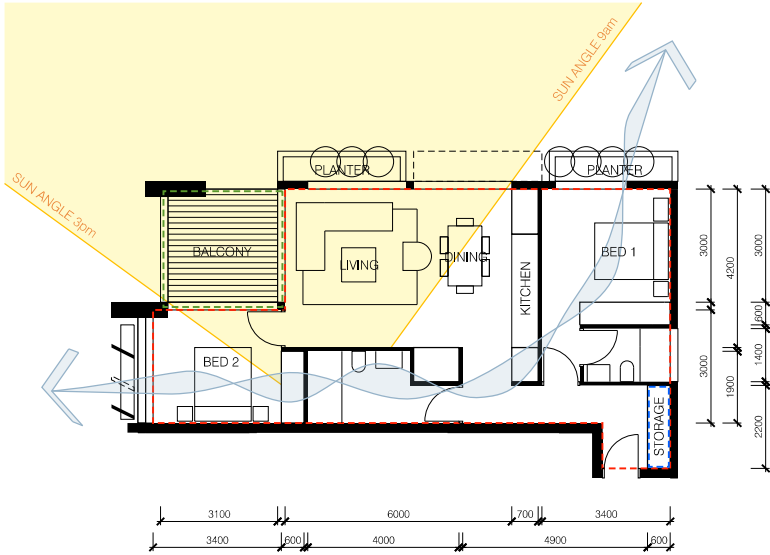
UNIT 1

- 3 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT
- 6 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 108.0 sqm
- BALCONY AREA = 12.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 7.0 m3 (IN APARTMENT)



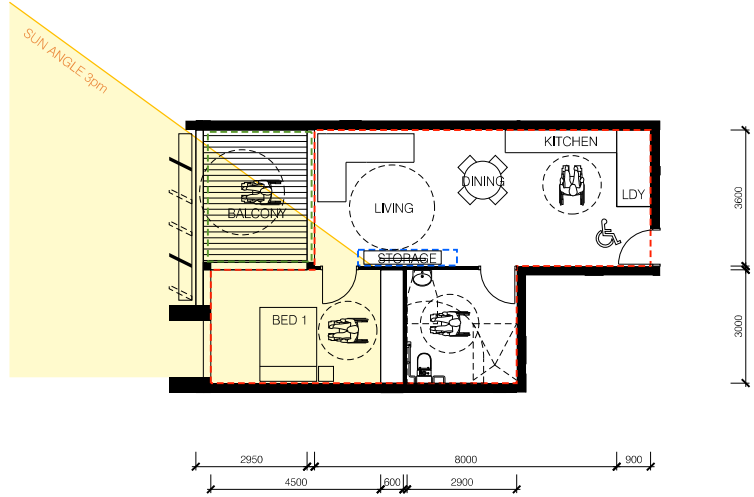
UNIT 2

- 2 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT
- 6 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 75.0 sqm
- BALCONY AREA = 10.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 5.0 m3 (IN APARTMENT)



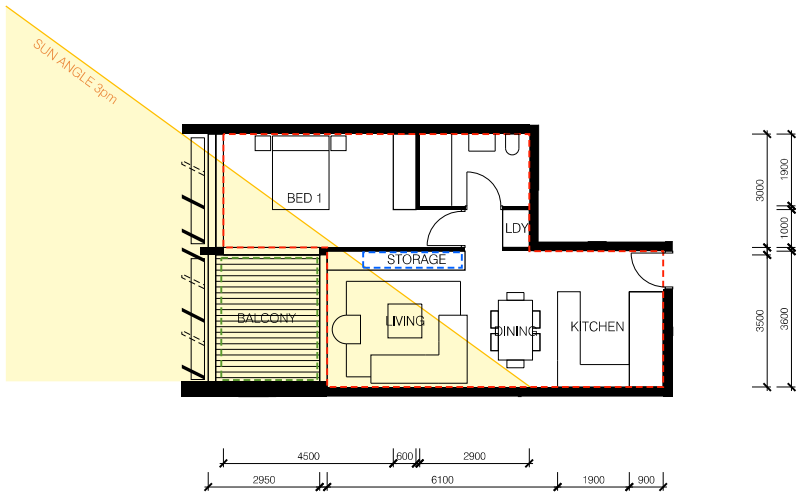
UNIT 3

- 1 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT (LEVELS 9-18)
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 55.0 sqm
- BALCONY AREA = 8.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 3.0 m3 (IN APARTMENT)
- ADAPTABLE APARTMENT



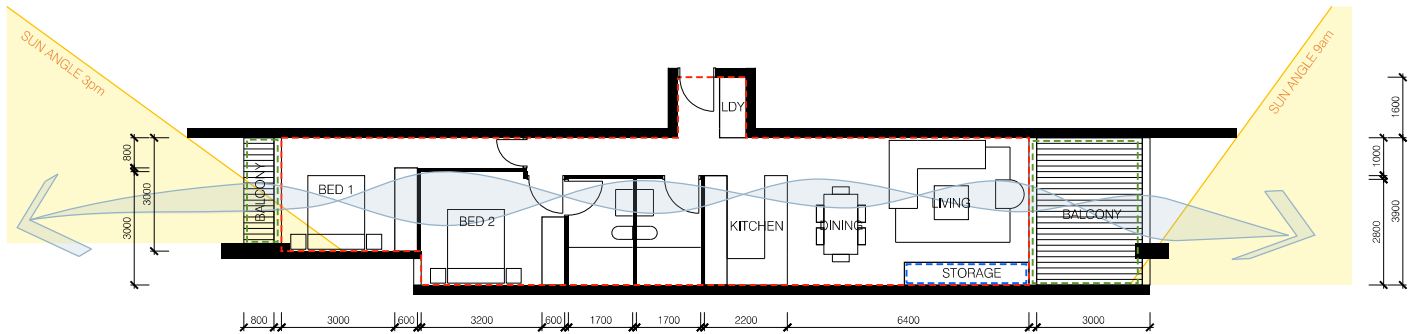
UNIT 4

- 1 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT (LEVELS 9-18)
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 55.0 sqm
- BALCONY AREA = 8.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 3.0 m3 (IN APARTMENT)



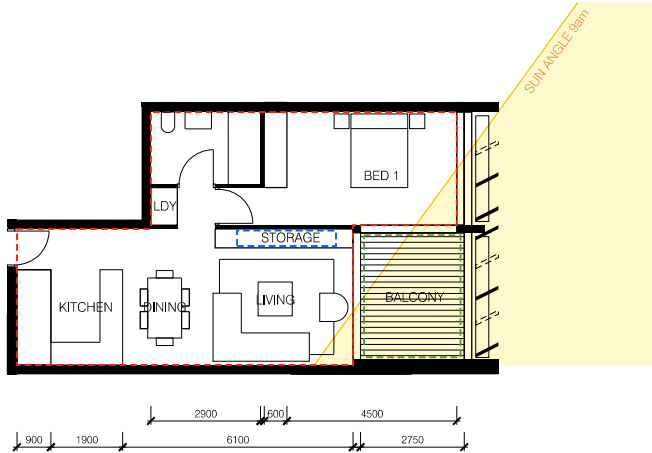
UNIT 5

- 2 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 75.0 sqm
- BALCONY AREA = 10.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 5.0 m3 (IN APARTMENT)



UNIT 6

- 1 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT (LEVELS 9-18)
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 55.0 sqm
- BALCONY AREA = 8.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 3.0 m3 (IN APARTMENT)



NOT FOR CONSTRUCTION

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I	DA SUBMISSION	26.05.2017
J	DA ADDITIONAL INFORMATION	13.06.2018
K	COUNCIL REQUESTED UPDATES	18.01.2019

ARCHITECT:

chapmanarchitecture
180 ERLERLY ST BONDURUM JUNCTION
T: 0420 388 700
E: aaron@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS:

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:

TYPICAL FLOOR APARTMENT

COMPLIANCE DIAGRAMS

DRAWING NO.:

ISSUE:

DATE:

DA-009

L

18.01.2019

SCALE:

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1m

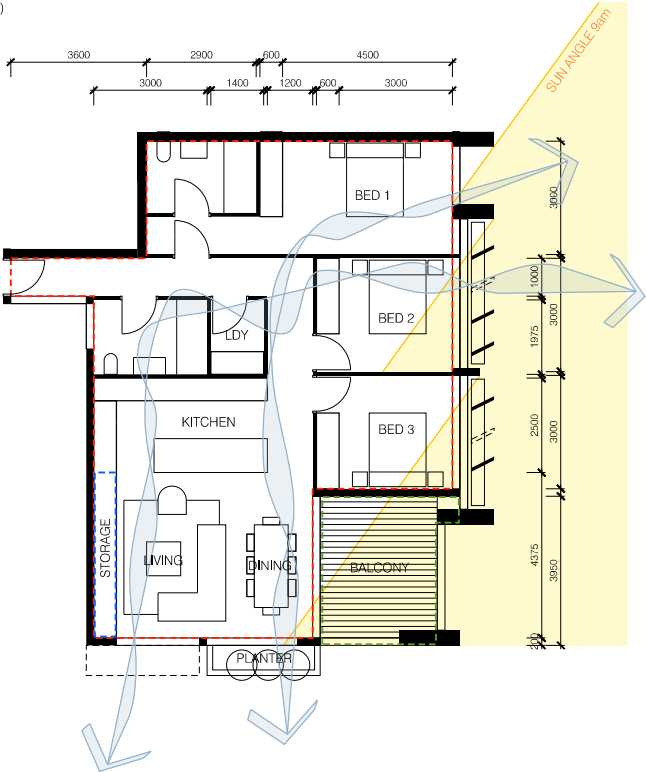
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5m

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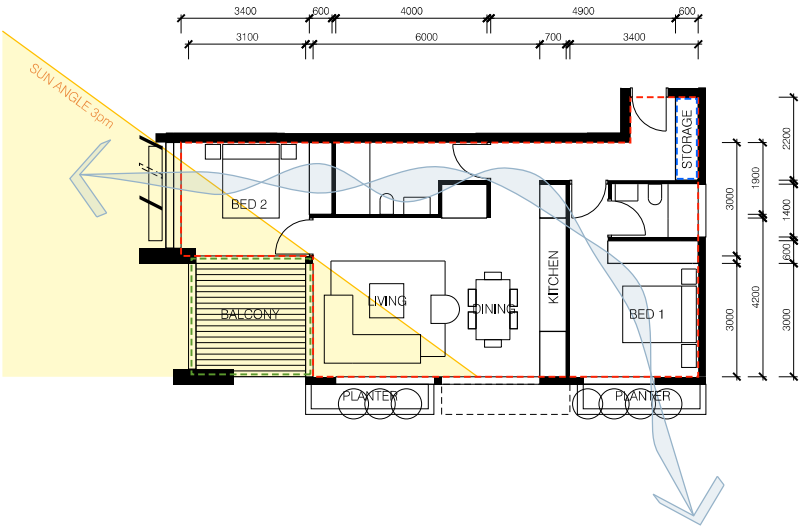
UNIT 7

- 3 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 108.0 sqm
- BALCONY AREA = 12.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 7.0 m3 (IN APARTMENT)



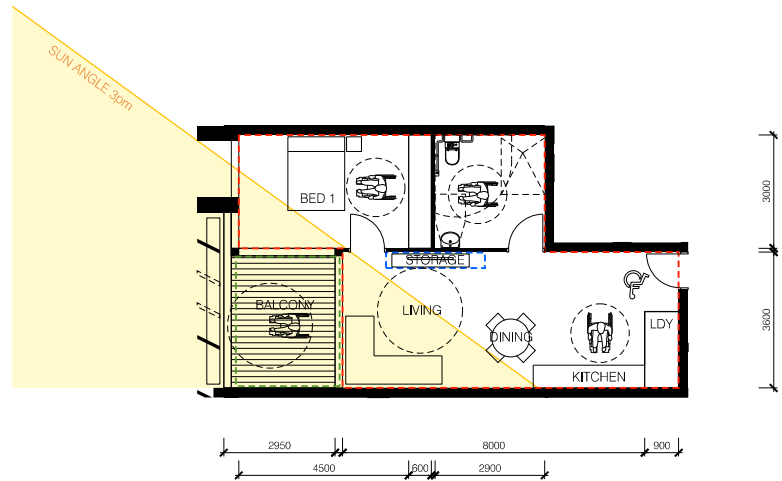
UNIT 8

- 2 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 75.0 sqm
- BALCONY AREA = 10.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 5.0 m3 (IN APARTMENT)



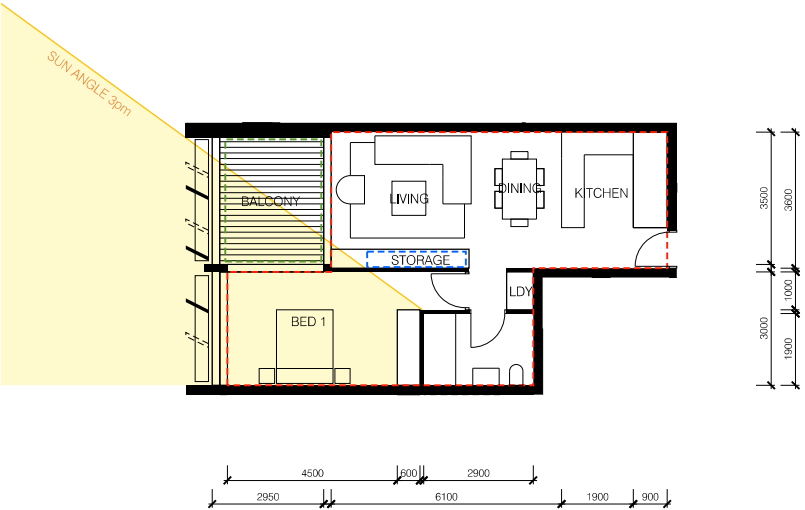
UNIT 9

- 1 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT (LEVELS 9-18)
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 55.0 sqm
- BALCONY AREA = 8.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 3.0 m3 (IN APARTMENT)
- ADAPTABLE APARTMENT



