

Item No: 3.3
Title: DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford

Department: Environment and Planning

1 October 2020 Local Planning Panel Meeting

Reference: F2020/02502 - D14200533
Author: Robert Eyre, Principal Development Planner South
Manager: Ailsa Prendergast, Section Manager, Development Assessment South
Approver: Andrew Roach, Unit Manager, Development Assessment

Summary

An application has been received to demolish the existing dwelling houses and construct a residential flat building containing 34 units and 41 basement car parking spaces.

The application has been examined having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The application is required to be reported to the Local Planning Panel for determination due to:

- Variation to height. The proposed development results in a variation to maximum height of buildings applicable to the site under the provisions of State Environmental Policy (Gosford City Centre) 2018 (SEPPGCC 2018) by more than 10%.
- The proposed residential flat building is subject to the provisions of State Environmental Planning Policy No 65 (Design Quality of Residential Flat Buildings) (SEPP65).

The application is recommended for approval, subject to conditions.

Applicant	Djogo Family Holdings Pty Ltd
Owner	Djogo Family Holdings Pty Ltd
Application No	DA57145/2019
Description of Land	Lots 6 and 7 DP:28807. 93-95 Henry Parry Drive, Gosford.
Proposed Development	Demolition of 2 existing dwellings and construction of a residential flat building.
Site Area	1,154.3m ²
Zoning	B4 Mixed Use
Existing Use	Two (2) Dwelling houses
Employment Generation	No
Estimated Value	\$9,860,896.00

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Recommendation

- 1 The Local Planning Panel assume the concurrence of the Secretary of Planning for the use of Clause 4.6 to vary the height development standard of Clause 4.3 of State Environmental Planning Policy (Gosford City Centre) 2018 to permit the proposed development.**
- 2 The Local Planning Panel grant consent subject to the 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 1979.**
- 3 The Local Planning Panel advise those who made written submissions and external authorities of its decision.**

Key Issues

- Maximum building height
- Building setbacks
- Deep soil planting/landscaping
- Communal open space
- Public submissions

Precis:

Proposed Development	Demolition and construction of a 7 storey residential flat building containing 34 units, with 41 basement carparking spaces.
Permissibility and Zoning	<i>B4 Mixed Use</i> under the provisions of the <i>Gosford Local Environmental Plan 2014</i> . The proposed development is permissible with consent.
Relevant Legislation	<i>Environmental Planning & Assessment Act 1979 - Section 4.15.</i> <i>Local Government Act 1993 - Section 89</i> <i>State Environmental Planning Policy (Coastal Management) 2018</i> <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> <i>State Environmental planning Policy (Gosford City Centre) 2018</i> <i>Draft Central Coast Local Environmental Plan 2018</i>

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

	Gosford City Centre Development Control Plan 2018 <i>State Environmental Planning Policy (Infrastructure) 2007</i> <i>State Environmental Planning Policy No 65 (Design Quality of Residential Flat Buildings)</i> Apartment Design Guidelines (ADG) Central Coast Climate Change Policy
Current Use	Two dwelling houses
Integrated Development	No
Submissions	Three received

Variations to Policies

The proposed development proposes the following variation to Council policies:

Clause 4.3 SEPP(GCC) 2018-Building Height	
Standard	Maximum height 18m (Clause 4.3).
LEP/DCP	SEPP(GCC) 2018
Departure basis	Height: Nil-2.9m (16.1%) variation

Clause 5.2 Gosford City Centre Development Control Plan 2018 - Built Form	
Standard	Building setbacks (Clause 5.2)
LEP/DCP	Gosford City Centre Development Control Plan 2018
Departure basis	Setbacks: Nil - 100% variation

The Site

The site is located on the northern side of Henry Parry Drive and consists for two lots - Lots 6 and 7 DP:28807 (known as 93-95 Henry Parry Drive, Gosford).

The lots have access from Henry Parry Drive. In addition, No 93 Henry Parry Drive (the eastern lot) has from the eastern adjoining road reserve (see aerial image) and No 95 Henry Parry Drive (the western lot) has access via a right of way (6m wide) over No 94-96 John Whiteway Drive which provides a rear access from Mouat Lane to the site. **(Refer Figure 1- Lots 6 and 7).**

The site rises steeply up from Henry Parry Drive to the rear of the site. The site has a level of about RL 30.5m AHD at the Henry Parry Drive frontage, and a level of about RL 42m AHD at the rear of the site. The site has previously been benched and has a grade of about 30% from front to rear.

Each lot has a single dwelling house.

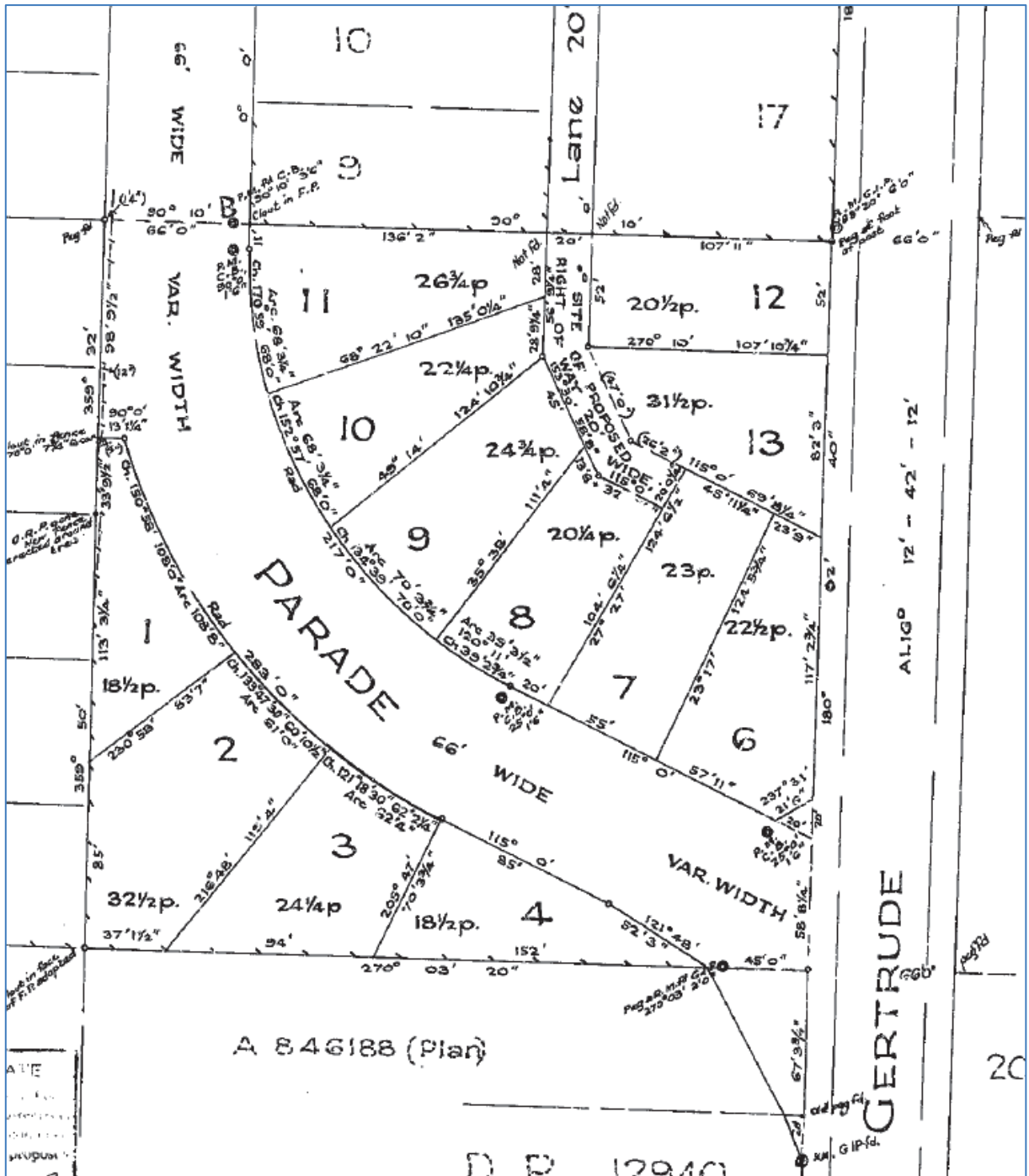


Figure 1 - DP28807



Figure 2 - Locality Plan

Surrounding Development

The surrounding development consists of a range of residential developments – from single dwelling houses to high density residential flat buildings. A number of surrounding sites have residential flat buildings under construction, completed, or approved.

- The adjoining sites to the north and west are vacant lots.
- The adjoining site to the north (No94-98 John Whiteway Drive) had a previous consent (DA39509/2010) for 41 residential units in 7 levels. This consent may have lapsed.
- The adjoining land to the west (No 97 Henry Parry Drive) had a consent for a dwelling house and this consent may have lapsed.
- The adjoining land to the east is an unconstructed public road reserve. Access to No 93 Henry Parry Drive is currently provided over this section of Gertrude Street. The area is in transition to medium/high residential development.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

- Gertrude Street and land to the east is zoned R1 General Residential with a height limit of RL54.7m AHD on the eastern side of Gertrude Street **(Refer Figure 6)**.

The Proposed Development

It is proposed to demolish the existing dwelling houses and construct a 7 storey residential flat building containing 34 units, 41 car parking spaces, 4 motorcycle spaces, and 15 bicycle spaces.

The allocation of the 34 units is as follows:

- 13 x 1 bedroom
- 19 x 2 bedroom
- 2 x 3 bedroom units, including 5 adaptable units

The 41 car parking spaces will be located in 3 basement levels with access from Henry Parry Drive.

Separate entry and exit driveways are proposed to Henry Parry Drive. Waste storage will be located within the basement levels and serviced by the through driveway from Henry Parry Drive.

The proposed building will be setback 3 metres from Henry Parry Drive up to level 4, and 5-6 metres from Henry Parry Drive above level 4.

The proposed building will be setback 3m-6m from the rear northern boundary, nil setback to the eastern (Gertrude Street) side boundary, and 2m-6m from the western side boundary.

Deep soil planting is proposed along the western and northern boundaries of the site.

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)

