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Independent Design Review

For Central Coast Council

DA – 46209/2014/D

27-37 Mann St, Gosford

Report Title: Independent Design Review
Report No: DDC_090 – 27-37 Mann St Gosford
Issue No: v1.0
Date: 14.08.22
Prepared: Ken Dyer
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1. General

Purpose

The purpose of the Independent Design Review is to consider the proposal against the 9 Design Quality Principles contained in State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings and the Apartment Design Guide.

When considering the Design Quality Principles, the review will also have regard to the previous DA Approval documentation.

The report will identify any aspects of the design which do not achieve the one or more of the Design Quality Principles.

Details of Proposal

DA Number: 46209/2014/D

Property Address: 27-37 Mann St Gosford.

Applicant: Sneddon Planning Pty Ltd

Architect: KANNFINCH

Description of development

A development application for the Demolition of existing buildings and structures and the erection of a mixed use retail, commercial and residential apartment building (19 stories + 2 basement parking levels) was approved by the Regional Planning Panel on 15 December 2015.

The proposed modification under DA/46209/2014/D includes the modification of architectural and landscape design; minor increase in building height and FSR; increased provision of on-site carparking; reduction of apartment numbers from the originally approved 132 to 128 units; minor change to residential apartment mix; minor alteration to heritage item 37; and modify operational waste storage and collection arrangements.

Documents Reviewed (as provided via link)

- Approved Plans
- JRPP Determination & Statement of Reason
- JRPP Report Scheme 3
- Supplementary JRPP Report
- Architectural Design Report
- Appendix A - Visual Impact Statement
- Access Report
- Architecturals - Rev R
- Traffic Report - REV B
- S.4.55 Modification Statement of Environmental Effects
- Operational Waste Management Plan - Rev B
- NCC 2019 Amendment 1 Section J
- NatHERS and BASIX assessment
- Landscape Drawings
- Landscape & Public Domain Design

- Heritage Impact Report

Planning Controls

- New South Wales Government (1979) Environmental Planning & Assessment Act - Section 4.15(1)
- State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development.

2. Review

Apartment Design Guide.

Clause	Heading	Compliance Achieved		Comments
		Yes	No	
	Apartment Design Guide	-	-	
Part 1	Identifying the context	-	-	
Part 1A	Apartment building types	-	-	Tower Apartments / Hybrid Development
Part 1B	Local Character and context	✓		Objectives adequately addressed in documentation.
Part 1C	Precincts and individual sites	✓		Objectives adequately addressed in documentation.
Part 2	Developing the controls	-	-	
Part 2A	Primary Controls	-	-	Refer the individual primary controls listed below
Part 2B	Building Envelopes	✓	✓	Objectives adequately addressed in documentation. <ul style="list-style-type: none"> The proposed development is consistent with the prevailing design, bulk and scale in the Gosford City Centre. General non-compliance with previous DA Approval building envelope height & FSR as below.
Part 2C	Building Height - Previous DA Approval		✓	General compliance not adequately addressed in documentation. <ul style="list-style-type: none"> <i>Although it is stated that the proposed amended proposal is a minor numerical variation the bulk and mass of this</i>

				<p><i>variation has not been addressed. Refer mark up in Appendix A.</i></p> <ul style="list-style-type: none"> <i>The previous roof features were two raking blade walls, that appeared open, lightweight, and recessive from a distance.</i> <i>The south-west corner of the previous design stepped down on the corner fronting Mann St.</i> <i>The amended proposal effectively exceeds the previous roof height by an additional level.</i> <i>The current roof design protrudes over the lower building form to accentuate the increased height, bulk and form of the amended proposal from street level.</i> <i>Citing “buildability” as the main issue is not a credible reason, as this should have been addressed in the previous design.</i> <i>The increased height/mass shows additional overshadowing on neighbouring buildings.</i> <i>The previous DA already exceeds previous/current allowable development heights, so it is crucial that the proposed revised design stringently complies with the approved height limits.</i>
Part 2D	Floor Space Ratio Previous DA Approval		✓	<p>General compliance not adequately addressed in documentation.</p> <p>Approved FSR = 4.5:1 Proposed FSR = 4.74:1 (5.3% Increase)</p> <ul style="list-style-type: none"> <i>Although it is stated that the proposed amended proposal is a minor numerical variation, generally this increase in the FSR is significant and linked to the increase in height, bulk, scale and mass of proposed amended design.</i> <i>The variation increase is for 98m2 of commercial/retail space which could be supported as it is contained in the podium design which is inherently similar to the approved DA approval.</i> <i>The residential portion of the development is increased by some 669m2. This equates to some 39.3m2/level over all 17 levels.</i> <i>It should be noted that the top most level is some 473m2 – illustrating that the increase in FSR has directly contributed to the increase in non-conforming height.</i>