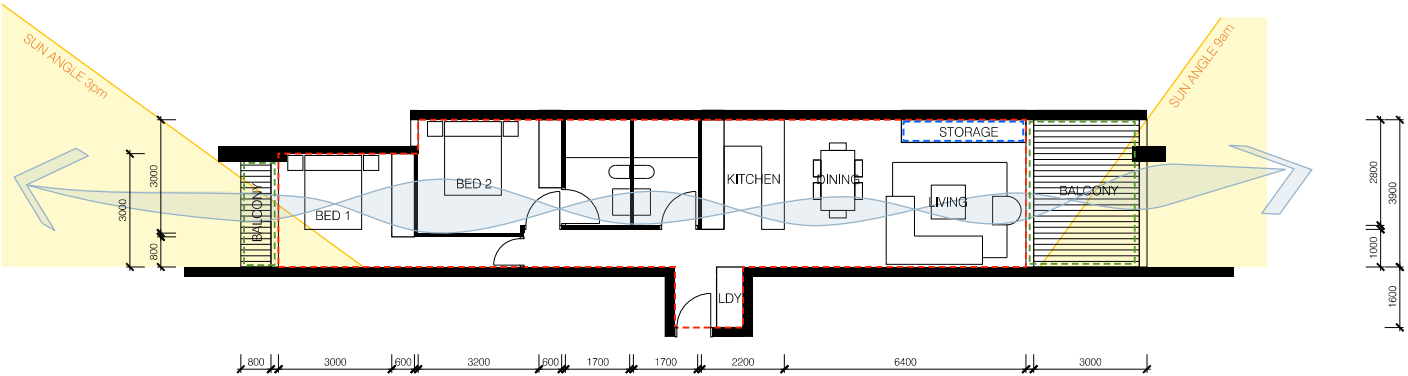
UNIT 10

- 1 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT (LEVELS 9-18)
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 55.0 sqm
- BALCONY AREA = 8.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 3.0 m3 (IN APARTMENT)



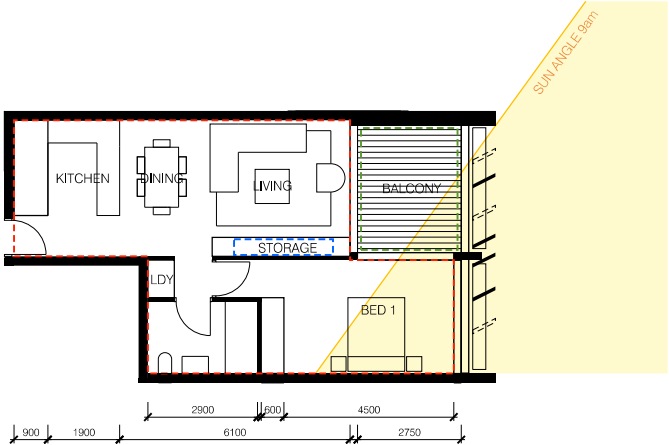
UNIT 11

- 2 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 75.0 sqm
- BALCONY AREA = 10.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 5.0 m3 (IN APARTMENT)



UNIT 12

- 1 BEDROOM APARTMENT
- CROSS VENTILATED APARTMENT (LEVELS 9-18)
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 55.0 sqm
- BALCONY AREA = 8.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 3.0 m3 (IN APARTMENT)



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J	DA ADDITIONAL INFORMATION	13.06.2018
K	COUNCIL REQUESTED UPDATES	18.07.2019

ARCHITECT:

chapmanarchitecture
180 ERLBY ST GOSFORD JUNCTION
T: 0420 388 700
E: arch@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS:

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:

TYPICAL FLOOR APARTMENT

COMPLIANCE DIAGRAMS

DRAWING NO: ISSUE: DATE:

DA-010 L 18.01.2019

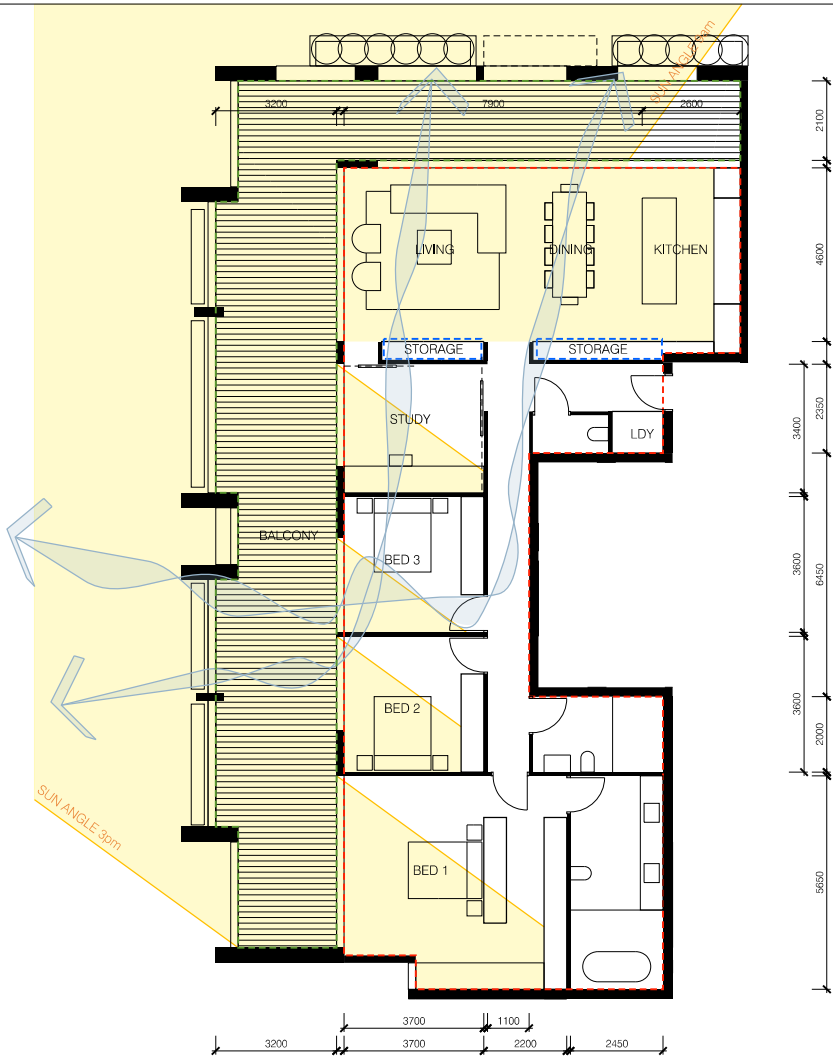
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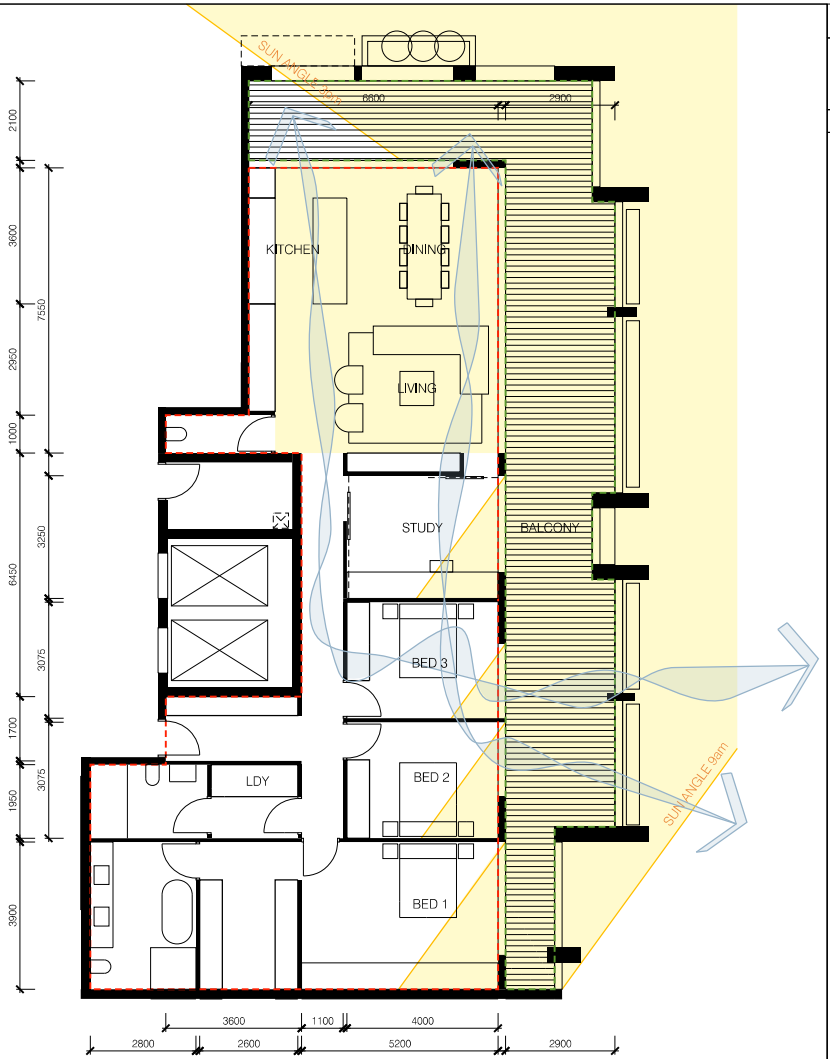
UNIT 13

- 3 BEDROOM APARTMENT + STUDY
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 170.0 sqm
- BALCONY AREA = 90.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 7.0 m3 (IN APARTMENT)



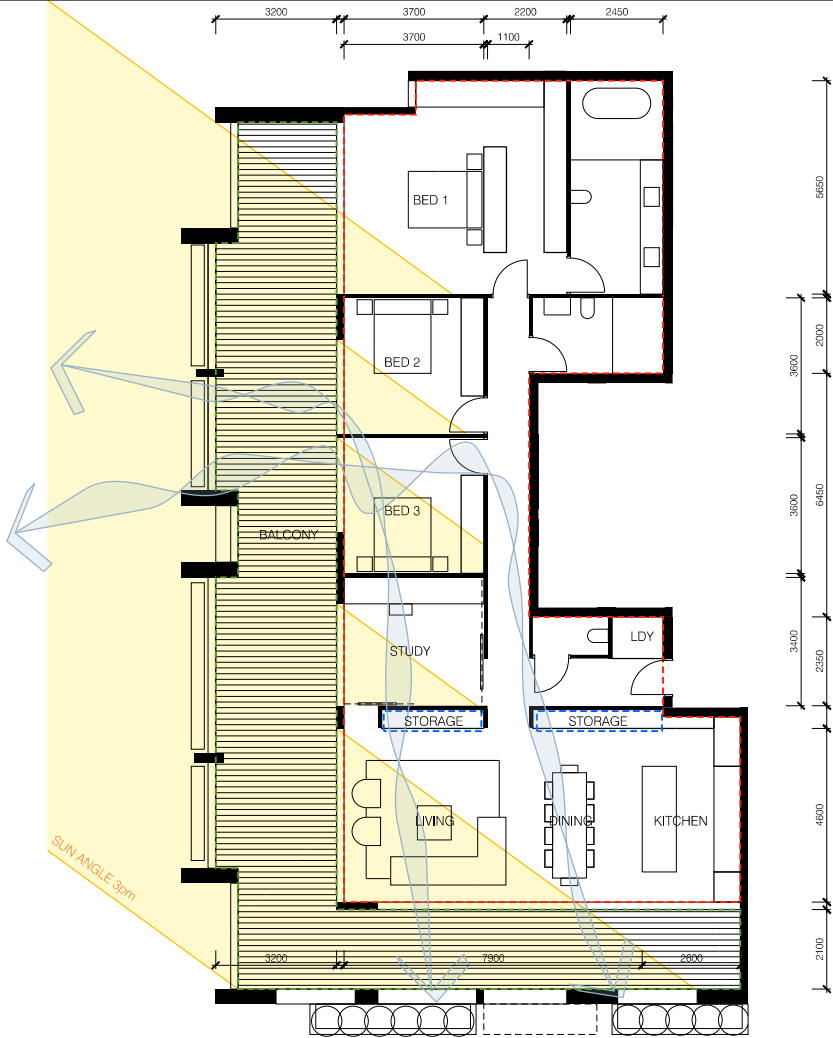
UNIT 14

- 3 BEDROOM APARTMENT + STUDY
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 170.0 sqm
- BALCONY AREA = 74.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 7.0 m3 (IN APARTMENT)



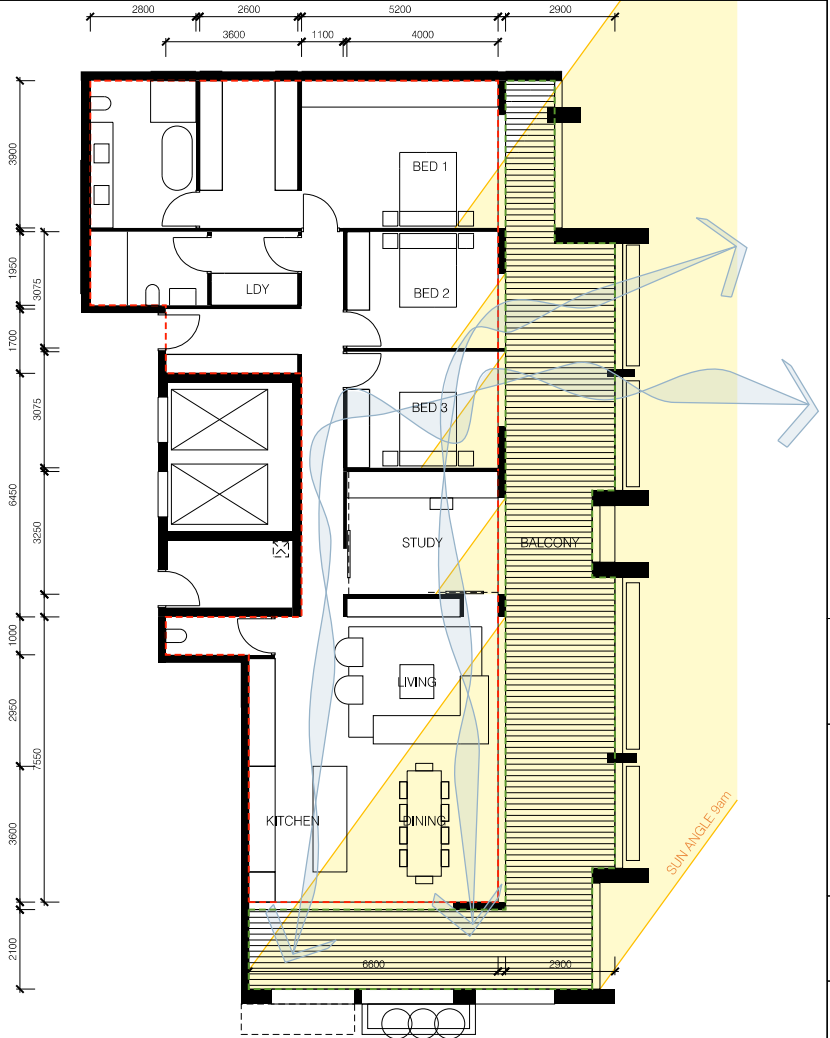
UNIT 15

- 3 BEDROOM APARTMENT + STUDY
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 170.0 sqm
- BALCONY AREA = 90.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 7.0 m3 (IN APARTMENT)