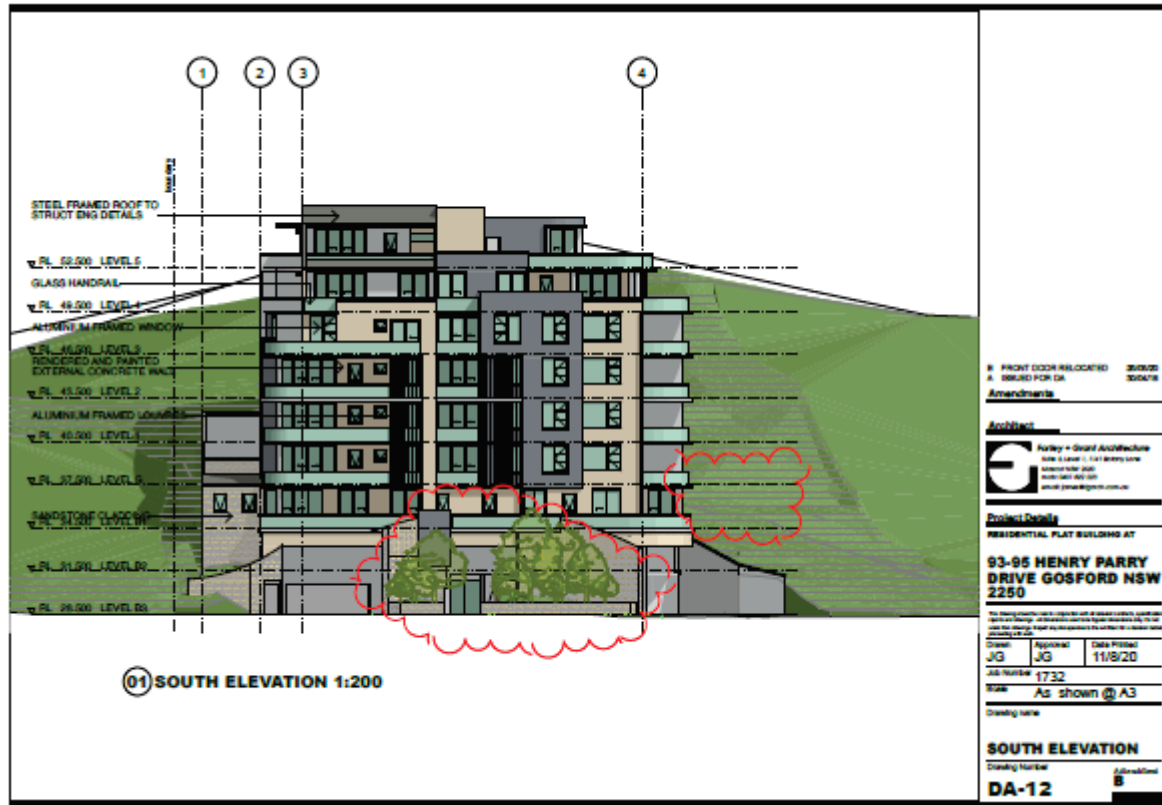


Figure 3 - Henry Parry Drive Elevation



Figure 4 - Landscape Plan

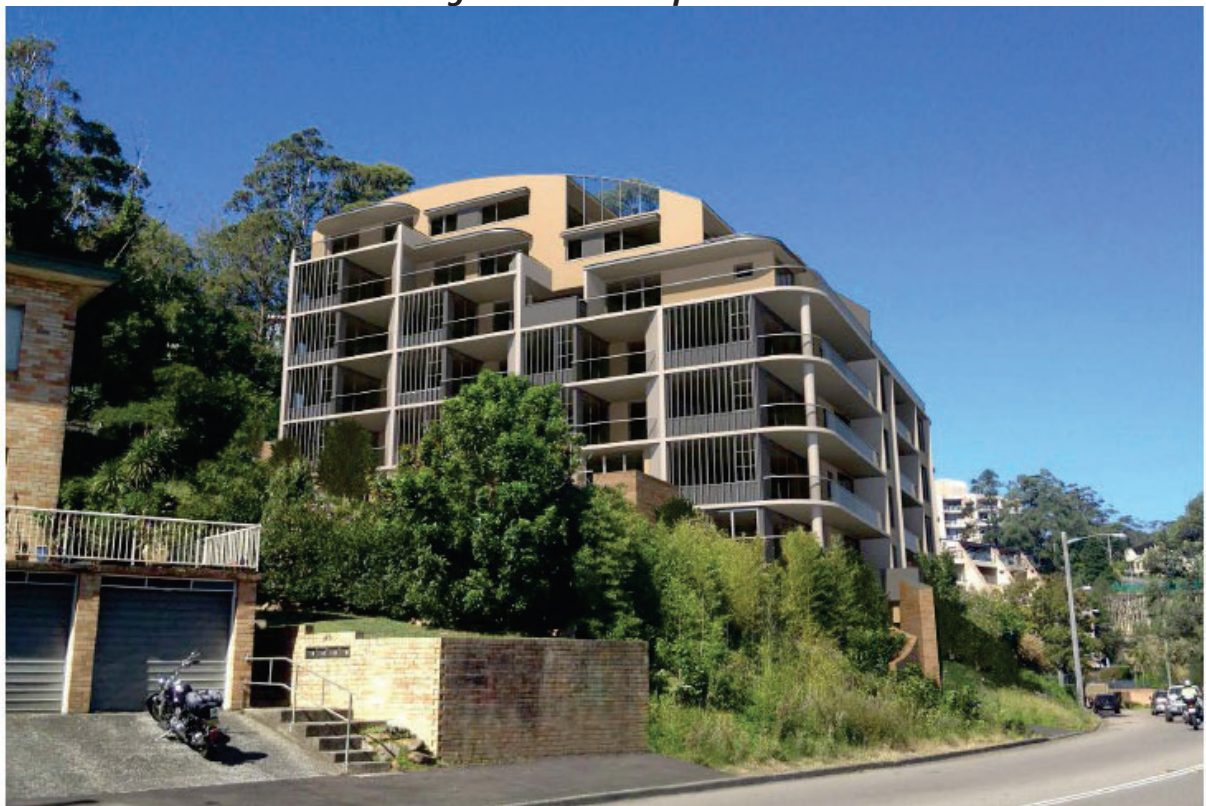


Figure 5 - Photomontage from Henry Parry Drive

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

History

There are no previous applications for the site.

Assessment

Having regard for the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other statutory requirements, the assessment has identified the following key issues, which are elaborated upon for the information of the Local Planning Panel. Any tables relating to plans or policies are provided as an attachment.

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.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

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 Areas. The Coastal Management Areas are areas defined on maps issued by the NSW Department of Planning & Environment and the subject property falls within the mapped coastal management area.

The provisions of *State Environmental Planning Policy (Coastal Management) 2018* requires 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 Industry & Environment and the subject property falls within this zone.

Division 3 'Coastal environment area' of State Environmental Planning Policy (Coastal Management) 2018 states:

'13 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

- (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.'

Assessment Comment: The proposed development does not cause an adverse impact on the matters required to be considered under Clause 13 (1) (a) – (g) or Clause 13 (2) (a) – (c) of *SEPP (Coastal Management) 2018*, as follows:

- The proposed development has no adverse impact on the integrity or resilience of the biophysical, hydrological or ecological environment.
- The proposed development has no adverse impact upon coastal environmental values or natural coastal processes.
- The proposed development has no adverse impact on the water quality of the marine estate.
- The proposed development has no adverse impact on marine vegetation; native vegetation/fauna and their habitats; undeveloped headlands; or rock platforms.
- The proposed development has no adverse impact on the public amenity of any existing public open space or public access to the coastal foreshore.
- The proposed development has no adverse impact on any known Aboriginal cultural heritage, practices or places.
- The proposed development is far removed from the "surf zone" and does not adversely impact its use by the public.
- Drainage, nutrient and erosion control measures will be installed to protect the adjoining reserve and water way.

Division 4 'Coastal use area' of State Environmental Planning Policy (Coastal Management) 2018 states:

'14 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—

(a) has considered whether the proposed development is likely to cause an adverse impact on the following—

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*

- (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) *Aboriginal cultural heritage, practices and places,*
- (v) *cultural and built environment heritage, and*

(b) is satisfied that—

- (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

(c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

(2) *This clause does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).*

Assessment Comment: The proposed development does not cause adverse impact on the matters required to be considered under Clause 14 (1) (a) – (b) or clause 2 of *SEPP (Coastal Management) 2018*, as follows:

- The proposed development will not cause an adverse impact to access along the foreshore and public reserve.
- The proposed development will not cause overshadowing, wind funneling or loss of view from a public place.
- The proposal has been designed and located to minimize visual amenity and scenic qualities to the most maximum extent possible.
- The proposal will not cause an adverse impact to and known Aboriginal cultural heritage or cultural and built environment heritage.

The following provisions of Division 5 of *SEPP (Coastal Management) 2018* apply to the consent authority's consideration of a development application on the subject land:

'15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.'

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

And:

'16 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.'

Assessment Comment: Due to its location which is not in close proximity to the coastal foreshore, the subject land is not subject to increased risk of coastal hazards and is not subject to any certified coastal management program. The proposed development will not therefore cause increased risk of coastal erosion.

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 No 65 - Design Quality of Residential Apartment Development

An independent architect has been engaged by Council to undertake a review of the proposed development. The following review has been carried out on behalf of Council by the external architect:

Apartment Design Guide

Clause	Heading	Compliance Achieved		Comments
		Yes	No	
Apartment Design Guide				
Part 1 - Identifying the context				
Part 1A	Apartment building types	✓		Residential Flat Building – narrow infill apartments.
Part 1B	Local Character and context	✓		Objectives adequately addressed in documentation especially being adjacent mixed multiple residential developments.
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"> • General compliance with building envelope requirements in LEP & DCP • Although minor variation is sort for some setbacks below
Part 2C	Building Height - SEPP (Gosford City Centre) 2018 – Clause 4.3	✓	✓	Objectives adequately addressed in documentation. <ul style="list-style-type: none"> • 18m height limit <i>Clause 4.6 Exception submitted -</i>

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and
construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

				<ul style="list-style-type: none"> • Generally minor in nature and elements are contained within the centre of the building. • No discernable impact from street level given the inherent design quality of the curved roof as a unifying element.
Part 2D	Floor Space Ratio SEPP (Gosford City Centre) 2018 – Clause 4.4	✓		<p>Objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> • Control - SEPP FSR – 2.5:1 maximum • Proposed – 2.39:1
Part 2E	Building Depth	✓		<p>General objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> • 12-18m required • 10-12m provided
Part 2F	Building Separation	✓		<p>General objectives adequately addressed in documentation.</p> <ul style="list-style-type: none"> • Control – 6-12m setback required between building (half to boundary). • 6m setback provided.
Part 2G	Street set backs GCCDCP (2018)		✓	<ul style="list-style-type: none"> • Control – front setback at ground level 3-4m and street wall height of 6 -14m. Side setback to street wall 3m and 6m setback above street wall height. • <i>Not adequately addressed. The front boundary and required setbacks should be indicated on section/elevations to ensure assessment can be made. SEE states this does not strictly complies, should indicate the graphic representation of the variation sort.</i> • <i>SEE does not address the zero setback to eastern boundary.</i>
Part 2H	Side setbacks GCCDCP (2018)		✓	<ul style="list-style-type: none"> • <i>As above.</i>
Part 2H	Rear setbacks Gosford Development Control Plan (2013)		✓	<ul style="list-style-type: none"> • <i>As above.</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>Design Criteria</p> <ol style="list-style-type: none"> 1. Communal open space has a minimum area equal to 25% of the site 2. 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) 3. Note communal open space should have a minimum dimension of 3m <p><i>Design Criteria not meet -</i></p> <ul style="list-style-type: none"> • <i>Most of the external landscaped space appears to be private courtyards.</i> • <i>Communal outdoor area is ¾ covered by building over not providing adequate daylight provision.</i>

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

				<ul style="list-style-type: none"> • Not adequately addressed in the Design verification statement or SEE to why adequate "communal" space is not provided. • Why was not additional Communal open space considered on the level 5 area noted as AC.
Part 3E	Deep soil zones	✓	✓	<p>Design Criteria minimum width 3m and area equal to 7% of the site.</p> <p>Design Criteria has been complied with in part</p> <ul style="list-style-type: none"> • 15% of site is to be deep soil planting • Note the proposal does not comply with the minimum width requirement only 2m width provided.
Part 3F	Visual privacy	✓		Design Criteria and Objectives adequately addressed in documentation for external/neighbouring sites.
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	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4 - Designing the building				
Amenity				
Part 4A	Solar and daylight access	✓		<p>Design Criteria</p> <ul style="list-style-type: none"> • In other areas, 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm mid-winter. • A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm mid-winter <p>Design Criteria has been complied with with only a small variation.</p> <ul style="list-style-type: none"> • 67% (23 of 34) achieve the 3 hours solar access. • 3% achieve no solar access <p>Generally, this can be supported on the following grounds –</p> <ul style="list-style-type: none"> • 97% (33 of 34) achieve 2 hours solar access. • This requirement is the norm for Metro areas like Sydney and Newcastle and this site is within what would be considered the Gosford Metro area. • The site is sloping to the view away from the naturally best orientation considered acceptable variation under the ADG.
Part 4B	Natural ventilation	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4C	Ceiling heights	✓		Design Criteria and Objectives adequately addressed written in documentation
Part 4D	Apartment size and layout	✓		Design Criteria and Objectives adequately addressed written in documentation

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and
construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Part 4E	Private open space and balconies	✓		Design Criteria and Objectives adequately addressed written in documentation
Part 4F	Common circulation and space	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4G	Storage	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4H	Acoustic Privacy	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4J	Noise and pollution	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4K	Apartment mix	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4L	Ground floor apartments	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4M	Facades	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4N	Roof Design	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4O	Landscaping	✓		Design Criteria and Objectives adequately addressed in documentation
Part 4P	Planting on structures	✓		Objectives in general adequately addressed in documentation. <ul style="list-style-type: none"> • Note that the SEPP 65 Report notes "There is no planting on the building being proposed" Yet the landscape drawing indicates planters are proposed. • Planters should be included to soften all the hard surface.
Part 4Q	Universal Design	✓		Objectives adequately addressed in documentation.
Part 4R	Adaptive Reuse	-	-	Not Applicable
Part 4S	Mixed Use	-	-	Not Applicable
Part 4T	Awnings and signage	✓		Objectives adequately addressed in documentation.
Performance				
Part 4U	Energy efficiency	✓		Objectives adequately addressed in documentation.
Part 4V	Water management and conservation	✓		Objectives adequately addressed in documentation.
Part 4W	Waste management	✓		Objectives adequately addressed in documentation.
Part 4X	Building Maintenance	✓		Objectives adequately addressed in documentation.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

A review against the Design Quality Principles of *State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development* is included in the table below:

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	✓		Objectives adequately addressed in documentation.
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 except for variations noted above.
Principle 6	Amenity	✓		Generally the quality of design meets the objectives of this principle except for variations noted above.
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.