				<ul style="list-style-type: none"> <i>The amended proposal shows and increase of the approved footprint which can be directly attributed to the increase of FSR (ie 39.3m2 per level).</i> <i>The previous DA already exceeds previous/current allowable development density, so it is crucial that the proposed revised design stringently complies with the approved FSR.</i>
Part 2E	Building Depth	✓		<p>General objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> 12-18m ADG required 8-14m provided
Part 2F	Building Separation	✓	✓	<p>Minimum separation distances for buildings in ADG are:</p> <p>Up to four storeys (approximately 12m):</p> <ul style="list-style-type: none"> 12m between habitable rooms/balconies 9m between habitable and non-habitable rooms 6m between non-habitable rooms <p>Five to eight storeys (approximately 25m):</p> <ul style="list-style-type: none"> 18m between habitable rooms/balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms <p>Nine storeys and above (over 25m):</p> <ul style="list-style-type: none"> 24m between habitable rooms/balconies 18m between habitable and non-habitable rooms 12m between non-habitable rooms <p>General objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> <i>Non-compliance at nine stories and above on the eastern boundary (Parlour Lane) only 22m approx clearance to habitable spaces to existing building across Parlour Lane.</i> <i>The proposed amended design exceeds the previous DA Approval footprint in this location further increasing the non-compliance.</i>
Part 2G	Street set backs	✓		<p>General objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> General compliance with previous building outline/setback to street, only minor intrusion by balconies which would seem acceptable.

Part 2H	Side and rear setbacks	✓	✓	<p>General objectives adequately addressed in documentation. (refer also part 3F)</p> <p>General objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> • <i>Non-compliance to the previous DA approval in various areas due to increase in footprint.</i>
Part 3	Siting the development			
Part 3A	Site analysis	✓		Objectives adequately addressed in documentation
Part 3B	Orientation	✓		Objectives adequately addressed in documentation
Part 3C	Public domain interface	✓		Objectives adequately addressed in documentation.
Part 3D	Communal and open space	✓		<p>ADG Design Criteria</p> <ul style="list-style-type: none"> • Communal open space has a minimum area equal to 25% of the site (excluding deep soil planting) • Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid winter) • Note communal open space should have a minimum dimension of 3m • Common open space should be collocated with deep soil planting <p>General objectives and compliance with previous DA approval adequately addressed in documentation although no numerical calculations provided.</p>
Part 3E	Deep soil zones			<p>ADG Design Criteria</p> <p>Deep soil zones are areas of soil not covered by buildings or structures within a development. They exclude basement car parks, services, swimming pools, tennis</p>

		✓	✓	<p>courts and impervious surfaces including car parks, driveways and roof areas.</p> <ul style="list-style-type: none"> • minimum width 3m • area equal to 7-10% of the site excluding common area <p>General compliance with previous DA approval adequately addressed in documentation although no numerical values provided.</p> <ul style="list-style-type: none"> • <i>Non-compliance with ADG as no deep soil planting (not on structures) provided.</i>
Part 3F	Visual privacy	✓		<p>Design Objectives have been generally complied, refer also Part 2F Building Separation for setback commentary.</p> <p>Design elements have been utilized throughout to minimize the impact of reduced building separation to boundary like –</p> <ul style="list-style-type: none"> • Solid or partially solid balustrades to balconies at lower levels, • Screening devices, • Pop out windows to provided privacy in in one direction and outlook in another • Planter boxes incorporated into walls and balustrades to increase visual privacy • On constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies • Stepped façade to abutting residential zone. • Increased separation to living areas
Part 3G	Pedestrian access and entries	✓		Design Criteria and Objectives adequately addressed in documentation.
Part 3H	Vehicle access	✓		Design Criteria and Objectives adequately addressed in documentation
Part 3J	Bicycle and carparking	✓		<p>Design Criteria and Objectives adequately addressed in documentation</p> <ul style="list-style-type: none"> • Carparking is provided at the required rate.
Part 4	Designing the building			

	Amenity			
Part 4A	Solar and daylight access		✓	<p>Note the Architectural Design Report is incorrect in its assumption of 2 hours sunlight (which is applicable to Sydney, Newcastle and Wollongong) and should be 3 hours as per below.</p> <p>ADG Design Criteria</p> <ol style="list-style-type: none"> 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas (not applicable to this site) 2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm at mid winter 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid winter <p><i>Design Criteria has NOT been adequately addressed with in the design.</i></p> <p><i>Although there is a table of compliance in the report , the 3D views have no graphic representation on these views of the amount of sun penetration to the living rooms and private open spaces to confirm compliance especially around the 3 hour requirement.</i></p> <p><i>Note that the requirement for solar access is for living rooms and private open space not either/or.</i></p>
Part 4B	Natural ventilation	✓		<p>Design Criteria and Objectives adequately addressed in documentation</p> <ol style="list-style-type: none"> 1. At least 60% of apartments are naturally cross ventilated 2. Overall depth of a cross ventilated apartment does not exceed 18m. <p>63.2% provided with natural ventilation.</p>