UNIT 16

- 3 BEDROOM APARTMENT + STUDY
- CROSS VENTILATED APARTMENT
- 2 HOURS OF DIRECT SUN TO LIVING & OUTDOOR AREAS
- APARTMENT AREA = 170.0 sqm
- BALCONY AREA = 74.0 sqm
- STORAGE AREA
- 3.0 m3 (CAGE AT PARKING LEVEL)
- 7.0 m3 (IN APARTMENT)



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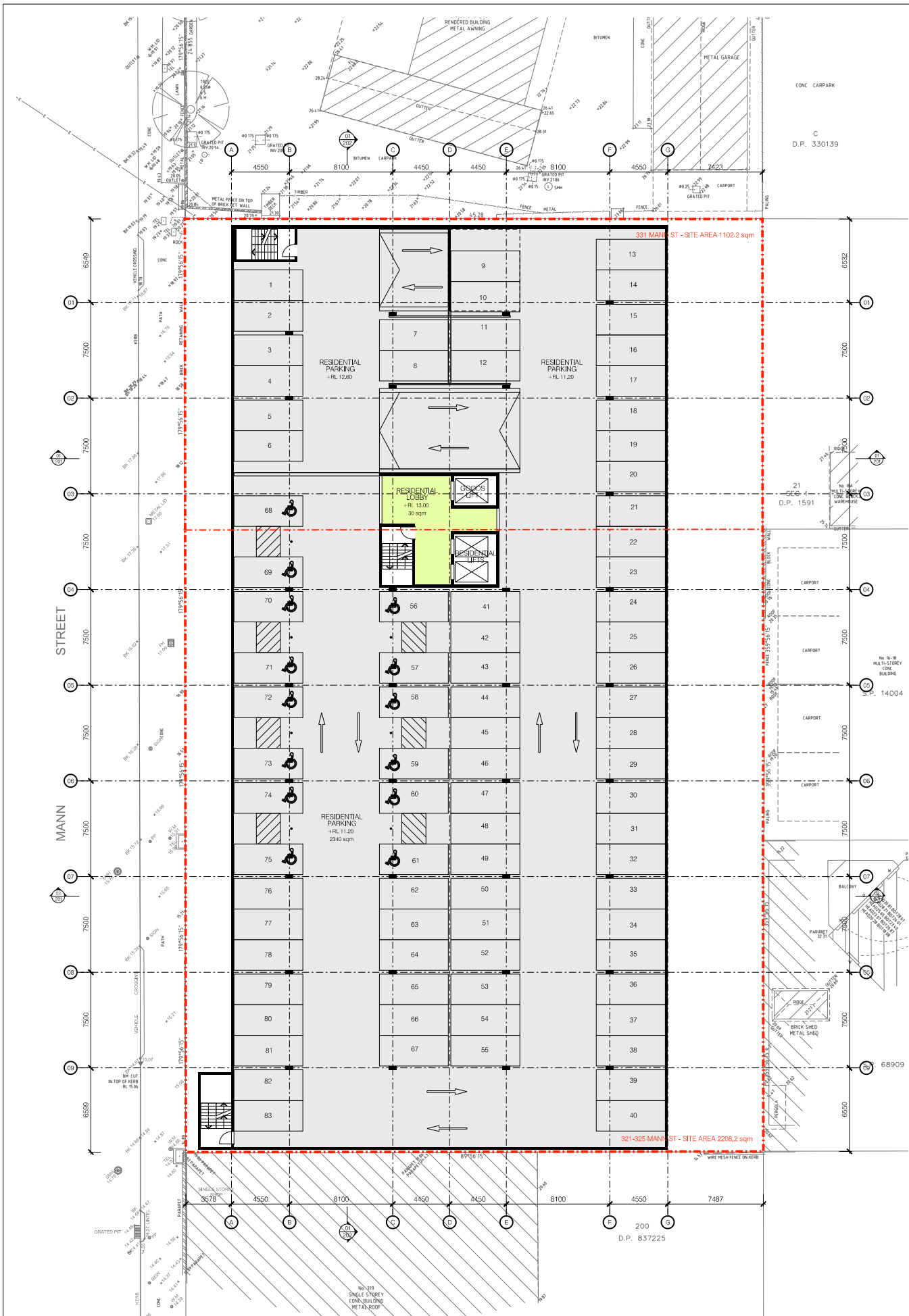
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I	DA SUBMISSION	26.05.2017
J	DA ADDITIONAL INFORMATION	13.06.2018
K	COUNCIL REQUESTED UPDATES	18.01.2019

ARCHITECT:
chapmanarchitecture
180 ERMLEY ST GOSFORD JUNCTION
T: 0420 388 700
E: aaron@chapmanarchitecture.com.au

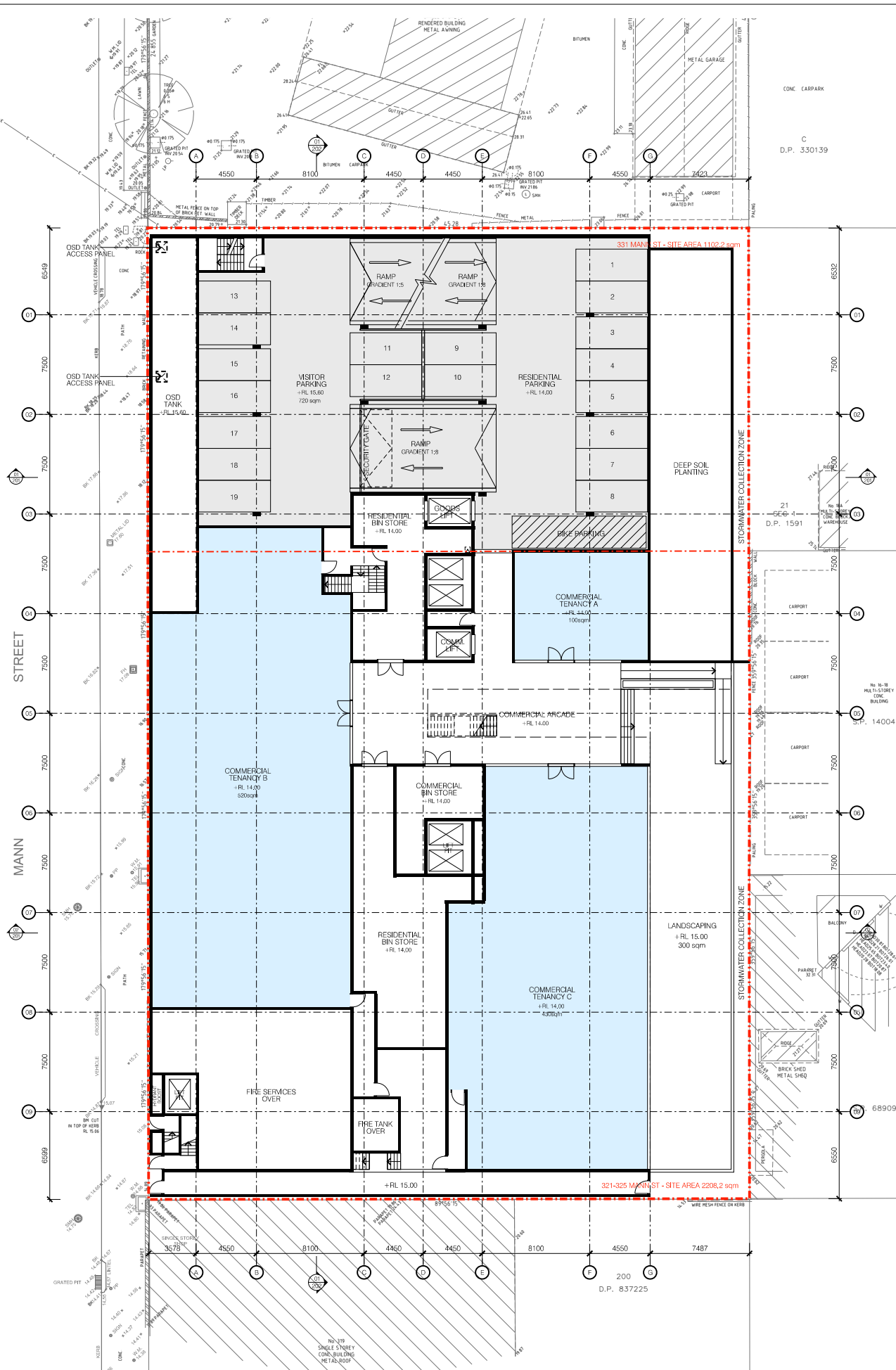
PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:
PENTHOUSE APARTMENT
COMPLIANCE DIAGRAMS
DRAWING NO.: DA-011
ISSUE: L
DATE: 18.01.2019

SCALE:
1:100 @ A1
0m 1m 2m 5m
N



01 BASEMENT 2 PLAN



02 BASEMENT 1 PLAN

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K	COUNCIL REQUESTED UPDATES	18.01.2019

LEGEND

PLANT, STORAGE (NON GFA AREAS)

PARKING

COMMERCIAL TENANCY

COMMERCIAL CIRCULATION

1 BEDROOM UNIT

2 BEDROOM UNIT

3 BEDROOM UNIT

RESIDENTIAL CIRCULATION

ARCHITECT:

chapmanarchitecture

100 EPPLEBY ST BONDURUM JUNCTION
T 0420 388 700
E aaron@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS:

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:

BASEMENT 2 & BASEMENT 1 PLANS

DRAWING NO.:

DA - 101

ISSUE:

L

DATE:

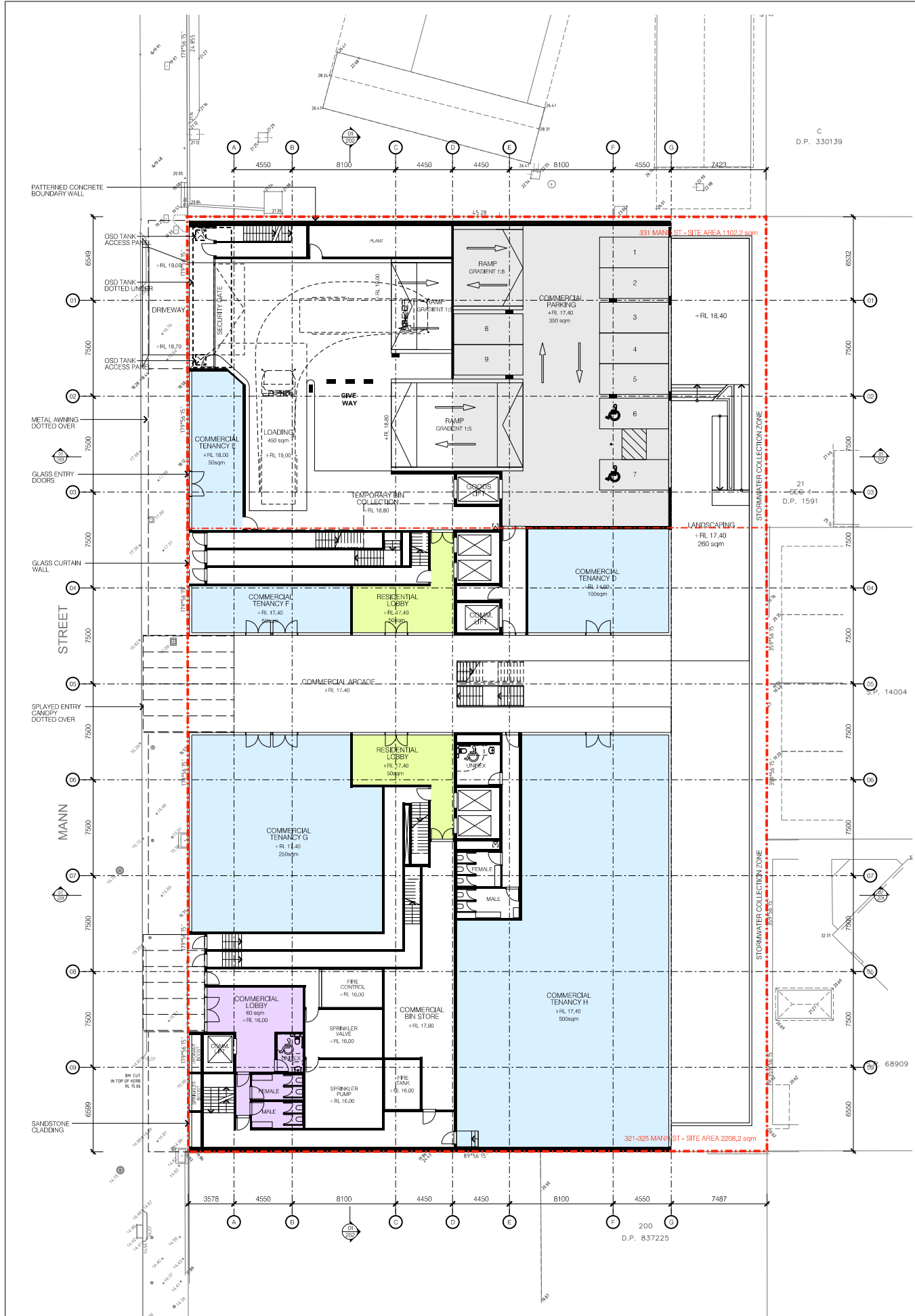
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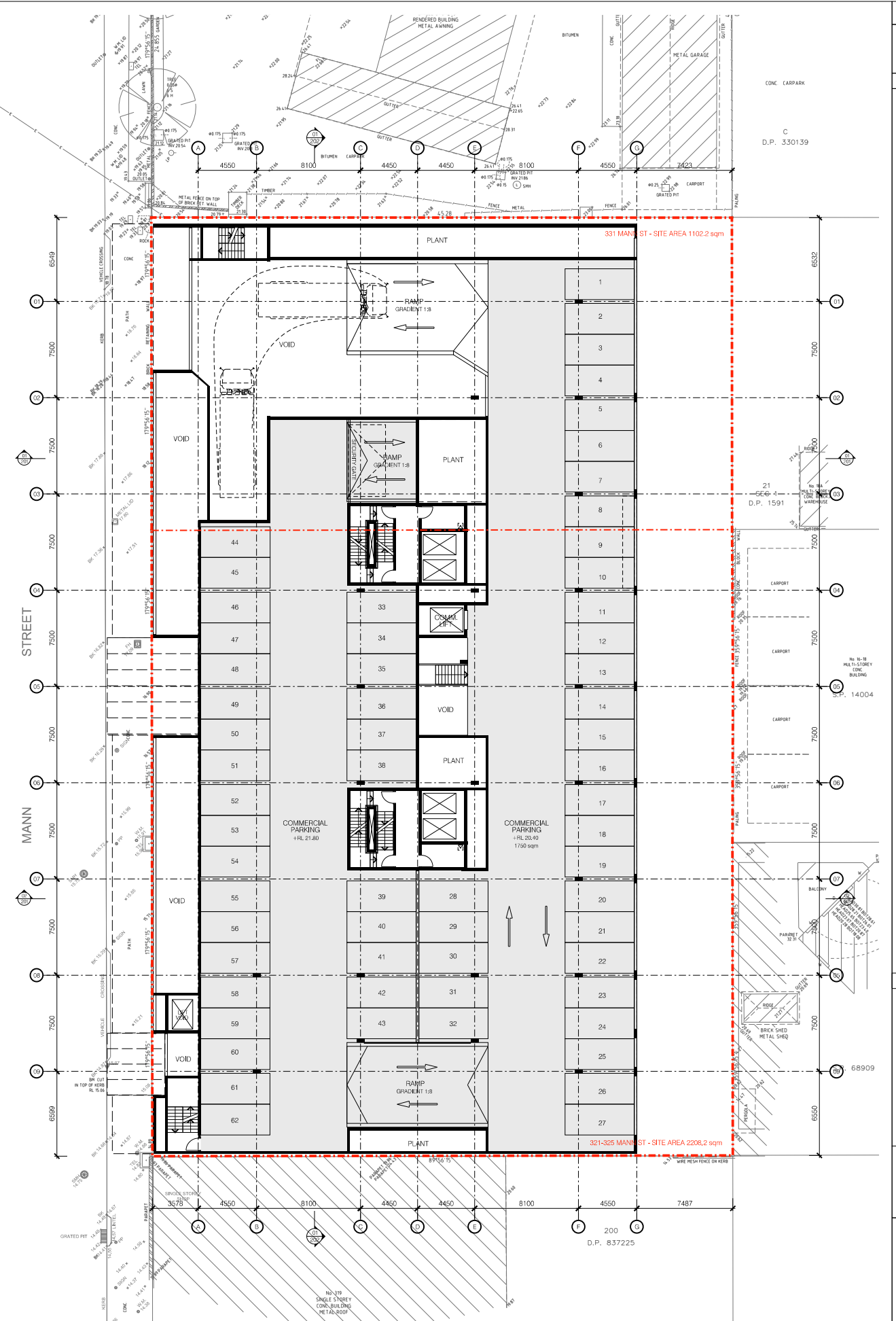
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0m 1m 2m 5m