Summary Comments on Design Quality

The external appearance of the building is well considered and highly articulated. The composition has a variety of building elements defining both vertical and horizontal elements, including a recognition of the very steep site.

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. The curved roof is unifying and reflective of its locale.

Although the proposal has requested a variation exceeding setback limits, this would appear minor in the context of the overall development bulk and scale, especially when considered at street level and the elements are well concealed. It is worth mentioning that the development complies with most of the requirements for this challenging site.

State Environmental Planning Policy (Gosford City Centre) 2018 - Permissibility

The subject sites LOT: 6 DP: 28807 and LOT: 7 DP: 28807 are zoned B4 Mixed Use under State Environmental Planning Policy (Gosford City Centre)2018. The proposed development is

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

defined as a residential flat building which is permissible in the zone with consent of Council.

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



Figure 6 - Zoning Plan

The following illustrates compliance under the SEPPGCC 2018.

Clause	Requirement	Proposal	Compliance
2.1 Zoning	B4 zone	Residential flat building permitted with consent	Yes
2.3 Zone Objectives	The objectives of the B4 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 maximize 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 recreational	The proposal provides a mixture of size of residential units near public transport routes, the Gosford waterfront and CBD. There is no demand for commercial premises in this location. The proposed development does not affect any view corridors and does not impact the scenic quality or character of the area.	Yes

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

	facilities, social, education and health services and higher density residential development. - To allow development in Point Frederick to take advantage of and retain view corridors while avoiding a continuous built edge along the waterfront. - To create opportunities to improve the public domain and pedestrian links of Gosford City Centre. - To enliven the Gosford waterfront by allowing a wide range of commercial, retail and residential activities immediately adjacent to it and increase opportunities for more interaction between public and private domains. - to protect and enhance the scenic qualities and character of Gosford City Centre.		
2.6 Subdivision	N/A	N/A	N/A
2.7 Demolition	Consent required	Included in application	Yes
2.8 Temporary Use of Land	N/A	N/A	N/A
4.1 Minimum subdivision lot size	N/A	N/A	N/A
4.3 Height of buildings	18m	Up to 20.9m	No-see comments below.
4.4 Floor space ratio	2.5:1	2.39:1	Yes
4.6 Exceptions to development standards	Yes- variation to height.	Clause 4.6 submission	See comments below
5.3 Development near zone boundaries	N/A	N/A	N/A
5.4 Controls relating to miscellaneous permissible uses.	N/A	N/A	N/A
5.6 Architectural roof features	N/A	N/A	N/A
5.7 Development below mean high water mark	N/A	N/A	N/A
5.10 Heritage conservation	To conserve environmental heritage	The site and adjoining sites are not identified as heritage items	Yes
7.1 Acid sulphate soils	Class 5	Works not below 5 metres AHD where watertable likely to be lowered below 1 metre AHD on Class 1-4 land	Yes
7.2 Flood planning	To minimize risk to life and property with the use of the land	Not subject to flooding	Yes
7.3 Floodplain risk management	N/A	N/A	N/A

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and
construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

7.4 Short-term rental accommodation	N/A	N/A	N/A
7.5 Location of sex services premises	N/A	N/A	N/A
8.1 Minimum building street frontage in B6	N/A	N/A	N/A
8.2 Building height on Mann Street	N/A	Not located on Mann Street	Yes
8.3 Design excellence	Ensure development contributes to natural, cultural, visual and built character of the Gosford City Centre	The proposal complies with the planning controls except for maximum height. The proposed development has been designed to fit in with the existing and proposed likely development having regard to the constraints of the site, particularly the slope and location on a main road.	See comments below on height variation
8.4 Exceptions to height and floor space in Zones B3, B4 and B6	N/A Site less than 2,800m ²	N/A	N/A
8.5 Car parking in Zones B3 and B4	1 space/75m ² for commercial and 1 space 40m ² for retail. Car parking to be below ground level or not visible from the street.	Car parking below ground level. The car parking will be located behind entry doors and the external visitor spaces will be screened by landscaping between the entry and exit driveways.	Yes
8.6 Active street frontages	Active street frontage required as per active street frontage map.	Site not located on active street frontage map	Yes
8.7 Non-residential ground floor and first floor of buildings in Zone B3	N/A	N/A	N/A
8.8 Converting serviced apartments to a residential flat building	N/A	N/A	N/A
8.9 Residential flat buildings in Zone B6	N/A	N/A	N/A
8.10 Solar access to key public open spaces	Protect and enhance sun access to key public open spaces, including Kibble Park	No shadow impact on key public open space areas	Yes
8.11 Key vistas and view corridors	Protect and enhance key vistas and view corridors in Gosford City Centre.	The site is not located in a key vista or view corridor	Yes
8.12 Community infrastructure	N/A	N/A	N/A

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

8.13 Floor space ratio in Zone R1	N/A	N/A	N/A
-----------------------------------	-----	-----	-----

State Environmental Planning Policy (Gosford City Centre) 2018 - Clause 4.3: Height of buildings

The proposed development contains non-compliance to development standards contained within the SEPP(GCC)2018 as set out below:

Development Standard	Required	Proposed	Compliance with Controls	Variation %	Compliance with Objectives
4.3 - Height of buildings	18m	18.1 to 20.9m	No - see comments below	Max 16.1%	Yes- see comments below

The objectives of clause 4.3 are:

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

Consideration of the Submission under Clause 4.6 of the SEPP (Gosford City Centre) 2018- Exceptions to Development Standards

Clause 4.6 of Gosford SEPPGCC 2018 requires consideration of the following by the consent authority:

(3) ... the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standards by demonstrating:

- a. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- b. that there are sufficient environmental planning grounds to justify contravening the development standard.*

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Comment - The applicant has submitted a written request to vary the height development standard. (**Refer attachment 15**). The applicant submission contends that the development standard should be varied for the following reasons;

- The variations are minor and can be accommodated within the consolidated site without any significant additional impacts on amenity or overshadowing of adjoining developments. The building is stepped up the site following the contours. This results in some parts of the building being below the height limit and some parts above the height limit.
- The development is of a high standard of architectural design and quality finishes and is stepped back at the higher levels. Lowering the building would result in additional excavation and part underground.
- The proposal is consistent with the objectives of the B4 zone to provide such development in close proximity to public transport and to encourage lot consolidation.
- The variation to height is only over part of the development which reduces visual impact or appearance of bulk and scale from the public areas of Henry Parry Drive and Brisbane Waters.
- The proposed development does not result in any significant or excessive loss of views or overshadowing of adjoining land or public open space.
- The proposed development provides a transition from the B4 zone to the R1 zone to the east. The top of the proposed development has a height of RL 56.7m AHD and the R1 zoned land to the east of Gertrude Street has a maximum height of RL 54.7m AHD.
- The additional height will still result in a development which is of comparable scale with existing and future development in the locality.

The applicant's written request has adequately justified that compliance with the development standards is unreasonable and unnecessary in this instance and there are sufficient environmental Planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that:

- (a) the applicant's written request has adequately addressed the matters in subclause (3), and

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

- (b) the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Assessment Comment - The proposed development is considered to be in the public interest. It provides for a high- density residential development in close proximity to public transport and the Gosford CBD/City Centre. The proposed development has been designed having regard to the site constraints, streetscape and visual impact from Brisbane Waters.

The development will not have unreasonable impacts on the adjoining residents or character of the area and is consistent with the objectives of the development standards and objectives of the B4 Zone.

- (c) the concurrence of the Secretary been obtained?

Assessment Comment - Planning Circular PS 18-003 issued 21 February 2018 states that Council/Local Planning Panel may assume the concurrence of the Secretary when considering exceptions to development standards under clause 4.6. The Council is therefore empowered to approve the application.

The request for variation has been assessed with consideration of relevant principles set out in various judgements applying to variations to development standards, including;

- *Wehbe v Pittwater Council* [2007] NSWLEC 827;
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90;
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248;
- *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7;
- *-Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118.

The request for a variation under Clause 4.6 is considered to be well founded and is recommended for support.

Gosford City Centre Development Control Plan 2018

An evaluation of the proposed development against the requirements of the Gosford City Centre Development Control Plan 2018 is set out in the following table:

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and
construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Clause	Requirement	Proposal	Compliance
3.5 Character-Other Areas	Residential areas within the city fringe will provide for a diverse range of housing to accommodate an additional 10,000 residents over the next 25 years within walking distance of the city centre..	The proposed development will contribute to the provision of diversity of housing. The site is located within walking distance of the Gosford CBD and Gosford waterfront.	Yes
4.1 Pedestrian network	Pedestrian links to be provided between streets as shown in figure 2 of DCP	Site not identified as a pedestrian link.	Yes
4.2 Public open space	New public open space in City as shown in figure 2 of DCP	Site not located in public open space area	Yes
4.3 Solar access to key public spaces	Solar access to be retained for Kibble Park and Gosford waterfront	The proposal does not overshadow the key public spaces.	Yes
4.4 Views and vistas	Built form should minimize impact on key views form Kibble Park, the waterfront, and Brian McGowan bridge to Presidents Hill, Rumbalara Reserve, and the waterfront.	The site is not located within a key view line or vista.	Yes
4.5 Footpath crossings/driveways	One single vehicular access width 2.7m for single crossing and 5.4m for double crossing. Access should be from lanes or minor streets rather than primary street. Entry point to be integrated into building design.	Access from the rear off Mouat Lane is not feasible due to width and ROW restrictions. The separate entry and exit driveways are required due to the constraints of the width of the site, slope and sight distance required on Henry Parry Drive. This is confirmed by the agreement by TfNSW for direct access to Henry Parry Drive.	Yes
4.5.2 Pedestrian overpasses and underpasses.	Discouraged in Mann Street.	Not proposed	Yes

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

<p>5.2.1 Street setbacks and rear setbacks</p>	<p>Henry Parry Drive 3m-4m Gertrude Street 3m-4m Rear setback 6m Side setbacks- Up to street wall height 3m Above street wall height 6m</p>	<p>Street setback 3m up to 14m and 5m above 14m (level5). Rear setback 3m-6m.</p>	<p>No. The variations to the building setbacks while not complying with the DCP requirements are considered suitable for the site in this location and have had regard to existing and likely future development on adjoining sites. The proposed building steps back from the street and the rear at the higher levels. The nil setback on the eastern side boundary with Gertrude Street locates the building off the western boundary to separate from future development on the western side. Gertrude Street will not be constructed as a public road and may be a future pedestrian pathway between John Whiteway Drive and Henry Parry Drive. The proposed setbacks are considered suitable for the site and do not significantly impact existing or likely future development on adjoining sites.</p>
<p>5.2.2 Street wall height</p>	<p>Street wall height 6-14m</p>	<p>Street wall height 14m</p>	<p>Yes</p>
<p>5.2.3 Active street frontages and street address</p>	<p>Required in certain locations.</p>	<p>Site not required to have active street frontage. A street address has been provided to Henry Parry Drive.</p>	<p>Yes</p>

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

5.2.4 Building setbacks and separation	3m side setback up to 14m height and 6m above 14m height.	2m–6m on western side. Nil on eastern side.	No. The setbacks on the eastern and western sides are considered appropriate for the site. The building is setback off the western boundary to mitigate the impact on future development of the adjoining sites/s to the west. The nil setback to the eastern side with the Gertrude Street road reserve is considered suitable as this part of the road reserve will never be constructed as roadway. The road reserve provides adequate separation between the proposed development and the existing residential flat building to the east of Gertrude Street.
5.2.5 Slender towers with high amenity	Maximum floor plate 750m ² above street wall height	Maximum floor plate 320m ²	Yes
5.2.6 Fine grain frontages	Maximum continuous street frontage length below street wall height 40m, have an architectural character, and to be well articulated.	N/A	Yes
5.2.7 Awnings	Awnings required for new developments identified as active street frontages.	Not required in this location.	Yes
5.2.8 Building sustainability and environmental performance.	Incorporation of measures to improve energy and water efficiency and waste minimization. Minimum 4.5 star rating for commercial buildings and a BASIX Certificate for residential development..	BASIX certificate submitted. Average star rating 5.8.	Yes
5.2.9 Above ground parking	Car parking to be wholly provided underground unless unique site conditions prevent. Car parking above ground level to have a minimum floor to ceiling height of 3.5m to enable adaption to another use in the future, and to be integrated into building design.	Three (3) levels of basement car parking are provided recessed into the slope of the land below ground level. The visual impact is not significant and acceptable. Landscaping at front mitigates impact from the street.	Yes
5.2.11 Internal amenity	Comply with SEPP 65/ADG	Refer to separate SEPP 65/ADG assessment.	Design appropriate for site.