Part 4C	Ceiling heights	✓		<p>Design Criteria and Objectives adequately addressed in documentation</p> <ol style="list-style-type: none"> 1. Habitable Rooms – 2.7m 2. Non-Habitable – 2.4m 3. For 2 storey apartments – 2.7 for Main Living Floor + 2.4m for second floor, where its area does not exceed 50% of apartment.
Part 4D	Apartment size and layout	✓		<p>ADG Design Criteria and Objectives adequately addressed in documentation</p> <p>Apartment sizes –</p> <p>Studio – 35m² (+35m² provided)</p> <p>One Bed – 50m² (+50m² provided)</p> <p>Two bed – 70m² (+70m² provided)</p> <p>Three bed – 90m² (+90m² provided)</p> <p>Add extra 5m² for extra bathroom</p> <p>Apartment Layouts-</p> <ol style="list-style-type: none"> 1. Master beds rooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) – 2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space) – 3. Living rooms or combined living and dining rooms have a minimum width of; 3.6m for studio/1 bed apartments or 4m for 2 & 3 bed apartments.
Part 4E	Private open space and balconies	✓	✓	<p>ADG Design Criteria and Objectives adequately addressed in documentation.</p> <p>Studio – 4m²</p> <p>One Bed – 8m² + 2m wide</p> <p>Two Bed – 10m² + 2m wide</p> <p>Three Bed – 12m² + 2.4m wide</p> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p> <p>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m</p> <p>General compliance with ADG requirements although some balconies may not fully comply.</p>

				<ul style="list-style-type: none"> Some non-compliance with ADG exists. Some balconies do not maintain full depth (2 or 2.4m) and some may include balcony space in calculation which is below 1m due to the curve nature. In particular balconies to units 04 and 05 to level 4 -17. Confirmation of compliance should be provided.
Part 4F	Common circulation and space	✓	✓	<p>Design Criteria and Objectives adequately addressed in documentation</p> <p>Minor non-compliance with number units serviced by core on lower levels and number of units serviced by lifts but appear to be reasonable variations.</p>
Part 4G	Storage	✓		<p>Design Criteria and Objectives adequately addressed in documentation</p> <p>1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided; –</p> <ul style="list-style-type: none"> Studio Apartments – 4m3 1 Bed Apartments – 6m3 2 Bed Apartments – 8m3 3+ bed Apartments – 10m3 <p>At least 50% of required storage is to be located within the apartment.</p>
Part 4H	Acoustic Privacy	✓		Design Objectives adequately addressed in documentation.
Part 4J	Noise and pollution	✓		Design Objectives adequately addressed in documentation.
	Configuration			
Part 4K	Apartment mix	✓		Design Objectives adequately addressed in documentation
Part 4L	Ground floor apartments	✓		Design Objectives adequately addressed in documentation
Part 4M	Facades	✓		Design Objectives adequately addressed in documentation
Part 4N	Roof Design	✓		Design Objectives adequately addressed in documentation

			✓	<ul style="list-style-type: none"> <i>The current roof design protrudes over the lower building form which accentuates the non-conforming increased height, bulk and form of the amended proposal from street level.</i> <i>Recommend review the position and heaviness of roof element.</i>
Part 4O	Landscaping	✓	✓	<p>Generally Design Objectives adequately addressed in documentation</p> <p><i>Non-compliance with deep soil planting – refer Part 3E</i></p>
Part 4P	Planting on structures	✓		Design Objectives adequately addressed in documentation.
Part 4Q	Universal Design	✓		Design Objectives adequately addressed in documentation.
Part 4R	Adaptive Reuse	✓		Design Objectives adequately addressed in documentation.
Part 4S	Mixed Use	✓		Design Objectives adequately addressed in documentation.
Part 4T	Awnings and signage	✓		Design Objectives adequately addressed in documentation.
	Performance			
Part 4U	Energy efficiency	✓		Design Objectives adequately addressed in documentation.
Part 4V	Water management and conservation	✓		Design Objectives adequately addressed in documentation.
Part 4W	Waste management	✓		Design Objectives adequately addressed in documentation.
Part 4X	Building Maintenance	✓		Design Objectives adequately addressed in documentation.