N



01 GROUND FLOOR PLAN



02 LEVEL 1 PLAN

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K	COUNCIL REQUESTED UPDATES	18.01.2019

LEGEND

PLANT, STORAGE (NON GFA AREAS)

PARKING

COMMERCIAL TENANCY

COMMERCIAL CIRCULATION

1 BEDROOM UNIT

2 BEDROOM UNIT

3 BEDROOM UNIT

RESIDENTIAL CIRCULATION

ARCHITECT:

chapmanarchitecture

100 EVELYN ST BONDURUM JUNCTION

15400 380 700

E. arowell@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS:

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd

att

Mann St Enterprises Trust

DRAWING TITLE:

GROUND FLOOR & LEVEL 1 PLANS

DRAWING NO.:

DA - 102

ISSUE:

L

DATE:

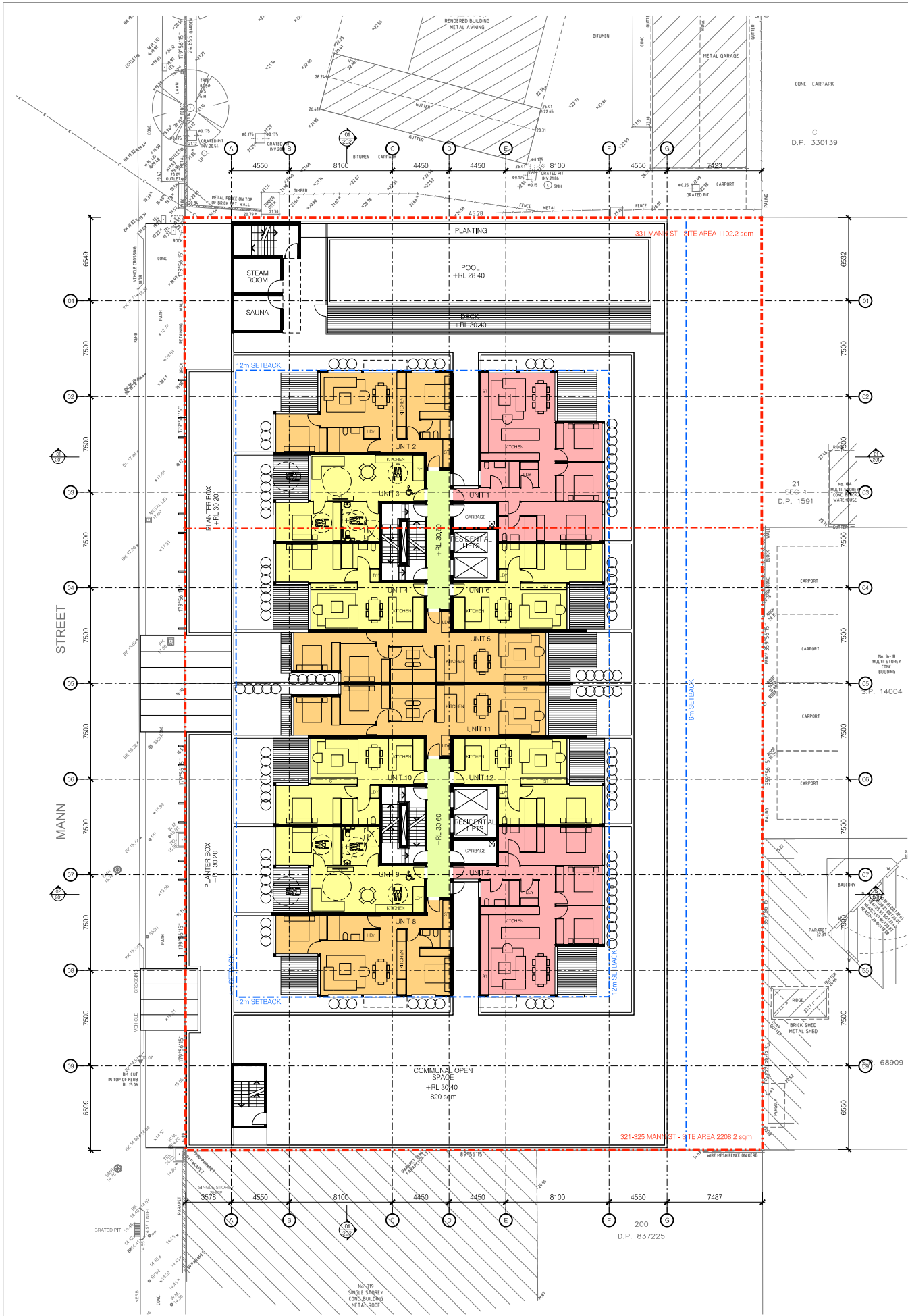
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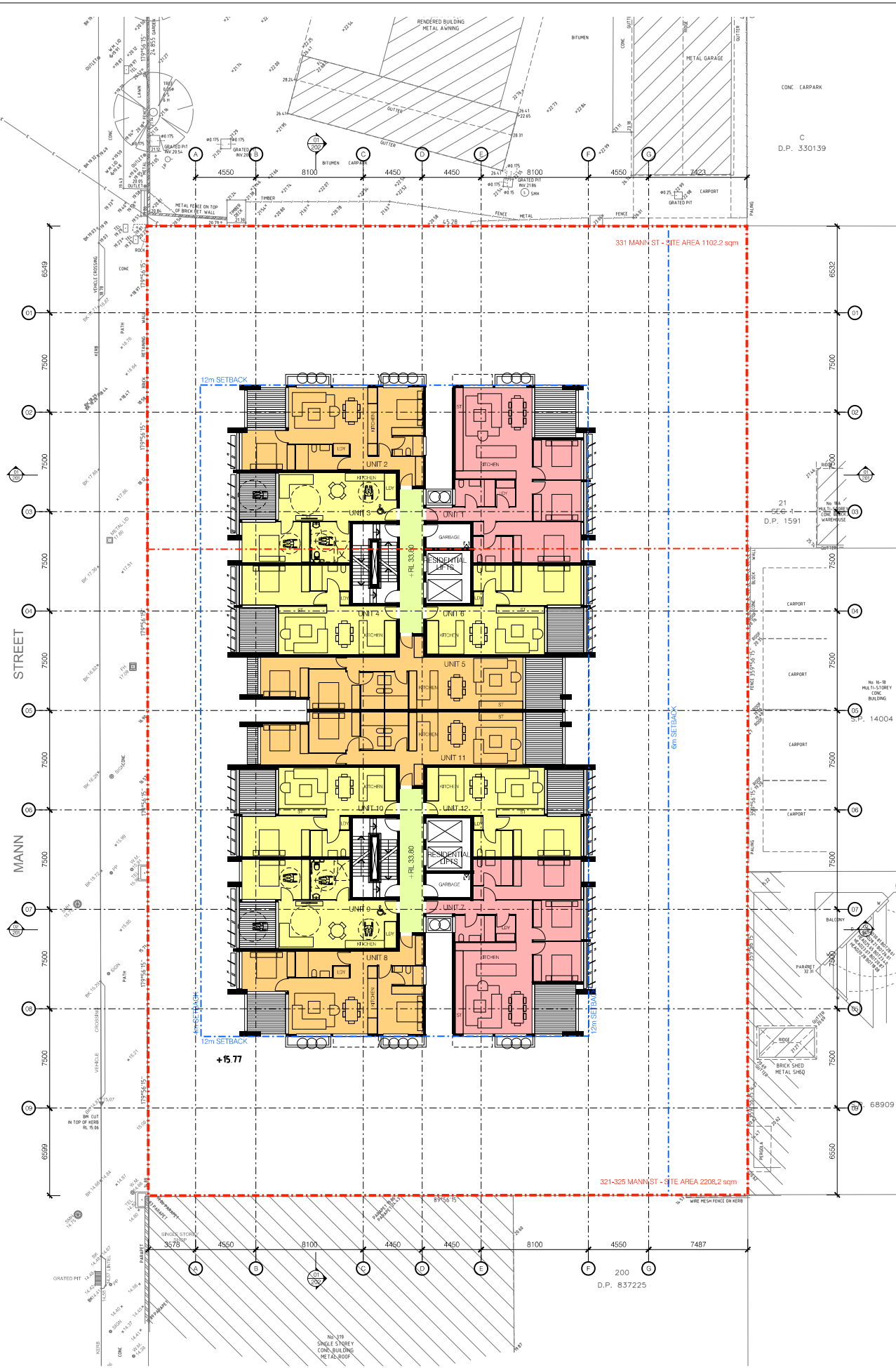
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01 PODIUM LEVEL 4 PLAN