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

5.2.12 Building services and streetscape.	Substations to be wholly located within site or integrated into the building and landscape design with high quality materials and finishes.	Substation location to be determined by Energy authority if required.	Yes
5.2.13 Landscape design	Landscape plan to be prepared by landscape architect.	Landscape plan prepared by Vision Dynamics. Landscaping proposed within front, rear and western side setbacks.	Yes
5.2.14 Site cover and deep soil planting.	Maximum site coverage 60% and minimum 15% deep soil planting.	Proposed 49% site coverage and 15.3% deep soil planting.	Yes
5.2.15 Front fences	Maximum height 1.2m	Fencing not proposed.	Yes
5.2.16 Safety and security.	Safer by design principles to be addressed.	Proposal has been designed in accordance with CPTED principles. Balconies provide natural surveillance of common and public areas. Refer condition 4.10.	Yes
5.2.17 Building exteriors	High quality external materials and finishes to be used, with low maintenance costs, and articulation to add visual interest.	Materials and finishes consist of a mix of rendered painted concrete, sandstone cladding, aluminium louvres, glass and steel roof.	Yes
5.2.18 Public artworks	Developments over 5000m2 are required to prepare a public artwork plan.	Site under 5000m2.	Yes
5.2.19 advertising and signage.	Signs to be designed and located to relate to the use of the building, be visually interesting, and of high quality.	No signs are proposed.	Yes
6.1 Key sites	Site not identified as a key site.	N/A	N/A
7.2 Pedestrian access and mobility.	Main building entry to be clearly visible from primary street with barrier free access.	Main pedestrian access from Henry Parry Drive with lifts for access. A pedestrian/traffic safety plan has been submitted for construction across the frontage of the site.	Yes
7.3 Vehicular driveways and manoeuvring areas.	Driveway to be from lanes or secondary street rather than primary street where possible. Located a minimum 6m from any intersection and 1.5m from side boundary. Vehicles to be able to enter and leave in a forward direction and access to be integrated into design of building.	Separate entry and exit driveways are provided due to the limited sight distance and the requirements of TfNSW Vehicles will be able to enter and leave in a forward direction. Access via Mouat Lane is not physically and legally possible.	Yes

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

7.4 On-site parking	On site parking to comply with AS 2890.1 2004-Parking Facilities.	Parking has been provided in accordance with ADG/RMS requirements. The parking required under RMS guidelines is 35 spaces and 41 spaces have been provided. This includes 6 disabled spaces and 7 visitor spaces. As a comparison, under GCCDCP 2018, a total of 46 spaces would have been required. The visitor car parking spaces should be retained in common property if the development is strata titled. Refer conditions 5.12 and 6.5.	Yes
7.5 Site facilities and services.	Mail boxes to be provided in one accessible location adjacent to main entry. Waste storage areas to be located for collection from rear laneway and to preserve amenity of nearby residents.	To be located in entry lobby off Henry Parry Drive. Waste management plan submitted and approved by Waste Management Officer.	Yes
8.2 Energy efficiency and conservation.	BASIX Certificate required for residential development.	BASIX certificate submitted.	Yes
8.3 Water conservation.	BASIX certificate required for residential development.	BASIX certificate submitted.	Yes
8.4 Reflectivity.	New buildings should not result in glare or discomfort to pedestrians and drivers. Visible light reflectivity should not exceed 20%.	Proposed external materials and colour scheme uses non reflective materials. Colour scheme and external materials provided in architectural plans.	Yes
8.5 Wind mitigation.	Wind Effects report required for buildings over 14m in height	Wind effects report not considered warranted due to height of surrounding ground level and minor variation to building height.	Yes
8.6 Waste and recycling.	Waste storage area to be provided to accommodate waste bins on site.	Waste management plan approved by Council's Waste Management Officer.	Yes
8.7 Noise and vibration.	Development should be designed to minimize the potential for offensive noise.	An acoustic report shall be required prior to CC and the recommendations included in the building construction certificate. Refer condition. Refer Condition 2.11.	Yes

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:

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

a) Built Environment

The subject site is zoned B4 Mixed Use under SEPP(GCC)2018 and is surrounded by residential developments. The eastern side adjoins an unconstructed road reserve and the southern side adjoins a major road being Henry Parry Drive.

The proposed development is not considered to have adverse amenity impacts to adjoining development from overshadowing, privacy, noise generating activities and views.

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken in terms of the SEPP(GCC)2018 and GCC DCP 2018 compliance. The potential impacts are considered reasonable.

b) Natural Environment

The proposed development is not considered to have any adverse impacts on scenic quality or the streetscape of Henry Parry Drive.

The redevelopment of the site will result in a development consistent with that for a residential development in this location within the Gosford city centre. There is no significant tree removal and the proposed development does not impact the natural environment of the adjoining road reserve.

The submitted SWMP, Water Cycle Management Plan and Landscape Design Report provides an overall concept which will stabilise and manage the entire site.

There will be no significant impact upon the natural environment as a result of the proposal.

c) Economic Impacts

The proposed development will have beneficial economic impacts. The proposal is considered to meet the aims of the *Central Coast Structure Plan 2036* and facilitates economic development that will lead to more local employment opportunities on the Central Coast and reduce the percentage of employed persons who travel outside the region each day for work.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

d) Social Impacts

The proposed development will have beneficial social impacts as it will provide employment in construction and the provision of medium/high density residential development in close proximity to public transport, Gosford waterfront and the Gosford CDB.

Suitability of the Site for the Development

The site is considered to be suitable for the proposed development as follows:

- The site is zoned B4 Mixed Use under SEPP(GCC)2018 Residential flat buildings are permissible under the B4 zone and the scale of the proposed development is consistent with the objectives of the zone.
- There are no environmental hazards which would prevent development of the site.
- Utility services are available to the site.
- The site is located on and near public transport facilities as well as public recreation/community facilities.

Public Submissions and Community Consultation

The application was notified in accordance with GCCDCP 2018 from 19 September 2019 to 14 October 2019. Three submissions were received during this period. The issues raised in submissions are detailed below.

- Henry Parry Drive is a state road and carries major north-south traffic. A no right turn should be required at the exit driveway or a barrier erected in the centre of the road. This is required due to poor visibility and 50 km/h speed limit in this location.

Comment: Condition 2.7 requires the installation of appropriate signage.

- Car parking is inadequate. It is likely 2 cars per unit will be needed and there is no street parking in this location for visitors. Any street parking available in the area will be used by workers during construction.

Comment: The parking provided complies with and is in excess of RMS requirements under the ADG for B4 zoned land. A construction management plan (CMP) is required as a condition of consent to mitigate the impacts on the area during construction. **(Refer condition 3.5)**

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

- The site is located on a slippery steep bend of Henry Parry Drive. Construction of part of Gertrude Street for access to the site may be a better and safer option.

Comment: Gertrude street is steep and contains a number of services within the road reserve. Council does not support construction of Gertrude Street for vehicular traffic. Construction would also result in the removal of existing trees/vegetation within the road reserve.

- The trees within Gertrude Street should be retained for the privacy of residents to the east in Quay North apartments.

Comment: It is not proposed to remove the trees within Gertrude Street as part of this development.

- No shadow diagrams or sections have been submitted

Comment: Shadow diagrams and sections were submitted and assessed during the assessment process.

- The proposal does not meet design excellence. The streetscape and view from Henry Parry Drive is hideous and the access is inadequate for furniture vans and tradesmen. Access should be from Mouat Lane.

Comment: Mouat Lane is a 6m wide narrow laneway. The site does not have frontage to Mouat Lane but does have access to Mouat Lane via a 6m wide right of way. The additional traffic generated by the proposed development could not be catered for by Mouat Lane due to the narrow road width but can be catered for by Henry Parry Drive. The design has been prepared by and reviewed by registered architects under the provisions of SEPP 65.

- The proposed building should match other buildings along Henry Parry Drive by terracing back with increasing height. The proposed building height and bulk are excessive for the size and shape of the site.

Comment: The proposed development complies with the FSR and generally complies with the street setbacks except for level 5 of the building. Other buildings along Henry Parry Drive were constructed on larger sites under previous planning controls.

- The submitted geotechnical report is inadequate.

Comment: The geotechnical report has been submitted and prepared by a geotechnical engineer and has identified site constraints and future requirements.

- It appears the building will block views of Brisbane Water from No. 94-96 John Whiteway Drive and 97-100 Henry Parry Drive.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Comment No 94-96 John Whiteway Drive is the adjoining site to the north/rear of the site. It is currently vacant and has a higher elevation (about RL40m to RL50m) than the subject site. This site has an 18m height limit and future development on this site at the higher levels will retain views over the proposed development if built to the same height limit. This is not unreasonable.

No 97-100 Henry Parry Drive is located to the west and to the side of the site and views from this site will be across Henry Parry Drive towards Brisbane Waters. The proposed development will not block views of Brisbane Waters from this site.

In accordance with the principles set down by the Land and Environment Court in *Tenacity Consulting Pty Ltd v Warringah Council* NSWLEC 140, there is no significant or unreasonable view loss from adjoining sites as a result of non-compliance with development standard of height or other planning controls.

Submissions from Public Authorities

Roads and Maritime Services (now TfNSW) advise no objections subject to conditions. Refer development engineer comments below.

Internal Consultation

Development Engineer	Supported subject to conditions - see comments below.
Tree Assessment Officer	Supported subject to conditions - see comments below.
Waste Services	Supported subject to conditions
Water and Sewer	Supported subject to conditions-see comments below.

Development Engineer

Councils Development Engineer makes the following comments:

Henry Parry Drive

The site has a southern frontage to Henry Parry Drive. Across the Henry Drive frontage there is/are:

- Kerb & gutter across the full frontage.
- A footway that has minimal formation (< 1m wide) behind the kerb & gutter and then rises sharply up to the property boundary (and within the site).
- No concrete footpath
- A kerb layback and concrete vehicle access crossing to No 95 Henry Parry Drive.
- The existing driveway will become redundant and will need to be removed.
- A bitumen vehicle access crossing associated with the access to No 93 Henry Parry Drive (though this fronts an unformed section of Gertrude Street).

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

- “No Stopping” regulatory restrictions across the whole site frontage.

Half road pavement works within Henry Parry Drive are not required for this development, although some works would be required to reinstate pavement and kerb & gutter related to longitudinal drainage works and access locations – refer to relevant sections below.

Gertrude Street

The site has an eastern frontage to an isolated section of Gertrude Street that has not been constructed to a public road standard but presently contains a driveway for access to No 93 Henry Parry Drive. This access will become redundant and is to be removed and the road reserve restored. **(Refer condition 2.5)**

Pedestrian link in Gertrude Street

As originally lodged, the application proposed to construct a stairway meandering the centre of the Gertrude Street road reserve to provide pedestrian access to the development. It is noted that an owner of the development site approached Council approximately 2-3 years ago with the request to permit closure and purchase of the section of Gertrude Street that has a frontage to the site. Council’s response to that owner was that they did not support the requested closure and that the road reserve be retained in Council ownership for future infrastructure provision, potentially for a pedestrian link between Henry Parry Drive and John Whiteway Drive and/or drainage works as an option should intensification of development within John Whiteway Drive occur in the future. In relation to the proposed stairs in Gertrude Street, verbal comments received from the Section Manager Asset Management (Casey De Pereira) indicated that the proposal for stairs within the Gertrude Street road reserve would not be supported unless the developer proposed to construct the whole pedestrian link from John Whiteway Drive to Henry Parry Drive to provide a community benefit within this road reserve (not just a benefit for the subject development). In this regard a preliminary design was requested from the applicant for consideration that is a holistic approach for pedestrian movements from Henry Parry Drive and John Whiteway Drive, and that is safe. Revised architectural plans Fortey & Grant Architecture (Job No 1732 10 sheets dated 22/5/2020 & 25/5/2020) were since submitted which now indicate the pedestrian link is no longer proposed and has been removed from the plans.

Right of carriageway / Mouat Lane

No 65 Henry Parry Drive is also accessed via a right of carriageway over a neighbouring lot (Lot 13 DP 28807) which adjoins the subject site near the north western rear corner of the site. This right of carriageway contains a narrow pavement that is only wide enough for one vehicle movement. This right of carriageway connects onto the end of Mouat Lane which has a road reserve width of 6.096m with a pavement width that generally permits a one-lane vehicle movement at a time with possible passing opportunities within in the frontages of other private properties. Vehicle access is not proposed via the right of carriageway / Mouat

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

Lane which also has a width of 6.096m. It is noted it would be difficult to construct an access in the right of carriageway that complied with AS2890.1:2004 to facilitate the proposed traffic movements for the development.

