

Reasons for Refusal

1. The application has not adequately addressed Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007* as insufficient information has been provided to adequately demonstrate that road congestion and efficiency and pedestrian movements will be satisfactory upon development of the land.
2. The application is not supported by a BASIX certificate and the proposal has not demonstrated that it is consistent with the requirements of *State Environmental Planning Policy (Sustainability Index: BASIX) 2004*.
3. The proposed development has not demonstrated that adequate regard has been given to the following design quality principles contained within *State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)* with respect to Principle 1: Context and Neighbourhood Character, Principle 2: Built Form and Scale, Principle 3: Density, Principle 4: Sustainability, Principle 5: Landscape, Principle 6: Amenity and Principle 9: Aesthetics.
4. The proposal has not provided adequate justification for non-compliances with certain design criteria of the Apartment Design Guide nor has it been demonstrated how the following objectives of the Apartment Design Guide are achieved: 3F-1 Visual Privacy, 4B-3 Natural Ventilation and 4F-1 Common Circulation.
5. The proposal is not consistent with the R1 zone objective of the *Gosford Local Environmental Plan 2014* as the proposal has not demonstrated that that development is compatible with the desired future character of the zone or that it exhibits best practice design given its excessive bulk and scale and amenity issues.
6. The Clause 4.6 written request does not adequately address the provisions of Clause 4.6(3) to demonstrate that a contravention to the building height development standard under clause 7.7 of *Gosford Local Environmental Plan 2014* is unreasonable or unnecessary in the circumstances of the case or that there are sufficient environmental planning grounds to deviate from the standard.
7. The Clause 4.6 written request does not adequately address the provisions of Clause 4.6(3) to demonstrate that a contravention to the Floor Space Ratio development standard under clause 7.7 of *Gosford Local Environmental Plan 2014* is unreasonable or unnecessary in the circumstances of the case or that there are sufficient environmental planning grounds to deviate from the standard.
8. Insufficient information has been provided to assess the ecology impacts, in particular the Biodiversity Assessment Report does not adequately consider the impact on the Southern Myotis, which is listed as a vulnerable species under the *Biodiversity Conservation Act 2016* or justify that the impacts have been adequately offset.
9. The proposal does not adequately address the following sections of Gosford Development Control Plan 2013: Part 2 Scenic Quality and Character, Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings, Chapter 5.2 Erina, 85-93 Karalta Road, Chapter 6.3 Erosion and

Sediment Control, Chapter 6.7 Water Cycle Management and Chapter 7.2 Waste Management.

10. Insufficient information has been provided in relation to engineering, traffic impacts, ecology impacts, tree removal, erosion and sediment control and waste management.
11. The proposal is an overdevelopment of the site, inconsistent with the current and future desired character of the locality and approval is not in the public interest.