02 TYPICAL LEVEL 5-18 PLAN

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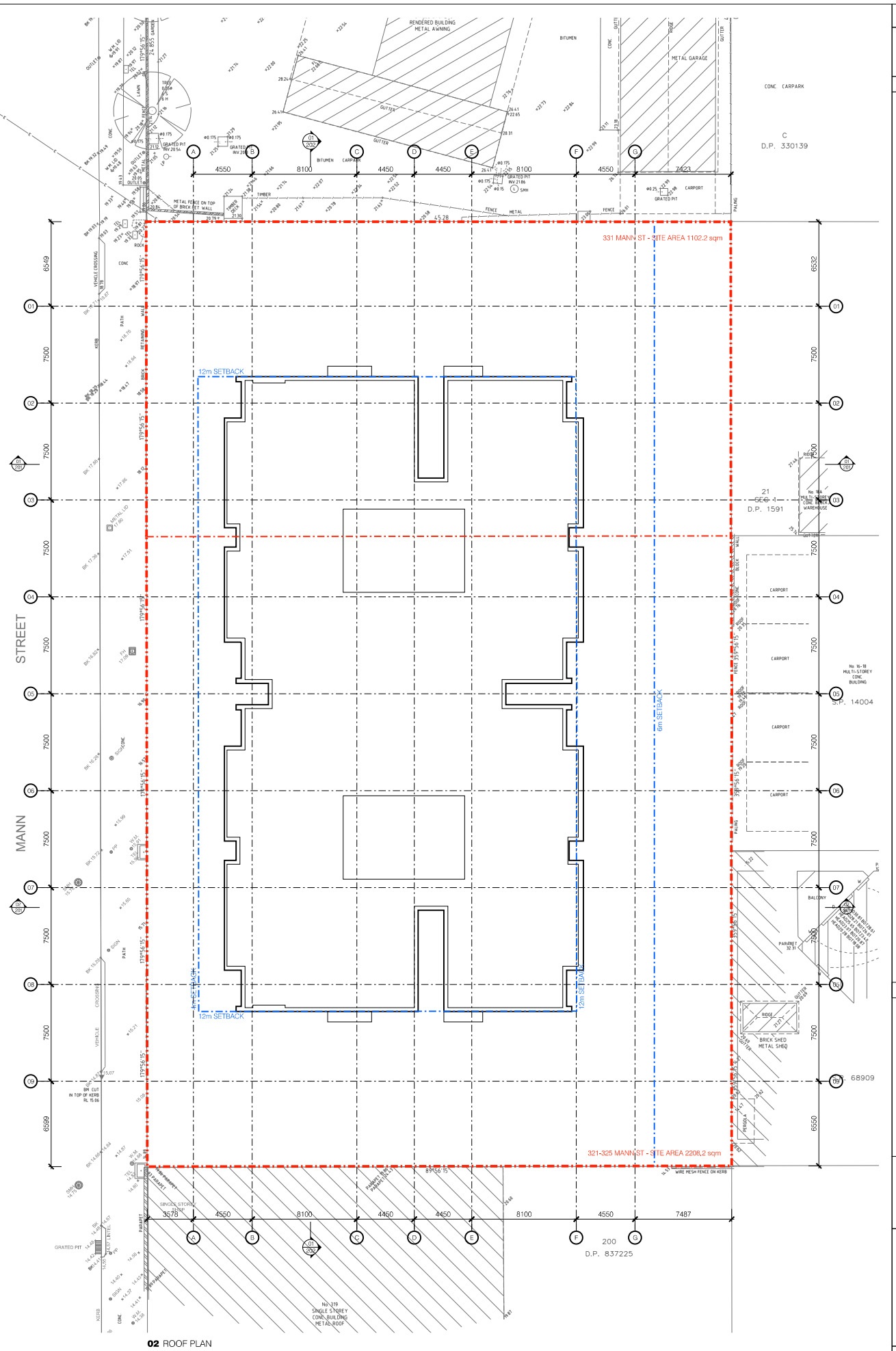
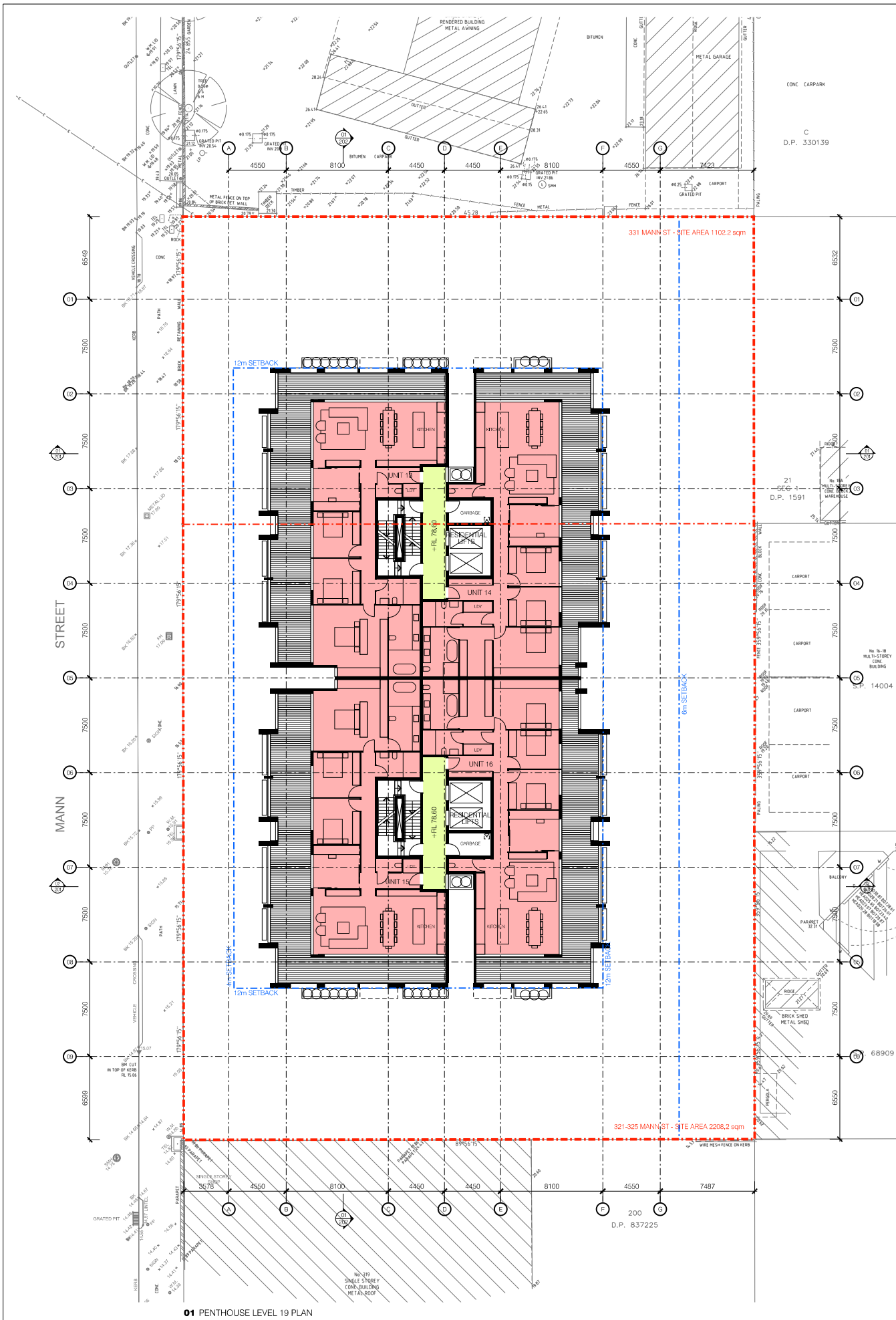
LEGEND
PLANT, STORAGE (NON GFA AREAS)
PARKING
COMMERCIAL TENANCY
COMMERCIAL CIRCULATION
1 BEDROOM UNIT
2 BEDROOM UNIT
3 BEDROOM UNIT
RESIDENTIAL CIRCULATION

ARCHITECT:
chapmanarchitecture
HARVEY ST BOND JUNCTION
T: 0420 388 700
E: arow@chapmanarchitecture.com.au

PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:
PODIUM & TYPICAL LEVEL PLANS
DRAWING NO.: DA - 104
ISSUE: L
DATE: 18.01.2019

SCALE:
1:100 @ A1
0m 1m 2m 5m
N



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LEGEND

PLANT STORAGE (NON GFA AREAS)

PARKING

COMMERCIAL TENANCY

COMMERCIAL CIRCULATION

1 BEDROOM UNIT

2 BEDROOM UNIT

3 BEDROOM UNIT

RESIDENTIAL CIRCULATION

ARCHITECT:

chapmanarchitecture

HOPKINSON ST BONDURUM

1/400 180 700

E: aaron@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS:

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd

att

Mann St Enterprises Trust

DRAWING TITLE:

PENTHOUSE LEVEL & ROOF PLANS

DRAWING NO.:

DA - 105

ISSUE:

L

DATE:

18.01.2019









SCALE:

1:100 @ A1

0m 1m 2m 5m

N

LEGEND

	PLANT, STORAGE (NON GFA AREAS)
	PARKING
	COMMERCIAL TENANCY
	COMMERCIAL CIRCULATION
	1 BEDROOM UNIT
	2 BEDROOM UNIT
	3 BEDROOM UNIT
	RESIDENTIAL CIRCULATION

SCALE:
1:200 @ A1

0m 2m 4m 10m



PART OF THE BUILDING
EXCEEDING 60m HEIGHT
(REFER TO CLAUSE 4.6)

331 MANN ST

321-325 MANN ST

78m HEIGHT LINE

60m HEIGHT LINE

ROOF
RL 85.80

ROOF TOP
RL 81.80

LEVEL 19
RL 78.60

LEVEL 18
RL 75.40

LEVEL 17
RL 72.20

LEVEL 16
RL 69.00

LEVEL 15
RL 65.80

LEVEL 14
RL 62.60

LEVEL 13
RL 59.40

LEVEL 12
RL 56.20

LEVEL 11
RL 53.00

LEVEL 10
RL 49.80

LEVEL 9
RL 46.60

LEVEL 8
RL 43.40

LEVEL 7
RL 40.20

LEVEL 6
RL 37.00

LEVEL 5
RL 33.80

LEVEL 4
RL 30.60

LEVEL 3
RL 27.40

LEVEL 2
RL 24.60

LEVEL 1
RL 21.80

LOADING DOCK
RL 18.60

BASEMENT B1
RL 15.40

BASEMENT B2
RL 12.20

SPLAYED ROOF
FEATURE

PLANTER BOXES

PATTERNED
CONCRETE WALL

POOL

PLANT

RESIDENTIAL PARKING

RESIDENTIAL PARKING

COMMERCIAL PARKING

LOADING DOCK

COMMERCIAL
TENANCY

COMMERCIAL
ARCADE

COMMERCIAL
TENANCY

COMMERCIAL
LOBBY

RESIDENTIAL PARKING

COMMERCIAL
TENANCY

RESIDENTIAL PARKING

RESIDENTIAL PARKING

PATTERNED
CONCRETE WALL

LEVEL 3
RL 27.40

LEVEL 2
RL 24.60

LEVEL 1
RL 21.80

GROUND
RL 17.40

BASEMENT B1
RL 14.00

BASEMENT B2
RL 11.20

01 SECTION
1:100

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LEGEND

PLANT, STORAGE (NON GFA AREAS)

PARKING

COMMERCIAL TENANCY

COMMERCIAL CIRCULATION

1 BEDROOM UNIT

2 BEDROOM UNIT

3 BEDROOM UNIT

RESIDENTIAL CIRCULATION

ARCHITECT:

chapmanarchitecture

180 EVELYN ST BORDEN JUNCTION
P: 0400 388 700
E: aaron@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS:

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:

SECTIONS

DRAWING NO.:

ISSUE:

DATE:

DA -202

L

18.01.2019

SCALE:

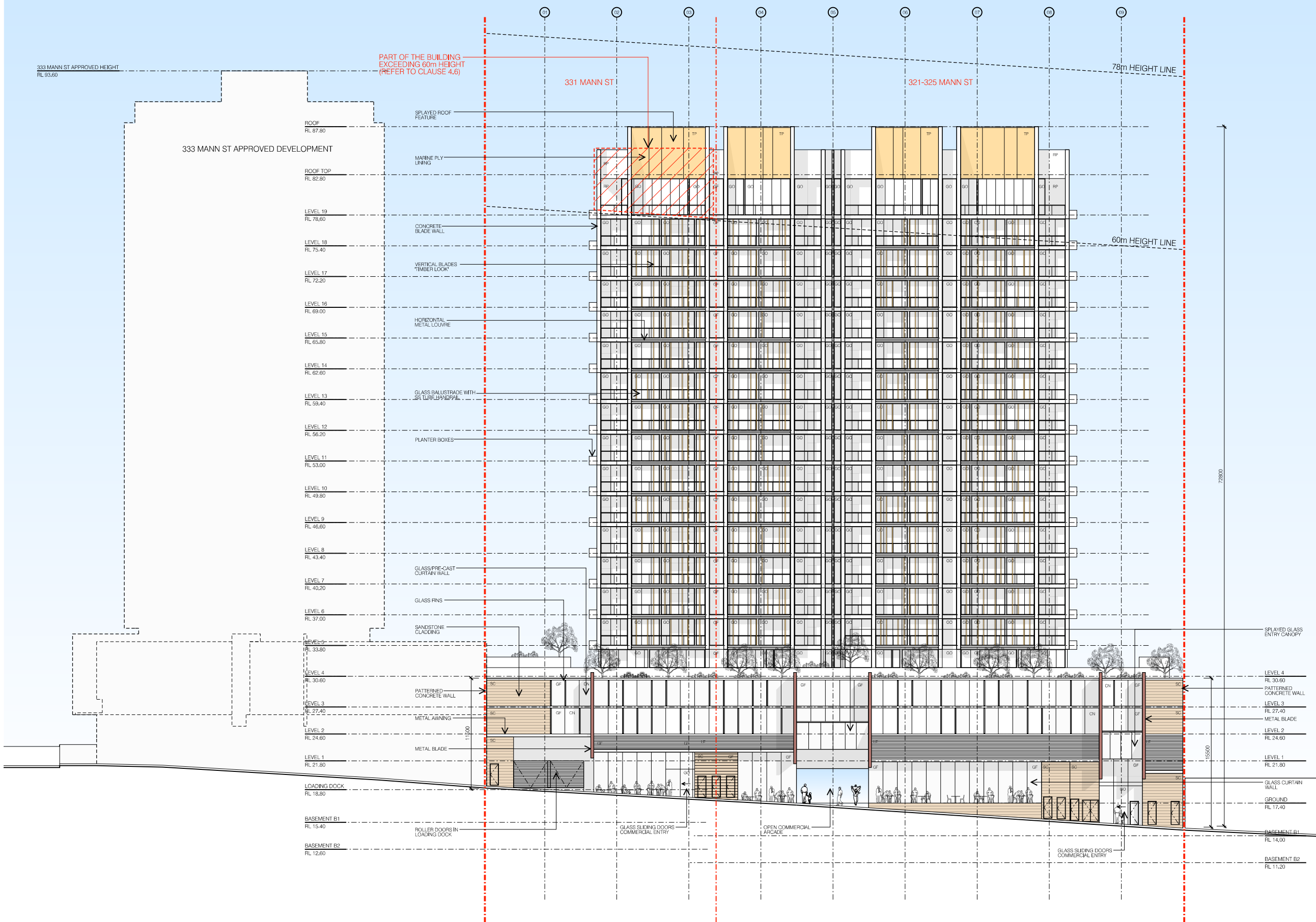
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0m

2m

4m

10m



01 WEST ELEVATION
1:100

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C	DA DRAFT REVISION	10.02.2017
D	COUNCIL REVIEW	20.02.2017
E	ISSUE TO CONSULTANTS	06.03.2017
F	ISSUE TO CONSULTANTS	14.03.2017
G	ISSUE TO CONSULTANTS	11.04.2017
H	ISSUE TO CONSULTANTS	26.04.2017
I	DA SUBMISSION	26.05.2017
K	DA ADDITIONAL INFORMATION	13.06.2018
L	COUNCIL REQUESTED UPDATES	18.07.2019

LEGEND	
CN	OFF FORM CONCRETE
CNP	OFF FORM CONCRETE PATTERNED
GP	COPPER CLADDING
GB	GLASS BALUSTRADE
GF	GLAZING FIXED
GO	GLAZING OPERABLE
LF	LOUNGES FIXED
LO	LOUNGES OPERABLE
MD	METAL ROLLER DOOR
RP	RENDER AND PAINT
SC	STONE CLADDING
TP	TIMBER PANEL

ARCHITECT:
chapmanarchitecture
100 EMBURY ST BONDURUM
T: 0400 380 700
E: arch@chapmanarchitecture.com.au

PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust









DRAWING TITLE:
WEST ELEVATION
DRAWING NO.:
DA-301
ISSUE:
L
DATE:
18.01.2019

SCALE:
1:200 @ A1
0m 2m 4m 10m

ISSUE	DESCRIPTION	DATE
A	DA DRAFT	20.01.2017
B	DA DRAFT REVISION	03.02.2017
C	DA DRAFT REVISION	10.02.2017
D	COUNCIL REVIEW	23.02.2017
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LEGEND

- | | |
|---|-------------------------------|
|  | PLANT, STORAGE (NON GFA AREA) |
|  | PARKING |
|  | COMMERCIAL TENANCY |
|  | COMMERCIAL CIRCULATION |
|  | 1 BEDROOM UNIT |
|  | 2 BEDROOM UNIT |
|  | 3 BEDROOM UNIT |
|  | RESIDENTIAL CIRCULATION |