Access

The development proposes two vehicle access crossings (VAC's) within the Henry Parry Drive frontage of the site, with the western VAC related to entry only movements for passenger and servicing vehicles, and the eastern VAC related to exit only movements for passenger and servicing vehicles, as indicated in the revised architectural plan prepared by Fortey & Grant Architecture (Job No 1732 Drawing No DA-23 Amendment A dated 22/5/2020). The provision of these accesses at this location with a direct frontage to Henry Parry Drive has the concurrence from Roads & Maritime Services (RMS) subject to certain requirements being met - refer to section on RMS below.

Car parking is proposed within the development over three levels (basements 1, 2, & 3) with basement 3 being near level with the Henry Parry Drive frontage of the site. These basement levels appear to comply with AS2890 in relation to access ramps and car parking spaces, and it is recommended that any development consent be conditioned to comply with Australian Standard AS2890 as such. The design of the development would enable vehicles to enter and exit the site in a forward direction.

Within the site, the development proposes to facilitate servicing by waste vehicles within the site frontage.

Traffic

A "Traffic and Parking Assessment Report" prepared by Varga Traffic Planning Pty Ltd (Ref 18161 dated 8 June 2018) was submitted with the application at lodgement. This report:

- describes the site and provides details of the development proposal
- reviews the road network in the vicinity of the site
- estimates the traffic generation potential of the development proposal
- assesses the traffic implications of the development proposal in terms of road network capacity
- reviews the geometric design features of the proposed car parking and loading facilities for compliance with the relevant codes and standards
- assesses the adequacy and suitability of the off-street car parking and loading provided on the site

Additional information was requested of the applicant to address compliance with Section 3.2.4 & Figure 3.2 of AS2890.1:2004 and Section 3.4.5 & Figure 3.3 of AS2890.2:2018, in relation to compliance with the minimum sight distance requirements at access driveways. A site inspection (18/10/2019) indicated that the minimum sight distance requirements cannot

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

be met under the current conditions associated with the topography and vegetation in the road reserve of Henry Parry Drive. Additional information prepared by Varga Traffic Planning dated 29 May 2020 was submitted which indicated the following measures to improve sight distance and safety associated the proposed accesses for the development::

- the western driveway will be restricted to entry only vehicle movements, whilst the eastern driveway will be restricted exit only vehicle movements
- pedestrian safety visibility splays will be provided on both sides of both driveways in accordance with the requirements of Figure 3.3 of AS2890.1 – 2004
- the existing embankment and vegetation located in front of the subject site and in front of the adjacent site at Number 97 will be lowered between the kerb and the property boundary such that any remaining vegetation will not be higher than 600mm above the driveway pavement to satisfy the minimum sight distance requirements at access driveways as specified in Figure 3.2 of AS2890.1 – 2004.

The first two points are indicated in the revised architectural plans. These measures can also be appropriately conditioned with the development consent. **(Refer conditions 2.5 and 2.8)**

Comments from Roads & Maritime Services (RMS)

(Note: Since comments were initially received from RMS, RMS has been incorporated into Transport for NSW (TfNSW)).

Henry Parry Drive is a classified State road. The application was referred to RMS/Transport for NSW for comment.

It is noted that State Environment Planning Policy (Infrastructure) 2007, Division 17, section 101 (2), indicates that the consent authority must not grant consent to the development on land that has a frontage to a classified road when alternative access is available via a local road. With this in mind RMS would need to concur to the proposal to permit direct access to Henry Parry Drive as the site has potential provision for some form of alternative access arrangements from the unformed section of Gertrude Street and/or the narrow right of carriageway at the rear of the corner site. If direct access to Henry Parry Drive was denied by RMS then the development would require a major redesign. However, comments received from RMS dated 12 November 2019 did not object to the proposal for direct access off the Henry Parry Drive frontage of the site as proposed.

Comments received from RMS dated 12 November 2019 indicated the following matters as relevant to the engineering assessment of this application:

3.3

**DA 57145/2019 - Demolition of existing dwelling houses and
construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Transport for NSW Comment	Development Engineer Response
The design of the internal driveway layout needs to ensure that all vehicles can enter and exit the site in a forward manner.	The current design would facilitate this requirement.
Egress to Henry Parry Drive shall be left out only.	This can be suitably conditioned. It is also recommended that signs be placed within the front boundary of the development to advise of "No exit" at the entry vehicle crossing and "left turn only" & "No right turn" at the exit. (Refer condition 6.3)
Post development stormwater discharge from the site shall not exceed the pre development discharge from site up to the 100 year ARI event (detention calculations to be provided for the 1, 5, 10, 20 and 100 year ARI events).	On-site detention would be conditioned for the development to limit post development flows to less than or equal to predevelopment flows for all storms up to and including the 1%AEP event.
<p>Details of the proposed connection to the Henry Perry Drive drainage pit is required to ensure no damage to the Roads and Maritime infrastructure and no leaks to the adjacent road formation. Due to maintenance issues of blockages, Roads and Maritime preference is minimum 375mm diameter RCP pipe.</p> <p>Comment: 225mm diameter PVC pipe connected to RMS pit, shown in Drawing number 101 Issue B dated 19/06/2018 is not supported.</p>	<p>It is recommended that the proposed 225mm diameter pipe connection to the drainage system in Henry Parry Drive is upgraded to a 375mm RCP to comply with RMS requirements. The pipe size has been increased with the latest stormwater plans to address this matter. This can also be suitably conditioned. (Refer condition 2.5)</p> <p>Strict compliance with this RMS comment is not required as the on-site detention system can be designed to restrict outflows to compensate for those flows that may by-pass the OSD tank, which is an acceptable solution provided the total post development stormwater flows leaving the site do not exceed pre-development stormwater flows.</p>
All stormwater flows shall be fed in to the Onsite Detention (OSD) tank and then to the state road drainage system.	Drawing number 101 Issue B dated 19/06/2018 shows that the stormwater from Pit 2, 3, 4 & 5 as well as a downpipe from the east bypass the OSD tank and directly discharge to Pit 1 and then to the RMS pit on the Henry Perry Drive, which is not acceptable.
All sub-soil pipe outlets shall be connected to drainage pits.	This can be suitably conditioned
The grassed and footpath area behind the kerb up to the property boundary shall be sloping 2% towards the road.	Full formation of the footway from the back of the kerb to the property is recommended with this development.
The proposed work will involve excavation close to Roads and Maritime assets. As such, proposed development shall meet requirements of RMS Technical Direction GTD 2012/001 Excavation adjacent to RMS infrastructure which is available at link: https://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-directions/gtd_2012-01.pdf .	This can be suitably conditioned. (Refer conditions 2.6, 2.9 and 4.8)
<p>As road works are required on Henry Parry Drive (MR673), Roads and Maritime will require the developer to enter into a Works Authorisation Deed (WAD) with Roads and Maritime. Roads and Maritime would exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Roads Act, as applicable, for all works under the WAD.</p> <p>It is requested that Council advise the developer that the Conditions of Consent do not guarantee Roads and Maritime's final consent to the specific road work, traffic</p>	These matters can be suitably conditioned or advised of with a development consent. (Refer condition 4.9)

3.3

DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

Transport for NSW Comment	Development Engineer Response
<p>control facilities and other structures or works, for which it is responsible, on the road network. Roads and Maritime must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work.</p> <p>The WAD process, including acceptance of design documentation and construction, can take time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with the Roads and Maritime.</p> <p>All road works under the WAD shall be completed prior to issuing any Occupation Certificate for the development.</p> <p>All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to Roads and Maritime or Council, and to Council's requirements.</p>	
<p>Roads and Maritime recommends that the following matters should be considered by Council in determining this development:</p> <p>Roads and Maritime has no proposal that requires any part of the property.</p>	Noted.
<p>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.</p>	This could be appropriately conditioned. (Refer condition 3.5).
<p>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.</p>	The matters related to safe sight distance requirements have been addressed in the engineering assessment.
<p>Discharged stormwater from the development shall not exceed the capacity of the Henry Parry Drive stormwater drainage system. Council shall ensure that drainage from the site is catered for appropriately and should advise Roads and Maritime of any adjustments to the existing system that are required prior to final approval of the development.</p>	The development will be conditioned to provide OSD so that post development flows do not exceed predevelopment flows. Engineering plans for works within the road reserve would require concurrence from RMS prior to approval under the Roads Act. (Refer conditions 2.8 and 2.9)

Works in road reserve/s

The development, if approved as proposed, would need to undertake the following works within the road reserve/s:

3.3

DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

- Full footway formation at 2% from the property boundary to the kerb & gutter, across the full frontage of the site. No retaining walls to be located in the footway within the site frontage.
- Footway formation works and vegetation removal works within the site frontage of No 97 Henry Parry Drive to meet the minimum sight lines to vehicles for the proposed vehicle access crossings.
- Footway formation at 2% within the extent the Gertrude Street road reserve at its intersection with Henry Parry Drive. The footway formation is to be from the back of kerb in Henry Parry Drive to a straight line projection between the south-eastern corner of No 93 Henry Parry Drive to the south western corner of No 92 John Whiteway Drive.
- Removal of the redundant vehicle crossing in Henry Parry Drive and replacement with new kerb & gutter.
- Removal of the existing two vehicle access crossings (i.e. one for the access to No 95 and one for the access to the driveway in Gertrude Street road reserve).
- Removal of the vehicle crossing associated with the Gertrude Street driveway and replacement with kerb & gutter.
- Removal of the redundant driveway within the Gertrude Street road reserve.
- Construction of two heavy duty crossings in Henry Parry Drive.
- Concrete footpath across the full frontage of the site.
- Connection of stormwater from the site to the Council piped drainage system located in Henry Parry Drive.
- Adjustment services as required to accommodate the required works.
(Refer conditions 2.5, 2.6, 2.8, 2.9)

Flooding

Council's records do not indicate that the site is affected by flooding.

Drainage

The site generally grades from the rear to the Henry Parry Drive frontage of the site.

The development has the potential to generate additional stormwater flows from the site and discharge these to the downstream drainage system. Therefore, on-site detention would be required to limit post development flows back to predevelopment flows for all storm events up to and including the 1%AEP storm recurrence interval. The development has the potential to discharge additional pollutants & nutrients into the receiving downstream drainage system. Therefore, nutrient/pollution controls would be required to treat stormwater prior to it leaving the site. The development will also need to provide on-site retention (e.g. rainwater tanks) for reuse of rainwater within the development.

Stormwater Concept Plans prepared by Australian Consulting Engineers (Project No 180412, Drawing No's 000, 106-107 all Issue A dated 23/4/2018, and Drawing No's 101-105 all issue B

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

dated 19/6/2018) were submitted upon lodgement of the DA. Assessment of these details indicated a number of outstanding matters that needed to be addressed,

Revised stormwater details were lodged for the application in the form of the 'Stormwater Management Report' prepared by Australian Consulting Engineers (Report No 180412.SQR.2 dated March 2020) and the 'Stormwater Concept Plans' prepared by Australian Consulting Engineers (Project No 180412, Drawing No's 000 Issue B dated 18/12/2019, 101 Issue D dated 20/03/2020, 102 Issue B dated 19/06/2018, 103 Issue B dated 19/06/2018, 104 Issue B dated 19/06/2018, 105 Issue D dated 30/03/2020, 106 Issue B dated 18/12/2019, 107 Issue A dated 23/04/2018, & 108 Issue A dated 18/12/2019). These details indicated the following stormwater provisions for the development to address the requirements of Chapter 6.7 of Council's Gosford DCP2013:

- *On-site Detention (OSD)*: OSD is proposed via the use of a below ground concrete tank (Level 3 basement area. The OSD system is proposed for a volume of 11.6m³ as part of a combined OSD/retention tank.
- *Nutrient/pollution control*: Nutrient/pollution controls are proposed through the use of proprietary stormwater treatment measures within the on-site retention tanks, and the infiltration / OSD tank.
- *Rainwater retention*: The development proposes 16.71m³ of rain tank volume for this purpose as part of a combined OSD/retention tank.
- *Stormwater plans*: Connection of stormwater from the site to Council's drainage system in Henry Parry Drive including the provision of longitudinal street drainage to connect to the existing drainage pit in Henry Parry Drive.