Clause	Heading	Achieved		Comments
		Yes	No	
	SEPP 65 Schedule 1 – Design Quality Principles			
Principle 1	Context and neighborhood character	✓		Objectives adequately addressed in documentation.
Principle 2	Built Form and scale	✓	✓	Generally, the quality of design of the built form and scale meets the objectives of this principle except for variations noted above.
Principle 3	Density		✓	<i>Objectives not adequately addressed in documentation.</i> <ul style="list-style-type: none"> <i>Non-Conformances for the FSR leading to issue with height, bulk and mass of the building as above.</i>
Principle 4	Sustainability	✓		Objectives adequately addressed in documentation.
Principle 5	Landscape	✓	✓	Generally, the quality of design of the landscaping meets the objectives of this principle. <i>Non-compliance with deep soil planting – refer Part 3E</i>
Principle 6	Amenity	✓		<i>Objectives not adequately addressed in documentation.</i> <ul style="list-style-type: none"> <i>Possible lack of conformance with solar access to units.</i> <i>Increased loss of amenity (overshadowing) to adjoining properties due increased height.</i>
Principle 7	Safety	✓		Objectives adequately addressed in documentation.
Principle 8	Housing Diversity and social interaction	✓		Objectives adequately addressed in documentation.
Principle 9	Aesthetics	✓		Objectives adequately addressed in documentation.

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Summary

The external appearance of the building is well considered and reasonably well articulated. The composition has a variety of building elements defining both vertical and horizontal elements. The façade has recessing and protruding elements that varies the scale and creates interest in the building. The proportions and arrangement of building elements are well resolved.

Although there is comparative similarity between the previous DA approval and this proposed amendment, the two main variations being proposed (FSR & increased height) are quite significant in the overall context of the development.

Although it is stated that the proposed amended proposal is a minor numerical variation to the overall height, the increased bulk and mass of this variation has not been addressed. The previous roof features were two raking blade walls, that appeared open, lightweight, and recessive from a distance. The south-west corner of the previous design stepped down on the corner fronting Mann St (refer Appendix A).

The amended proposal effectively exceeds the previous roof height by an additional level. The current roof design protrudes over the lower building form to accentuate the increased height, bulk and form of the amended proposal from street level.

Citing “buildability” as the main issue is not a credible reason for increased height, as this should have been addressed in the previous design. The increased height/mass shows additional overshadowing on neighbouring buildings leading to loss of amenity.

Generally, the increase in the FSR is significant and linked to the increase in height, bulk, scale and mass of proposed amended design.

The residential portion of the development is increased by some 669m². This equates to some 39.3m²/level over all 17 levels. It should be noted that the topmost level is some 473m² – illustrating that the increase in FSR has directly contributed to the increase in non-conforming height. The amended proposal shows an increase of the approved footprint which can be directly attributed to the increase of FSR (ie 39.3m² per level).

The previous DA already exceeds previous/current allowable development density, so it is crucial that the proposed revised design stringently complies with the approved FSR and height requirements. More work is required to the proposed amended design to ensure compliance.

There are some additional items within the report that should be addressed by the applicant to ensure a better overall compliance with the ADG and other planning requirements.

Should you require any additional information, do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Dyer', with a stylized, looped flourish at the end.

Ken Dyer

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Architect (B.Arch)
NSW Reg No. 5838

DYER DESIGN COMPANY

Trading for Dyer Family Trust
ABN 67 787 548 438

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Appendix A



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HEAVY ROOF EDGE ACCENTUATING
INCREASED HEIGHT BULK AND MASS AT
STREET LEVEL

1. Design Statement

1.1 Background

Kann Finch have been engaged by ACE TQM to prepare an amended design based on the DA approved mixed use development on the site located on the corner of Georgiana Terrace to the north, Mann Street to the west, Parlour Lane to the east and the right of way vehicular access lane to the south.

The original DA approval (15 December 2016) and subsequent modifications is for a building of 19 storeys with retail and commercial frontages to Mann Street contained in a 2 storey podium adjacent to the existing heritage building (former 'Creighton Funeral Parlour') located on the corner of Georgiana Terrace.

Basement parking is provided over several levels behind these frontages with vehicular access provided via Georgiana Terrace to the rear of the heritage building.

132 residential apartments are approved over 17 levels from the podium in a 'glass' tower form which features curved façades and 'sharp' angular edges.

DA approvals, drawings and conditions of consent are referenced in the Planning Report prepared by Doug Sneddon Planning Pty Ltd.



APPROVED DA - VIEW FROM NORTH



SIGNIFICANT INCREASED HEIGHT AND BUILDING BULK COMPARED TO APPROVED SCHEME

APPROVED DA - VIEW FROM WEST



AMENDED DESIGN - VIEW FROM NORTH



AMENDED DESIGN - VIEW FROM WEST