ARCHITECT:

chapmanarchitect
162 EBLEY ST BONDI JUNCTION
T: 0420 382 700
E: andrew@chapmanarchitecture.com.au

PROJECT:

321-331 MANN ST SHOP-TOP HOUSING

ADDRESS: _____

321-331 MANN ST, GOSFORD NSW

CLIENT:

Mann St Enterprises Pty Ltd
-16-

Mann St Enterprises Trust

	Martin Enterprises Trust

DRAWING TITLE:

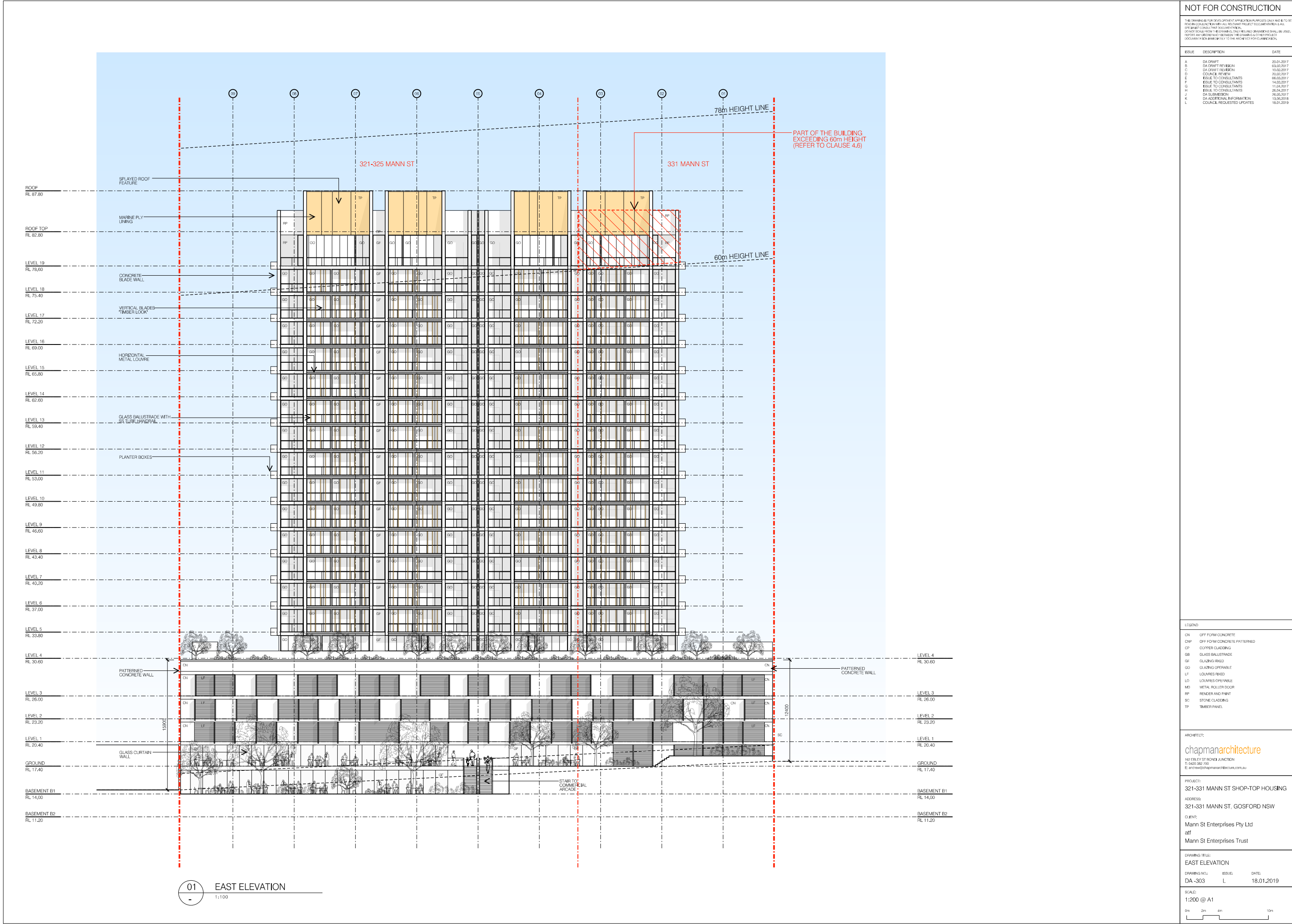
NORTH & SOUTH ELEVATIONS

DRAWING NO.:	ISSUE:	DATE:
DA 200	1	10.01.2010

DA-302	L	18.01.2019
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1:200 @ A1





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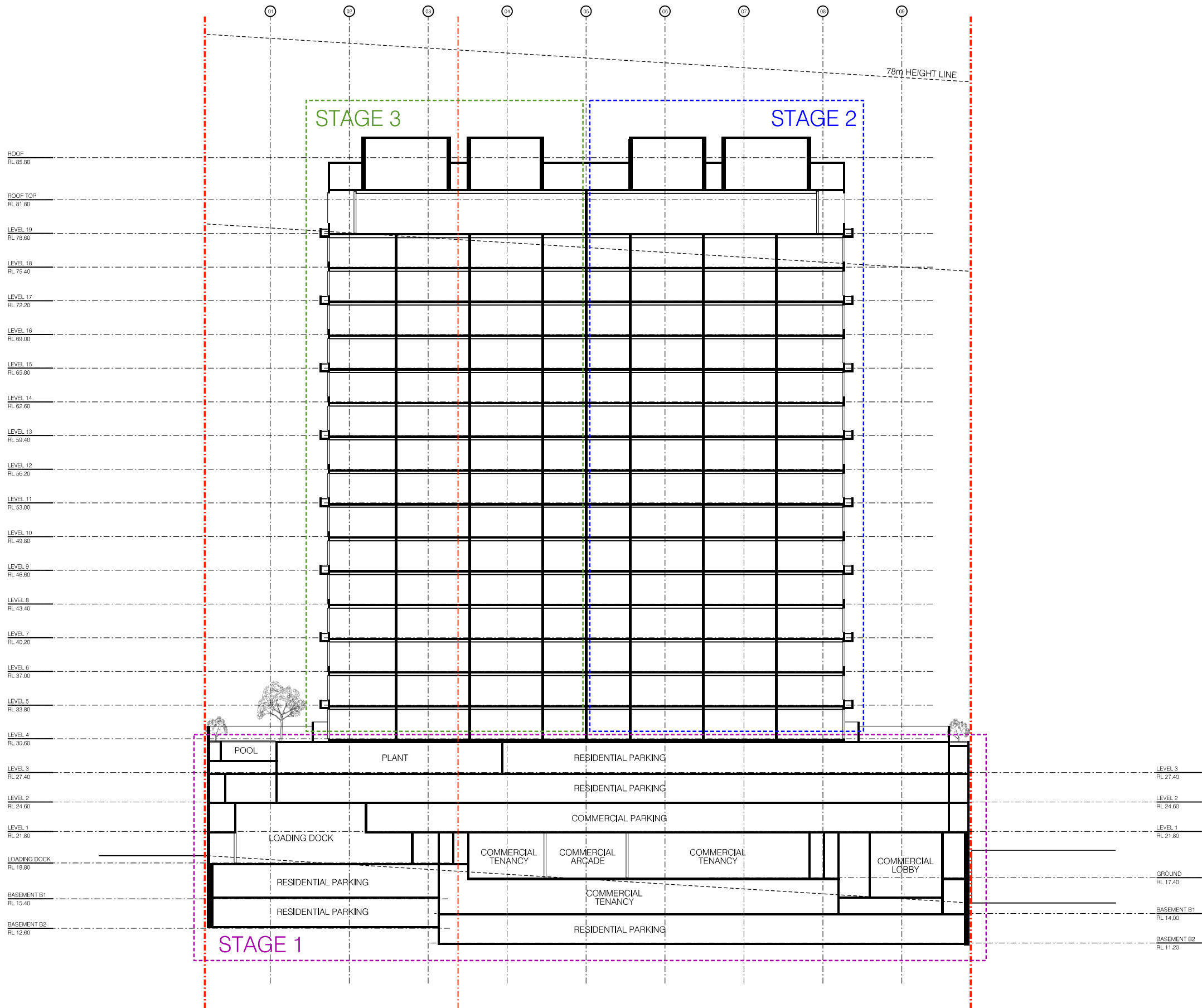
LEGEND	
CN	OFF FORM CONCRETE
CNP	OFF FORM CONCRETE PATTERNED
CP	COPPER CLADDING
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GO	GLAZING OPERABLE
LF	LOUNGES FIXED
LO	LOUNGES OPERABLE
MD	METAL ROLLER DOOR
RP	RENDER AND PAINT
SC	STONE CLADDING
TP	TIMBER PANEL

ARCHITECT:
chapmanarchitecture
180 EVELY ST BONDURUM
T: 0400 385 700
E: info@chapmanarchitecture.com.au

PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:
EAST ELEVATION
DRAWING NO.: DA-303
ISSUE: L
DATE: 18.01.2019

SCALE:
1:200 @ A1
0m 2m 4m 10m



STAGE 1
COMMERCIAL PODIUM,
ABOVE GROUND PARKING,
UNDERGROUND PARKING

STAGE 2
RESIDENTIAL TOWER 1

STAGE 3
RESIDENTIAL TOWER 2

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ARCHITECT:
chapmanarchitecture
180 ERMLEY ST GOSFORD JUNCTION
P.O. BOX 180 700
E: aron@chapmanarchitecture.com.au

PROJECT:
321-331 MANN ST SHOP-TOP HOUSING
ADDRESS:
321-331 MANN ST, GOSFORD NSW
CLIENT:
Mann St Enterprises Pty Ltd
att
Mann St Enterprises Trust

DRAWING TITLE:
STAGING PLAN
DRAWING NO.: DA-013
ISSUE: L
DATE: 18.01.2019

SCALE:
1:200 @ A1
0m 2m 4m 10m

ATTACHMENT 3

ADG Compliance Table

Design Criteria	Required	Proposed	Compliance
3D-1 Communal Open Space	Minimum communal open space area 25% of the site	Communal open space has been provided on the podium at 820sqm or 25% of the site area.	Yes
	50% direct sunlight to principal usable part for min 2 hrs between 9am and 3pm mid-winter	Podium level communal open space achieves direct sunlight between 9am and 12pm on 21 June (mid-winter).	Yes
3E-1 Deep Soil Zone	<p>Minimum 7% of the site, with minimum dimension 6m for a site greater than 1,500sqm</p> <p>On some sites, it may be possible to provide a greater area for deep soil zones. Sites between greater than 1500sqm 15% should be achieved, if possible.</p>	56sqm (16% of site), 7.3m dimension	Yes
3F-1 Visual Privacy	<p>Separation from boundaries (habitable rooms and balconies):</p> <p>6m (up to 12m / 4 storeys in height) 9m (up to 25m / 5-8 storeys in height) 12m (over 25m / 9+ in height)</p>	12m separation is achieved at all residential levels at the side and rear boundaries.	Yes
3J-1 Bicycle and Car Parking	Minimum parking provided in accordance with the RMS Parking Guide for Metropolitan Sub-Regional Centres or the car parking requirements	<p>RMS requirements:</p> <ul style="list-style-type: none"> • 0.6 spaces per 1 bedroom unit (90 units) (54 spaces) • 0.9 spaces per 2 bedroom unit (60 units) (54 spaces) • 1.40 spaces per 3 bedroom unit (34 units) (47.6) • 1 space per 7 units (visitor parking) (26.3) 	Yes

Design Criteria	Required	Proposed	Compliance
	prescribed by the relevant council, whichever is the less	spaces) Resident vehicle parking is provided in excess of RMS requirements: - <ul style="list-style-type: none"> A minimum of 156 vehicle spaces are required for residential units, 185 are proposed. A total of 27 visitor spaces are required, only 8 are proposed, however no visitor car parking spaces are required for shop top housing under the Gosford DCP 2013 and this is the smaller and therefore relevant figure. 	
	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	An area for cycle parking is provided on basement level 1.	Yes
	Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces	Complies	Yes
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	Of the 184 apartments, 18.5% (34 apartments) receive minimum 3 hours direct sunlight on the 21 June between 9am and 3pm when assessing the building form. 81% (150 apartments) receive a minimum 2 hours direct sunlight on the 21 June between 9am and 3pm when assessing the building form.	No, while the 70% for 3 hours is not met, 81% of apartments achieving 2 hours is a good amnesty outcome and no objection is made in this instance.
	Maximum of 15% of apartments receive no direct sun between 9am and 3pm mid-winter	There are no apartments proposed which do not receive directly sunlight between 9am and 3pm mid-winter.	Yes
4B-3	Min 60% of	30 of the 60 units on levels 4-8 (being within	No –

Design Criteria	Required	Proposed	Compliance
Natural Ventilation	apartments cross ventilated in the first 9 storeys of the building	the first 9 storeys), resulting in 50% of apartments achieving natural cross ventilation in the first 9 stories. While not counted in the above calculation, apartments at 10 stories and above are deemed to be naturally cross ventilated.	however acceptable in this instance
4C-1 Ceiling Heights	Minimum 2.7m	Complies.	Yes
4D-1 Apartment Size	1 bedroom: 50sqm 2 bedroom: 70sqm 3 bedroom: 90sqm (5sqm per additional bathroom)	Proposed: <ul style="list-style-type: none"> • 55sqm minimum • 75sqm minimum • 108sqm minimum 	Yes
	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
4D-2 Room depths	Habitable room depths and maximum 8m depth for open plan layouts.	120 of the 184 apartments (65%) exceed the 8m depth marginally, between 8.6 and 8.8m (10% exceedance). The internal amenity of the affected apartments will not be unreasonably impacted in that adequate daylight and outlook is provided.	No, however no objection is made in this instance.
4D – 3 Layout	Bedroom and living room sizes – 9 & 10sqm bedrooms with min 3m width, 3.6m-4m width living rooms	Generally complies	Yes
4E-1 Balconies	1 bedroom: 8sqm, min 2m depth 2 bedroom: 10sqm, min 2m depth 3 bedroom: 12sqm, min 2.4m depth	All primary balconies comply with this requirement.	Yes
	Podium/ground level	Complies	Yes