The following matters have also been resolved with these stormwater details:

- The proposed pit for longitudinal street drainage in Henry Parry Drive has been relocated to be located on the western side of the 'exit' vehicle crossing and the pipeline extended accordingly to remove the pit from within the proposed vehicle crossing.
- Stormwater from the development is to connect to the relocated proposed pit via a 375mm diameter RCP (RMS requirement), with the proposed pit in the kerb line being a kerb inlet pit.
- Longitudinal street drainage provided in Henry Parry Drive is now a minimum 375diameter RCP pipe.
- Internal drainage details amended to ensure that the pipe grade will not conflict with excavated areas for access.
- Details and confirmation submitted that the on-site detention has been designed utilising a run-off routing method, and details of relevant files and the model provided.
- Details provided to confirm that the nutrient/pollution controls achieve the reduction criteria as per Chapter 6.7 of Council's Gosford DCP2013.

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

- As per Chapter 6.7 of Council's Gosford DCP2013, a Water Cycle Management Plan has been provided in the form a report addressing the stormwater requirements for on-site detention, nutrient pollution controls, rainwater retention, stormwater plans, and operation & maintenance report.

It is noted that these additional submitted storm water details were based on the architectural plans originally submitted with the DA and were not been amended to reflect the latest architectural plans that have now removed the stairs in the road reserve of Gertrude Street and proposed footway formation in Henry Parry Drive, The latest stormwater details now submitted for the application are the 'Stormwater Management Report' prepared by Australian Consulting Engineers (Report No 180412.SQR.3 dated 29 May 2020) and the 'Stormwater Concept Plans' prepared by Australian Consulting Engineers (Project No 180412, Drawing No's 000 Issue B dated 18/12/2019, 101 Issue E dated 29/05/2020, 102 Issue C dated 29/05/2020, 103 Issue C dated 29/05/2020, 104 Issue C dated 29/05/2020, 105 Issue E dated 29/05/2020, 106 Issue C dated 29/05/2020, 107 Issue A dated 23/04/2018, & 108 Issue A dated 18/12/2019). These latest details reflect the revised architectural plans which have removed the proposed stairs within the road reserve of Gertrude Street. It is considered that these latest stormwater concepts are adequate and sufficient to assess stormwater matters for the purpose of the DA assessment.

Tree/Landscape Considerations

The proposed plans do not nominate tree removal, however onsite it was noted that several smaller ornamental will require removal.

Larger trees such as Eucalypt, Camphor laurel, Pencil Pine and Crape Myrtle located on the near the eastern boundary are a reasonable distance from new works and not expected to be adversely impacted.

At the time of inspection it was noted that the Camphor laurel was in severe decline (near dead) and likely to be removed.

Landscape Plan shows planting of five (5) larger trees (Apple Gum) within the development and smaller native trees such as Lilly Pilly and Blue berry Ash.

The amended landscape plan provides street tree planting within the available areas of the road reserve and planter boxes on balconies.

Water and Sewer

- The development site is located within the Water & Sewer Redevelopment Developer Services Plan (DSP) Area.
- Water and sewer is available to the land.

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

- The developer shall be required to obtain a Section 307 certificate for development of the land. **(Refer condition 2.3)**
- Water and sewer developer (S307) contributions apply. The current water contribution is \$2,585 and sewer contribution is \$1,816.
- Apartment will be assessed based on the number of bedrooms per unit, eg 1-bedroom unit is 0.5 ET, 2-bedroom unit is 0.75ET and 3 bedrooms is 1 ET.
- Applicant can obtain flow and pressure result for the existing water network via Council to assist the hydraulic design for the proposed firefighting system.
- Council's 100mm CICL water main and 150mm gravity sewer main are located in Henry Parry Drive reserve directly fronting the development site. Dependent upon required works for the new access crossover the main may be impacted. Any works relates to Water and sewer infrastructures shall be at the developer's cost.

Shadow Impacts

The shadow diagrams submitted by the applicant indicate that the site and adjoining sites are in shadow at 9am in June due to the height of the terrain behind the site.

At midday the shadow impact of the proposed development is mainly over Henry Parry Drive, and at 3pm is mostly over Gertrude Street Road reserve, with some shadow impact on the side of the residential flat building to the east of Gertrude Street.

It is considered the shadow impact of the proposed development and variation to height do not significantly impact adjoining sites and is not unreasonable given the slope of the land.

Isolation/Redevelopment of Adjacent Sites.

The proposed development relies on the amalgamation of Nos 93 and 95 Henry Parry Drive to achieve a higher or intensification of development. Such amalgamation is necessary to achieve economic and orderly development under the relevant planning controls. The proposed development should not result in isolation of adjoining sites for future development.

The two adjoining sites to the west include a vacant lot and an old residential flat building which has been strata subdivided. The 6 metre setback of the proposed development to the western boundary would not constrain future development on one or both these lots.

The adjoining sites to the north have had a previous consent for a residential flat building over three lots which did not proceed. Similarly the proposed development will not restrict development on the adjoining land to the north.

Development at Zone Interface

In *Seaside Property Developments Pty Ltd v Wyong Shire Council* [2004] NSWLEC 117 the planning principle was established that any development in one zone needs to take into

3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building 93-95 Henry Parry Drive, Gosford (contd)

account the form of existing development and/or development likely to occur in the adjoining different zone.

The adjoining land on the eastern side is zoned R1 General Residential and has a maximum building height of RL 54.7m AHD. The proposed development has a height of RL 49.5m to 56.7M AHD. The road reserve of Gertrude Street separates the proposed development from the existing residential flat building on the other side of Gertrude Street and provides an appropriate transition from the B4 zone to the R1 zone.

Other Matters for Consideration:

Section 7.12 Contributions

Contributions may be applicable to development which is subject to section 7.12 Contributions Plan - Gosford City Centre. Development contributions are only levied where the proposed cost of works exceeds \$250,000 and the gross floor area of the development is increased. In this instance, the proposed development increases the gross floor area and the value of the works is \$9,860,896.00. A condition of consent has been imposed requiring the development contribution to be paid prior to the issue of any Construction Certificate. **(Refer to Conditions 2.10 and 2.11)**

Bushfire

The land is identified as bushfire prone land. The bushfire report submitted concludes that the building will be provided with passive bushfire protection measures that comply with AS3959-2009 for ember protection and the proposed building does not require a performance based bushfire compliance solution.

Geotechnical Assessment

The geotechnical report identifies that the site has been modified in the past due to previous building works. The site has been modified by benching of 2 to 3 metres in depth. Excavation will be founded on Terrigal Formation Sandstone and/or siltstone which has low strength. It is recommended that further geotechnical investigation be carried out to verify subsurface conditions and geotechnical parameters.

The site is classified as Class P (Problem) due to the presence of uncontrolled fill and a moderate risk of instability.

The report concludes that based on engineering judgement, the likelihood of landslide failure is assessed to be unlikely and the consequence of failure is assessed to be major. The overall slope failure is assessed to be moderate and can be reduced to low by design and construction as outlined in the geotechnical report.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

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 the retention of vegetation where possible 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 the assessment of the application.

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

The Public Interest

The approval of the application is considered to be in the public interest as follows:

- The proposal will generate social and economic benefits for the community by providing additional commercial and residential accommodation near public transport;
- The proposal is consistent with the relevant objectives of the applicable environmental planning framework, including the SEPP(GCC)2018 and GCCDCP2018.
- The proposal does not result in any unreasonable environmental impacts and will not unreasonably impact the amenity of neighbouring properties.

Conclusion

This application has been assessed against the heads of consideration of Section 4.15 of the Environmental Planning & 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 an 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.

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford (contd)**

Accordingly, the application is recommended for **approval** pursuant to Section 4.16 of the Environmental Planning and Assessment Act.

Reasons for the Decision

The reasons for the decision as recommended under the assessment of this application are as follows:

1. The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
2. The proposal has been considered against the provisions of State Environmental Planning Policy (Gosford City Centre) 2018 and has been found to be satisfactory.
3. There are no significant issues or impacts identified with the proposal under s.4.15 of the Environmental Planning and Assessment Act 1979.

Attachments

1	Conditions - 93-95 Henry Parry Drive, Gosford - DA 57145/2019	D14204638
2	Architectural Plans - 93-95 Henry Parry Drive, Gosford - DA 57145/2019	D14203446
3	Shadow Diagrams - 93-95 Henry Parry Drive, Gosford - DA 57145/2019	D14203188
4	Calculations - 93-95 Henry Parry Drive, Gosford - DA 57145/2019	D14203189
5	Landscape Plans - 93-95 Henry Parry Drive, Gosford - DA 57145/2019	D14206834

Attachment 1: Conditions of Consent**1. PARAMETERS OF THIS CONSENT****1.1. Approved Plans and Supporting Documents**

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

Architectural Plans by: Fortey+Grant Architecture

Drawing	Description	Sheets	Issue	Date
DA-00	Site Analysis	1	A	30/04/2018
DA-01	Roof & Site Plan	1	B	22/05/2020
DA-02	Basement 3 Plan	1	E	15/07/2020
DA-03	Basement 2 Plan	1	B	22/05/2020
DA-04	Basement 1 Plan	1	B	25/05/2020
DA-05	Level G Floor Plan	1	B	25/05/2020
DA-06	Level 1 Floor Plan	1	A	30/04/2018
DA-07	Level 2 Floor Plan	1	A	30/04/2018
DA-08	Level 3 Floor Plan	1	A	30/04/2018
DA-09	Level 4 Floor Plan	1	A	30/04/2018
DA-10	Level 5 Floor Plan	1	A	30/04/2018
DA-11	North Elevation	1	A	30/04/2018
DA-12	South Elevation	1	B	25/05/2020
DA-13	East Elevation	1	B	25/05/2020
DA-14	West Elevation	1	A	30/04/2018
DA-15	Section	1	B	25/05/2020
DA-16	Section	1	A	30/04/2020
DA-17	Calculations	1	B	04/05/2020
DA-18	Height Planes	1	C	25/05/2020
DA-19	Shadow Diagrams	1	B	04/05/2020
DA-20	Materials and Finishes	1	A	30/04/2018
DA-21	Photomontage	1	A	30/04/2018
DA-22	Shadow Views	1	A	30/04/2018
DA-23	Footpath & Traffic Safety Plan	1	A	21/05/2020

Supporting Documentation

Document	Title	Date
Coastplan	Statement of Environmental Effects Project No 1735	July 2019
Coastplan	Waste Management Plan	06/08/2020
Australian Consulting Engineers P/L	Stormwater Management Report No 180412.SQR.3	May 2020

Australian Consulting Engineers P/L	Stormwater Concept Plans	18/12/2019, 29/05/2020, 23/04/2018
Forty+Grant Architecture	SEPP 65 Report	March 2020
Varga Traffic Planning P/L	Traffic & Parking Assessment Report Ref 18161	08/06/2018
Clarke Dowdle & Associates	Bushfire Assessment Report	May 2018
CKGeotech	Preliminary Geotechnical Assessment CKG 0736-1	August 2019
Assistive Technology Australia	Access Report (FP1803-02)	04/05/2018
Victor Lin	Nathers Assessment Certificate No 0004097950	08/08/2019
Victor Lin	BASIX Certificate No 919707M_02	08/08/2019
Coastplan	Clause 4.6 Submission.	18/08/2020

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

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than;
- Site investigation for the preparation of the construction, and / or
 - Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - Demolition approved by this consent.

- 2.3. 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. Early application is recommended.

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

- 2.4. 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.

- 2.5. Obtain a Roads Act Works Approval by submitting an application to Council for a Section 138 Roads Act Works Approval for all works required within the road reserve. The application is to be lodged using an Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works form.
- The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council's Civil Works Specifications.
- Fees, in accordance with Council's Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.

Design drawings, reports and documentation will be required to address the following works within the road reserve:

Construction of concrete footpath 1.5 metres wide for the full street frontage of the development in Henry Parry Drive.

Construction of concrete footpath 1.5 metres wide across the frontage of the Gertrude Street road reserve frontage of Henry Parry Drive, to connect the required footpath within the site frontage in Henry Parry Drive to the existing concrete footpath within the Henry Parry Drive frontage of No 92 John Whiteway Drive.

Construction of the road verge/footway formation graded at +2% from the top of existing kerb to the property boundary, across the full frontage of the site in Henry Parry Drive. Construction to include transitions to existing formation either side of the site.

Construction of road verge/footway formation at 2% within the extent the Gertrude Street road reserve frontage of Henry Parry Drive. The footway formation is to be from the back of kerb in Henry Parry Drive to a straight line projection between the south-eastern corner of No 93 Henry Parry Drive to the south western corner of the Henry Parry Drive frontage of No 92 John Whiteway Drive. Construction to include transitions to existing formation.

1. Construction of the road verge/footway formation within the Henry Parry Drive frontage of No 97 Henry Parry Drive, with a minimum width of 1.5m graded at +2% from the top of existing kerb towards the property boundary, and additional footway formation adjustments and removal of vegetation as required to achieve the minimum sight stopping distance

lines as per Australian Standard 2890. Construction to include transitions to existing formation.