Design Criteria	Required	Proposed	Compliance
	private open space minimum 15sqm, minimum depth 3m		
4F-1 Common Circulation	Maximum of 8 apartments off a circulation core (although design guidance allows up to 12 apartments)	6 apartments off each circulation core.	Yes
4G-1 Storage	1 bedroom: 6m ³ 2 bedroom: 8m ³ 3 bedroom: 10m ³ Note: Minimum 50% within unit	Complies. Storage areas are proposed in both the carparking areas and individual dwellings. A condition of consent is recommended ensuring compliance with the stated storage areas.	Yes
4H Acoustic Privacy	Noise transfer is limited through the siting of the buildings and building layout	It is considered apartments have been orientated so as to minimise noise from living areas and outdoor terraces.	Yes
4J Noise and Pollution	The impact of external noise transfer and pollution are minimised through the siting and layout of the building.	Wet areas and utility rooms have been located adjoining stair cores and lift wells.	Yes
4K Apartment Mix	A range of apartment types are provided to cater for different household types, and distributed throughout the building.	1 Bedroom: 49% 2 Bedroom: 32% 3 Bedroom: 18%	Yes
4L Ground Floor Apartments	Maximise street frontage activation and amenity.	Not applicable	N/A
4M Facades	Provide visual interest whilst respecting the character of the area.	Complies	Yes
4N Roof Design	Roof features are incorporated in the roof design, response to the street and provide sustainability features.	Roof heights vary and splayed soffits in timber panelling provide an opportunity to introduce natural materials and points of interest.	Yes
4O	Landscape design is	Complies	Yes

Design Criteria	Required	Proposed	Compliance
Landscape Design	viable, sustainable, contributes to the streetscape and amenity.		
4P Planting on Structures	Appropriate soil depths are provided	Complies	Yes
4V Water	Water Management and Conservation is achieved.	Complies	Yes
4W Waste	Waste storage facilities are provided to minimise impacts on the streetscape, building entry an amenity of residents.	Complies	Yes

ATTACHMENT 4

GDCP 2013 Compliance Table

Development Control	Required	Proposed	Compliance
4.1.1.4 City Centre Character	<p><u>Mixed Use (City Edge):</u> The site is located within the Mixed Use (City Edge) character area and is zoned B4.</p> <p>The Mixed Use Zone at the city edge complements the commercial core but also allows for residential units thereby providing for a walkable city for residents to work in.</p>	The proposal is reflective of the desired future character	Yes
4.1.2.2 Building to street alignment and street setback	0m setback to Mann Street	0m	Yes
4.1.2.3 Street Frontage Height	The street frontage height of buildings must comply with the minimum and maximum heights, being 10.5m- 16 m	The proposed podium has a variable street frontage height of between 11.5m and 15.5m	Yes
4.1.2.4 Building Depth & Bulk	<p>Mixed use: Maximum floor plate size up to a 750sqm max above 16m</p> <p>Maximum building depth (excluding balconies) – 24m</p> <p>No building above 24m in height is to have a building dimension in excess of 45m.</p>	<ul style="list-style-type: none"> • Max floorplate approximately 1200sqm • Max building depth – 25.5m • Max building dimensions for over 24m - 49m <p>While the maximum floorplate is considerably in excess of the 750sqm maximum, and maximum building dimension is 4m in excess of the 45m this is a result of requiring the development to include the additional site of No. 331 Mann Street. The sites would achieve compliance in isolation. The proposed floor plate is comprised</p>	No, variations considered acceptable in this instance given request to combine sites

Development Control	Required	Proposed	Compliance
		of two parts is a rational outcome for the site and architecturally provides articulation between the two tower 'halves'	
4.1.2.5 Setbacks	<p>Mixed Use:</p> <p>Commercial Front: Up to 16m = Street setback</p> <p>Commercial Side: Up to 16m = 0m</p> <p>Residential 12-24m (habitable): Front = 6m Side = 9m Rear = 9m</p> <p>Residential above 24m: Front = 8m Side = 13m Rear = 13m</p>	<p>Commercial front up to 16m = Street setback (0m)</p> <p>Commercial side up to 16m = 0m</p> <p>Residential 12-24m (habitable): Front = 6m Side = 12m Rear = 12m</p> <p>Residential above 24m: Front = 6m Side = 12m Rear = 12m</p> <p>The 6m front setback and 12m side and rear setbacks above 24m are considered satisfactory. It allows for each unit to have sufficient outdoor space whilst maintaining the uniformity of the structure and achieving the 12m ADG side setbacks required. Overall there are minimal impacts arising.</p>	No, however variances are considered acceptable.
4.1.2.6 Mixed Use Buildings	Minimum floor to ceiling heights of 4.4m for commercial tenancies and 2.7m for residential uses.	Complies	Yes
4.1.2.7 Site Cover	75%	82% Given the site has an appropriate levels of landscaping and setbacks this exceedance is acceptable	No, however variation is acceptable.
4.1.2.7 Deep Soil Zones	15% min. Min. Dimension 6m	7.5m 560sqm (16% of site)	Yes
4.1.2.8 Landscape Design	<p>Landscaped areas are to be irrigated with recycled water.</p> <p>A long-term landscape concept plan must be provided for all landscaped areas, in particular the deep soil</p>	<p>Landscaped areas are proposed to be irrigated with recycled water.</p> <p>A landscape plan was submitted with the development application and is otherwise considered acceptable by Councils Tree</p>	Yes

Development Control	Required	Proposed	Compliance
	landscape zone.	Assessment Officer.	
4.1.2.9 Planting on Structures	Constraints on the location of car parking structures due to water table conditions may mean that open spaces and courtyards might need to be provided over parking structures.	The majority of landscaping is within the deep soils zone. Planting over on the podium included planters that will comply with the requirements of this section of the DCP.	Yes
4.1.2.10 View Corridors	Protect significant view corridors	The site is not located in any identified view corridor.	Yes
4.1.3.3 Active Street Frontages and Address	Active street frontage required to Mann Street	Complies	Yes
4.1.3.5 CPTED Principles	Address Safer by Design and CPTED principles	Passive surveillance is provided by unit and balconies, as well as commercial uses and large windows facing over Mann Street. Ground level commercial uses will increase activity and ownership of the area. Separated residential and commercial entrances provide a clear distinction between public and private.	Yes
4.1.3.6 Awnings	To be provided as per Figure 3.6	Street awnings are proposed along the entire length of the Mann Street frontage.	Yes
4.1.3.7 Vehicle Access	One access point only. Max. 2.7m width (or up to 5.4m wide for safety reasons)	Single access point proposed however has a driveway width of 7.2m to accommodate waste collection and delivery vehicles. In light of the size and scale of the development, this width is considered acceptable. The driveway does not detract from the development.	No, however variation is acceptable.
4.1.3.9 Building Exteriors	Various controls, similar to clause 8.5 of GLEP.	Details of materials and colours are provided in the plans within the development application documentation and are supported by Council staff.	Yes
4.1.3.11 Public Artworks	Public art plan for required.	A conditions is recommended to require a require submission of a Public Art Plan.	
4.1.4.2 Pedestrian	Building Entry Points - Clearly visible from street	Considered acceptable.	Yes

Development Control	Required	Proposed	Compliance
Access and Mobility	Design for disabled persons	Appropriate conditions are recommended for imposition requiring compliance with the BCA.	
	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)		
4.1.4.3 Vehicle Footpath Crossings and Vehicular Driveways and Manoeuvring	Located 6m min. from the perpendicular of any intersection	The vehicle access crossing is acceptable. Appropriate conditions required by Councils Development Engineer are recommended for imposition.	Yes
	Minimum driveway setback 1.5m from side boundary		
	Enter and leave in forward direction		
	Compliance with Council's standard Vehicle Entrance Design & subject to Roads Act approval		
	Compliance with AS2890.1		
	Use semi-pervious materials for driveways open car spaces		
4.1.4.4 On-Site Parking	Shoptop housing: 1 space per dwelling = 184 spaces	<ul style="list-style-type: none"> Total of 265 spaces proposed over 6 levels. 32 spaces to be accessible. Residential = 185 spaces proposed Commercial = 71 spaces proposed Visitor = 9 spaces No motorcycle however as overall there is an excess of car parking spaces, this is considered satisfactory An area for cycle parking is provided on basement level 1 and is acceptable. 	No, however minor variances are considered acceptable.
	<p>Commercial: Clause 8.6 of GLEP 1 space per 75m² used for 'commercial activities' = 34 spaces</p> <p>Visitor = N/A</p> <p>Motorcycle (commercial): 1 space per 25 car spaces = 2</p> <p>Bicycle: 1 space/200sqm GFA = 13</p> <p>1 space/750sqm GFA visitor = 4</p>		
4.1.4.5 Site Facilities	Mail boxes in one location, integrated into a wall, similar building materials and secure and of sufficient size	Capable of complying via condition.	Yes
	Locate ancillary structures (e.g.		

Development Control	Required	Proposed	Compliance
	satellite dish and air conditioning units) away from street. Integrated into roof scape design. One master antenna per residential apartment buildings.		
	Size, location and handling procedures for all waste to satisfaction of Council’s Waste & Emergency Staff	Considered acceptable. Appropriate conditions required by Waste Servicing are recommended for imposition.	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	Considered acceptable.	Yes
4.1.5.2 Energy Efficiency and Conservation	Compliance with BASIX	Acceptable.	Yes
4.1.5.3 Water Conservation	Efficient best practice management of water resources	Water saving devices and recycling within the landscaped areas is proposed.	Yes
4.1.5.4 Reflectivity	Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.	It is considered glare will not pose a problem to surrounding road users. An appropriate condition has been included.	Yes
4.1.5.5 Wind Mitigation	Wind Effects Report for buildings over 14m	A Wind Tunnel Test was provided as part of the application. The test found that Mann Street will have an average wind speed that is less than the maximum wind criteria that is to be met by new buildings in retail streets.	Yes.
4.1.5.6 Waste and Recycling	Length of storage area 0.65 x no of bins	Considered acceptable.	Yes
	Width of storage area 2.5m min.	Appropriate conditions required by Waste Servicing are recommended for imposition.	
	SEPP 65 & ADC		
4.1.5.7	Effective management of noise	A Acoustic Assessment	Yes

Development Control	Required	Proposed	Compliance
Noise and Vibration	and vibration in a city centre environment	accompanies the development application, as supporting information. The recommendations of this report are to be implemented at the required stages of construction.	
4.1.6.2 Housing Choice & Mix	1 bed units 10% min to max 25%	The proposed development generates the following unit mix: <ul style="list-style-type: none">• 1 bed: 49%• 2 bed: 32%• 3 bed: 18%	No, however variation is considered acceptable.
	2 Bed not more than 75%		
	15% of dwellings (for sites with slope less 20%) capable of adaption for disabled or elderly residents = 28 accessible dwellings	30 adaptable units.	Yes
	Where possible provide adaptable dwellings on the ground level	N/A	N/A
	Application to be accompanied by an Access Consultant report	Complies.	Yes
	Car parking to adaptable dwelling to comply with AS	Complies.	Yes
4.1.6.3 Storage	7.5m ³ for 1 bed units 10m ³ for 2 bed units 12.5m ³ for 3 bed plus Min 50% of required storage areas within dwelling	Generally complies and will be ensured via condition.	Yes, subject to condition.
6.3 Erosion and Sediment Control	Plans required	Appropriate conditions are recommended.	Yes, subject to condition.
6.4 Geotechnical Requirement	Investigations	A Geotechnical Report has been provided and assessed as suitable by Council's Building Surveyor. Site disturbance can be minimised through conditions of development consent.	Yes, via condition.
6.7 Water Cycle Management	Minimise the impact of the development on the natural predevelopment water cycle.	Council's Development Engineer has reviewed the development water cycle management report and raised no objection subject to the imposition of conditions.	Yes

ATTACHMENT 5

Landscape Plans prepared by 24 GRP Landscape

ECM Document No: 25939036



RESIDENTIAL FLAT BUILDING

321 & 331 Mann St. Gosford - NSW 2250

LANDSCAPE DESIGN FOR DEVELOPMENT APPROVAL.
MAR 2017

PLANTING BOARD

PLANTING SCHEDULE

Type	Number	ABB	Botanical name	Common name	Mature height	Mature width	Quantity	Pot size	Staking
Trees	1	WF	Waterhousea floribunda	Sweeper	10m	5-8m	11	45L	Yes
	2	Asm	Acmena smithii	Lillypilly	12M	6M	3	100L	YES
	3	AS	Acmena smithii 'DOW30'	Sublime	5m	2-3m	45	45L	Yes
Shrubs	4	CV	Callistemon viminalis	Better John	0.6-1.2m	0.6-0.9m	106	20L	No
	5	GR	Grevillea rosmarinifolia	Rosemary Grevillea	0.8m	0.8m	198	20L	No
	6	KA	Kunzea ambigua	Tick Bush	2-3m	2m	139	20L	No
grasses	7	DC	Dianella caerulea	Blue Flax-Lily	0.5m	0.5m	415	0.3L	No
	8	DV	Dianella revoluta	Little Rev	0.3m	0.4m	344	0.3L	No



Waterhousea floribunda



Acmena smithii Lillypilly



Acmena smithii 'DOW30'



Callistemon viminalis



Dodonaea viscosa



Grevillea rosmarinifolia



Kunzea ambigua



Rhagodia spinescens R.Br.



Westringia fruticosa

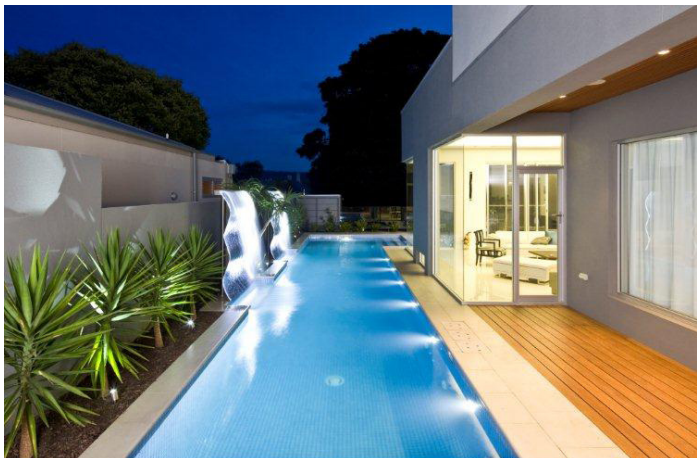


Dianella revoluta

MOOD BOARD AND DESIGN ELEMENTS



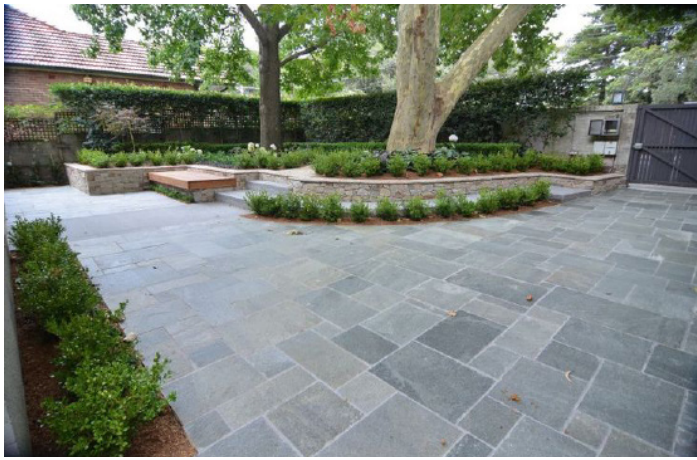
BBQ AND SEATING AREA IN PODIUM FLOOR



LAP POOL + SAUNA & STREAM ROOMS



PLANTING IN PLANTERS



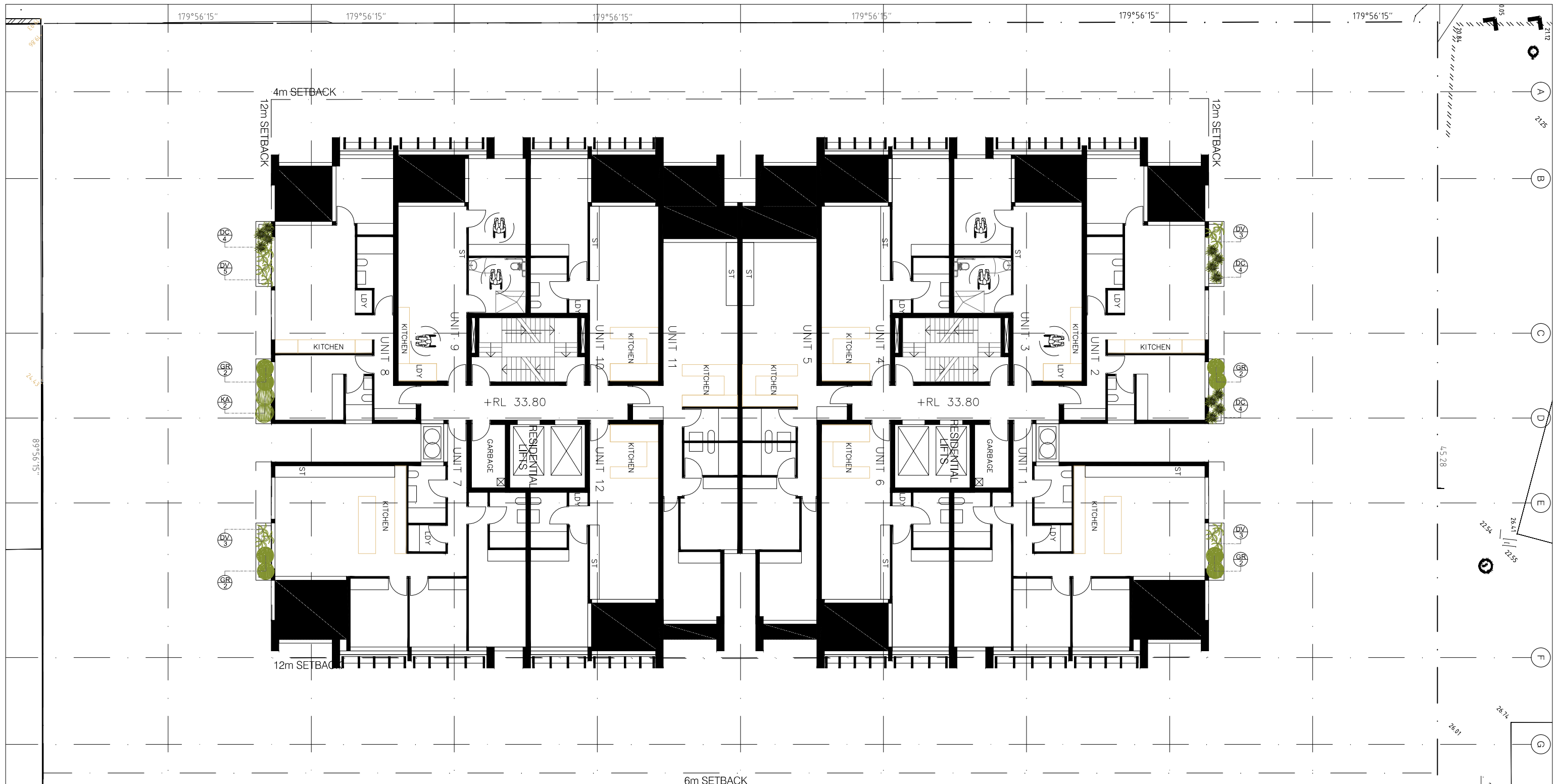
MAINTENANCE PLAN

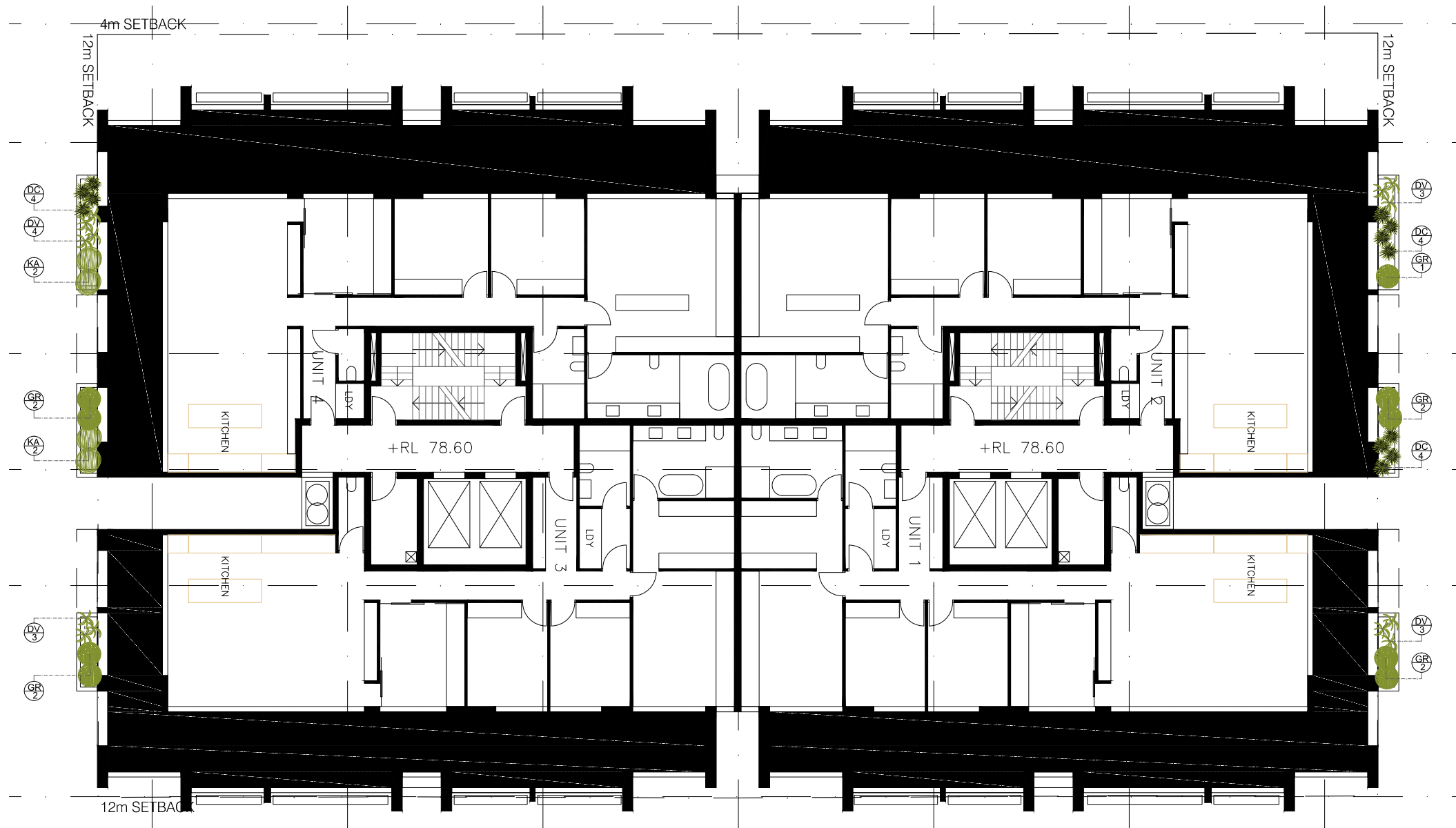
Maintenance shall apply to all soft landscape materials including tree planting and turfing. Maintenance of softworks shall be for a minimum of 52 weeks after practical completion. Recurrent maintenance shall consist of the following works as a minimum:

1. Water all plants and turfed areas, twice per week or as necessary to ensure maximum plant growth.
2. Apply appropriate weed control sprays where necessary.
3. Regularly cultivate to ensure water penetration to plants and to keep the area in a neat and tidy condition. Re-mulch as necessary to all mass planted areas.
4. Spray to control pests and diseases.
5. Apply organic slow release fertiliser to garden areas at 3 monthly intervals through spring and summer .Organic liquid fertilizer to be applied throughout spring & summer as required.
6. Apply organic lawn fertiliser to turf areas in September and March and as required. Top dress lawn as required.
7. Replace plants which fail with plants of a similar size and quality as originally specified (at contractors cost), prior to next inspection.
8. Report any incidence of plants stolen or destroyed by vandalism. Replace as requested.
9. Adjust stakes and ties to plants as necessary. Ensure strangulation of plants does not occur.
10. Prune and shape plants as required . Shrub plantings to site boundaries are to be pruned to allow for access where required.
11. Defects of faults arising out of defective workmanship are to be made good.
12. Where turfed areas do not establish these areas shall be re-turfed with turf of matching type and vigour.
13. Irrigation system and components are to be inspected at regular intervals to ensure correct operation. Minor repairs are to be undertaken to components. System failures are to be reported to body corporate representative for action.
14. A final inspection shall be made by the landscape architect at the conclusion of the 52 week maintenance period. Any items requiring rectification shall be repaired to satisfaction of the Landscape Architect.
15. Podium to be accessed and through lifts in times when not a peak time usage by residents and visitors. 240 Liters Green Lid Garden Vegetation Bin as per Gosford City Council to be used to collect falled leaves-brroken braches and bruning resdues.
16. Podium has sand stone mulch rather than the wooden based mulch to minimize the maintenance required. planting selected is medium to low maintenance requirement.



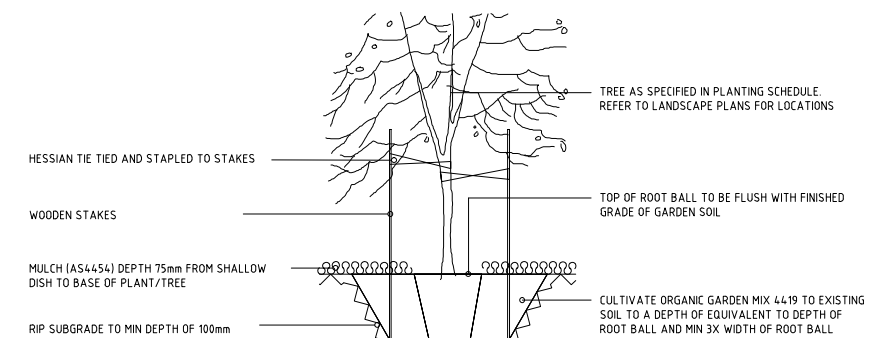




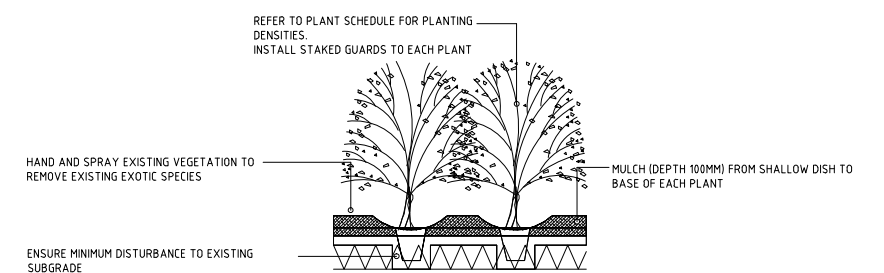


LEGEND

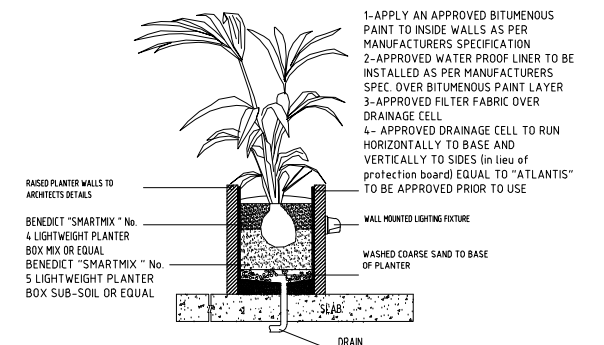
-  PV1 - CONCRETE PAVEMENT FOR SIDE WALKS AND DRIVE WAYS
-  PV3 - 300x300x50mm DARK BEIGE TILES
-  PV4 - TIMBER FLOORING
-  PV5 - DARK GRAY GRANITE STAIRS WITH ANTI SLIPPING EDGE
-  SW1 - TURF
-  SW2 - GRAVEL AND PEBBLES AGGREGATE TO WORK AS MULSH
-  SW3 - MULSH
-  TG1 - ORNAMENTAL METAL TREE GRATE
-  B1 - TIMBER BENCH



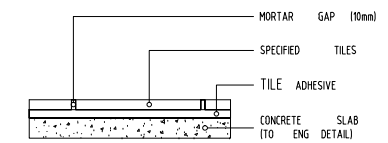
1 TREE PLANTING NTS
NOT FOR CONSTRUCTION



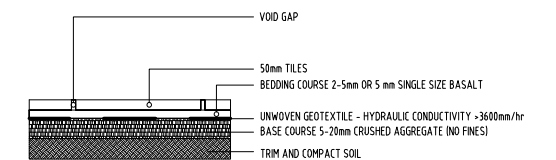
2 MASS PLANTING NTS
NOT FOR CONSTRUCTION



3 TYPICAL MASONARY PLANTER ON SLAB NTS
NOT FOR CONSTRUCTION



4 TILING TO CONCRETE SLAB NTS
NOT FOR CONSTRUCTION



5 TILING TO CONCRETE SLAB NTS
NOT FOR CONSTRUCTION