2. Construction of an industrial/commercial type vehicle access crossing within the western side of the site frontage in Henry Parry Drive, that has a width and splay that can accommodate the swept turning path of an AS2890.2018 12.5m HRV entering the site from an eastbound direction in Henry Parry Drive.
3. Construction of an industrial/commercial type vehicle access crossing within the eastern side of the site frontage in Henry Parry Drive that has a width and splay that can accommodate the swept turning path of an AS2890.2018 12.5m HRV exiting the site to an eastbound direction in Henry Parry Drive.
4. Heavy-duty gutter crossings and road pavement adjacent to the required vehicle access crossings. .
5. Removal and replacement of all damaged kerb and gutter with new kerb and gutter.
6. Removal of all redundant laybacks in the kerb line and replacement with new kerb & gutter.
7. Removal of the existing two vehicle access crossings (i.e. one for the access to No 95 and one for the access to the driveway in Gertrude Street road reserve). The road verge/footway formation is to be reinstated and stabilised with topsoil, turf and footpath.
8. Removal of the redundant driveway within the Gertrude Street road reserve and reinstatement of the disturbed area with suitable landscaping.
9. Construction of longitudinal street drainage with a minimum 375mm diameter RCP, to connect stormwater from the site to Council's existing piped storm water drainage system in Henry Parry Drive.
10. Construction of a stormwater pipeline across the footway in Henry Parry Drive with a minimum 375 diameter RCP to connect to the required longitudinal stormwater pipeline and existing Council's piped stormwater drainage system in Henry Parry Drive.
11. Construction of any works required to transition new works into existing infrastructure and the surrounding land formation.

The design is to be certified by a registered practising Civil or Structural engineer as being in accordance with Australian Standards.

2.6. Where works required by this condition are located on a Classified Roads concurrence to the design of the works from The Roads and Maritime Services (RMS) must be received by Council from the RMS and the developer will be required to enter into a Works Authorisation Deed (WAD) with the RMS prior to Council issuing the Section 138 Works Approval.

The section 138 Roads Act Works Approval must be issued by Council and all conditions of that approval must be addressed prior to occupying and commencing any works in the road reserve.

2.7. Submit to Council a dilapidation report detailing the condition of all Council assets within the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs, street lights or any other Council assets in the vicinity of the development. The dilapidation report will be required to be submitted to Council prior to the issue of the Section 138 Roads Act Works approval or the issue of any construction certificate for works on the site. The dilapidation report may be updated with the approval of Council prior to the commencement of works. The report will be used by Council to establish damage to Council's assets resulting from the development works.

- 2.8. Submit to the Accredited Certifier responsible for issuing the construction certificate for works within the development site detailed design drawings and design reports for the following engineering works:
Construction of driveways, ramps and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities and other applicable Australian Standards.
1. Construction of a stormwater detention system. Design in accordance with Chapter 6.7 - Water Cycle Management of the Gosford Development Control Plan 2013. and Council's Civil Works Specifications. The stormwater detention system must limit post development peak flows from the proposed development to less than or equal to predevelopment peak flows for all storms events up to and including the 1% Annual Exceedance Probability (AEP) storm event. A runoff routing model/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 flow paths.
 2. Construction of nutrient and pollution control measures. Design in accordance with Chapter 6.7 - Water Cycle Management of the Gosford Development Control Plan 2013. A nutrient and pollution control report including an operation and maintenance plan must accompany the design.
 3. Construction of on-site stormwater retention measures. Design in accordance with Chapter 6.7 - Water Cycle Management of the Gosford Development Control Plan 2013. 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.
 4. Construction stormwater drainage collection and piping of all stormwater runoff from areas within the site via an on-site stormwater detention facility to the approved connection with Council's drainage system located in Henry Parry Drive.
 5. Construction of retaining walls where indicated on development approval documentation. Retaining wall design must not conflict with existing or proposed services or utilities. Retaining walls designs for wall greater than 600mm in height must be certified by a registered practising Civil or Structural engineer as being in accordance with Australian Standards.

6. Provision of signage adjacent to the western driveway and within the property boundary to advise exiting vehicles "No exit".
7. Provision of signage adjacent to the eastern driveway and within the property boundary to advise exiting vehicles "Left Turn Only" and "No Right Turn".
8. All subsoil pipes shall be connected to drainage pits.

Detailed design drawings and design reports acceptable to the Accredited Certifier must be included in the Construction Certificate documentation.

- 2.9. As road works are required on Henry Parry Drive (MR673), Transport for NSW will require the developer to enter into a Works Authorisation Deed (WAD) with Roads and Maritime. Transport for NSW would exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Roads Act, as applicable, for all works under the WAD.

Conditions of Consent do not guarantee Transport for NSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. Transport for NSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work.

The WAD process, including acceptance of design documentation and construction, can take time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with the Transport for NSW.

- 2.10. Pay to Council a contribution amount of **\$98,608.96**, that may require adjustment at time of payment, in accordance with the Section 7.12 Development Contribution Plan - Gosford City Centre.

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

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

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

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

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

2.11. 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

2.12. The preparation and submission of an acoustic report prepared by a qualified and experienced acoustic engineer to address the impact of traffic noise from Henry Parry Drive on the amenity of the residential units. The recommendations of the acoustic report shall be incorporated into the building design and the Construction Certificate.

2.13. 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 and land located on adjoining properties. The report must indicate the land and structure's ability to withstand the proposed excavation, and any measures required to ensure that no damage to these structures or land 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. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifying Authority for the building work:
 - 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.centralcoast.nsw.gov.au
- 3.3. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - a) The name, address and telephone number of the principal certifying authority for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.
- 3.4. 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.centralcoast.nsw.gov.au.

[Contact Council prior to submitting these forms to confirm the relevant fees.](#)

3.5. Prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.

The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.

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

- Ingress and egress of construction related vehicles to the development site.
- Details of the various vehicle lengths that will be used during construction and the frequency of these movement.
- Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate and exit the site or Works Zone in a forward direction.
- Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required).
- Works Zones if heavy vehicles cannot enter or exit the site in a forward direction.
- Control of pedestrian and vehicular traffic where pre-construction routes are affected.
- Temporary Road Closures.

Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council or the Roads and Maritime Service where on a classified road.

Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone Application must be lodged and approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.

The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.

A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request.

- 3.6. Submit to Council a completed Notice of Intention to Commence Subdivision, Roads and Stormwater Drainage Works form with supporting documentation prior to the commencement of any Subdivision Works Certificate works, Roads Act Works Approval works, or Section 68 Local Government Act Stormwater Drainage Works Approval works. These works are not to commence until a pre-commencement site meeting has been held with Council.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. 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.

- 4.3. 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 & 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*.

- 4.4. Implement and maintain all erosion and sediment control measures 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.
- 4.5. 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.
- 4.6. 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*.

- 4.7. Arrange with the relevant service provider / Authority (eg. Ausgrid, Jemena, communications provider) for the supply of services concurrently with the engineering work approved by this consent. Arrangements must include, where required, any relocation of existing mains and services, and dedication of easements for mains and services.
- 4.8. The proposed work will involve excavation close to Roads and Maritime assets. As such, proposed development shall meet requirements of RMS Technical Direction GTD 2012/001 Excavation adjacent to RMS infrastructure which is available at link: https://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-directions/gtd_2012-01.pdf .
- 4.9. All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to Roads and Maritime or Council, and to Council's requirements.
- 4.10. Incorporate the following Crime Prevention Through Environmental Design (CPTED) principles and strategies to minimize the opportunity for crime:
- a. Provide adequate lighting to common areas as required under *AS1158: Lighting for roads and public spaces*.
 - b. Paint the ceiling of the car park white.
 - c. Design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity.
 - d. Design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises.
 - e. Provide signage within the development to identify all facilities, entry/exit points and direct movement within the development.
- 4.11. Submit a report prepared by a registered Surveyor to the Principal Certifying Authority at each floor level of construction of the building (prior to the pouring of concrete) indicating that the finished floor level is in accordance with the approved plans.
- 4.12. 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 10m² 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, and
- b. friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

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*.

- 4.13. Implement the requirements of the Waste Management Plan listed as supporting documentation in this development consent.
- 4.14. Demolish buildings in a safe and systematic manner in accordance with AS2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.
- 4.15. 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. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the *Plumbing and Drainage Act 2011*.
- 5.3. Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.

5.4. Amend the Deposited Plan (DP) to:

- include an Instrument under the Conveyancing Act 1919 for the following restrictive covenants; with 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

- 1. create a Restriction as to use of land 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

And,

- include an instrument under the Conveyancing Act 1919 for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s)
 - to ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that
 - the facility will remain in place and fully operational
 - the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner
 - Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost
 - 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.

- 5.5. Complete construction of driveways, ramps and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities, other applicable Australian Standards and detailed designs and reports within the construction certificate. Certification by a suitably qualified person that construction is complete is to be provided to the Principal Certifying Authority.
- 5.6. Construct any additional civil works, where required by Council, to ensure satisfactory transitions to existing site formations and pavements where designs contained in the Roads Act Works Approval do not adequately address transition works.
- 5.7. Complete construction of the stormwater management system in accordance with the Stormwater Management Plan and Australian Standard AS 3500.3-Stormwater drainage systems. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifier.
- 5.8. Complete construction of all works within the road reserve in accordance with the Roads Act Works Approval. Completion of works includes the submission and acceptance by Council of all work as executed drawings plus other construction compliance documentation and payment of a maintenance/defects bond to Council in accordance with Council's Fees and Charges.
- 5.9. Repair any damage to Council's infrastructure and road reserve as agreed with Council. Damage not shown in the dilapidation report submitted to Council before the development works had commenced will be assumed to have been caused by the development works unless the Developer can prove otherwise.
- 5.10. All road works under the required Works authorisation Deed (WAD) entered into between the developer and Transport for NSW shall be completed prior to issuing any Occupation Certificate for the development.
- 5.11. Complete landscaping works.
- 5.12. The provision and marking of seven (7) visitor car spaces. In the event of strata subdivision, the seven (7) visitor car spaces are to be retained within common property and not allocated to any residential unit.

- 5.13. The consolidation of lots 6 and 7 DP28807 into one (1) allotment prior to the issue of an Occupation Certificate.
- 5.14. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.

6. ONGOING OPERATION

- 6.1 Maintain all works associated with the approved Landscape Plans for a period of twelve (12) months from the date of the issue of any Occupation Certificate to ensure the survival and establishment of the landscaping.
- 6.2 Replace all damaged, dead or missing areas of lawn and plantings at the completion of the landscaping maintenance period, including adjoining road reserve areas that are in a state of decline, to a healthy and vigorous condition in accordance with the approved detailed Landscape Plans and Development Consent Conditions.
- 6.3 The following traffic safety measures are applicable for the ongoing operation of the development.
- The western driveway will be restricted to entry only vehicle movements.
 - The eastern driveway will be restricted exit only vehicle movements.
 - Vehicles exiting the site must turn lefty into Henry Parry Drive. No right turn into Henry Parry drive are permitted.
- 6.4. Do not store materials, waste matter or products outside the building or the approved waste storage area at any time.
- 6.5. The provision and marking of seven (7) visitor car spaces. In the event of strata subdivision, the seven (7) visitor car spaces are to be retained within common property and not allocated to any residential unit.
- 6.6. Compliance with the Waste Management Plan dated 6 August 2020 prepared by Coastplan Consulting.
- 6.7. Operate and maintain all external lights in accordance with the *AS4282-1997: Control of the obtrusive effects of outdoor lighting*.

7. 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

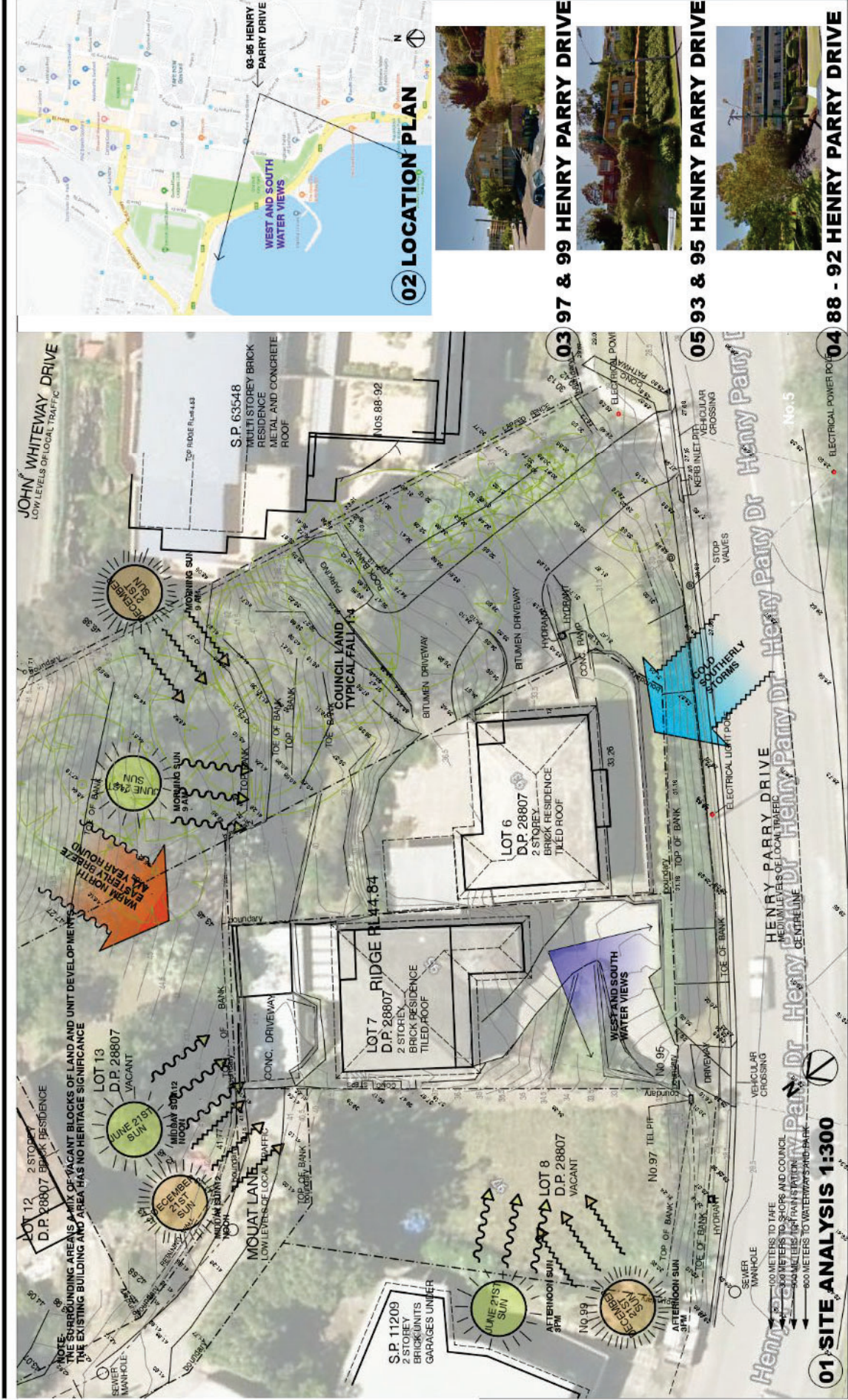
Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

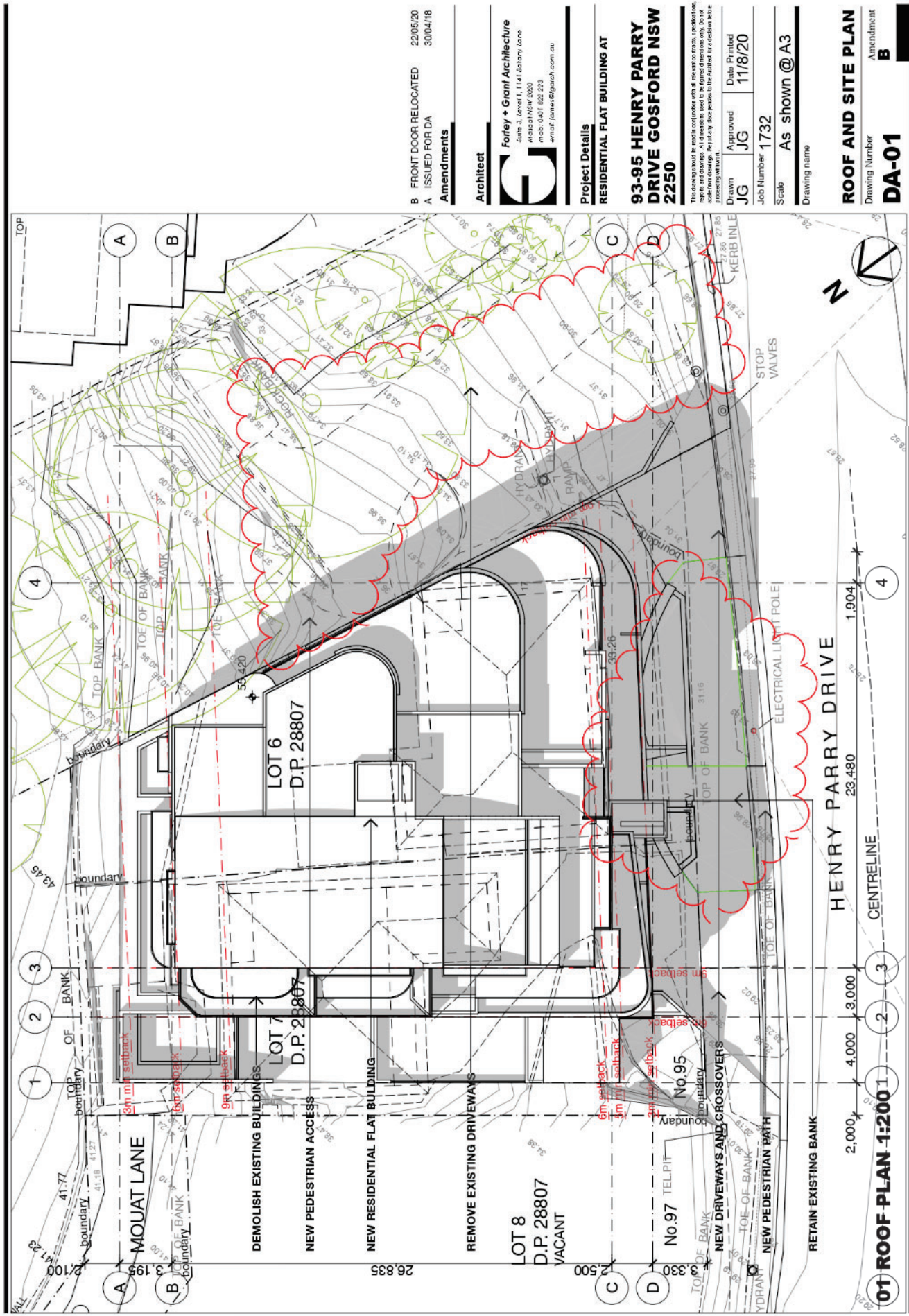
- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements 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 at: www.centralcoast.nsw.gov.au



Amendments		Project Details	
A	ISSUED FOR DA	RESIDENTIAL FLAT BUILDING AT	
3004/18		93-95 HENRY PARRY DRIVE GOSFORD NSW 2250	
Architect		Architect	
 Forley + Grant Architecture Scale 3 Level 1, 1141 Eskaya Lane Mascot NSW 2020 mobile: (0401) 822 223 email: fgr@forleyandgrant.com.au Nominated Architect James Grant 6340		Drawn: JG Approved: JG Job Number: 1732 Scale: As shown @ A3	
01 SITE ANALYSIS 1:300		03 97 & 99 HENRY PARRY DRIVE	
02 LOCATION PLAN		05 93 & 95 HENRY PARRY DRIVE	
04 88 - 92 HENRY PARRY DRIVE		06 SITE ANALYSIS	
Amendments Drawing Number Amendment		Drawing name DA-00 A	



B FRONT DOOR RELOCATED 22/05/20
 A ISSUED FOR DA 3/00/4/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3, Level 1, 114 of Dalrymple Lane
 Wauchope NSW 2533
 mobile: 0487 882 253
 email: forley@forleygrant.com.au

Project Details

RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing shall be read in conjunction with all relevant contracts, specifications, reports, and drawings. All dimensions shall be figured dimensions only. Do not rely on dimensions shown on this drawing. Report any discrepancies to the architect for a decision before proceeding with work.

Drawn JG Approved JG Date Printed 11/8/20

Job Number 1732

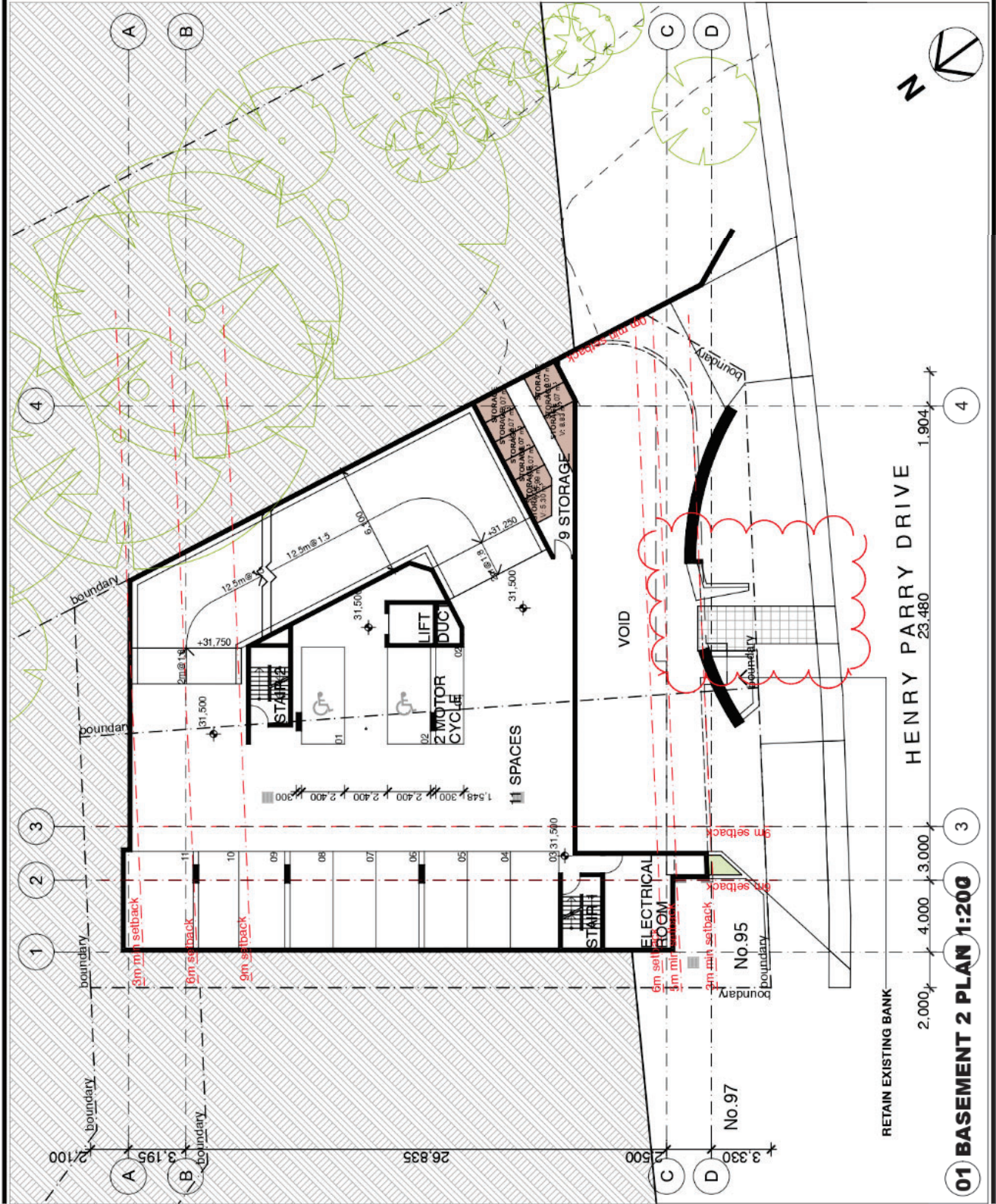
Scale As shown @ A3

Drawing name

ROOF AND SITE PLAN

Drawing Number Amendment

DA-01 B



B FRONT DOOR RELOCATED 22/05/20
 A ISSUED FOR DA 3/00/4/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3 Level 1, 114 of Debra Lane
 Warabito NSW 2263
 mob: 0481 882 223
 email: forley@fgarch.com.au

Project Details

RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing should be read in conjunction with all relevant contracts, specifications, reports, and drawings. All dimensions shall be given in millimetres unless otherwise stated. Repetitive dimensions shall be indicated by a leader line pointing to them.

Drawn JG Approved JG Date Printed 11/8/20

Job Number 1732

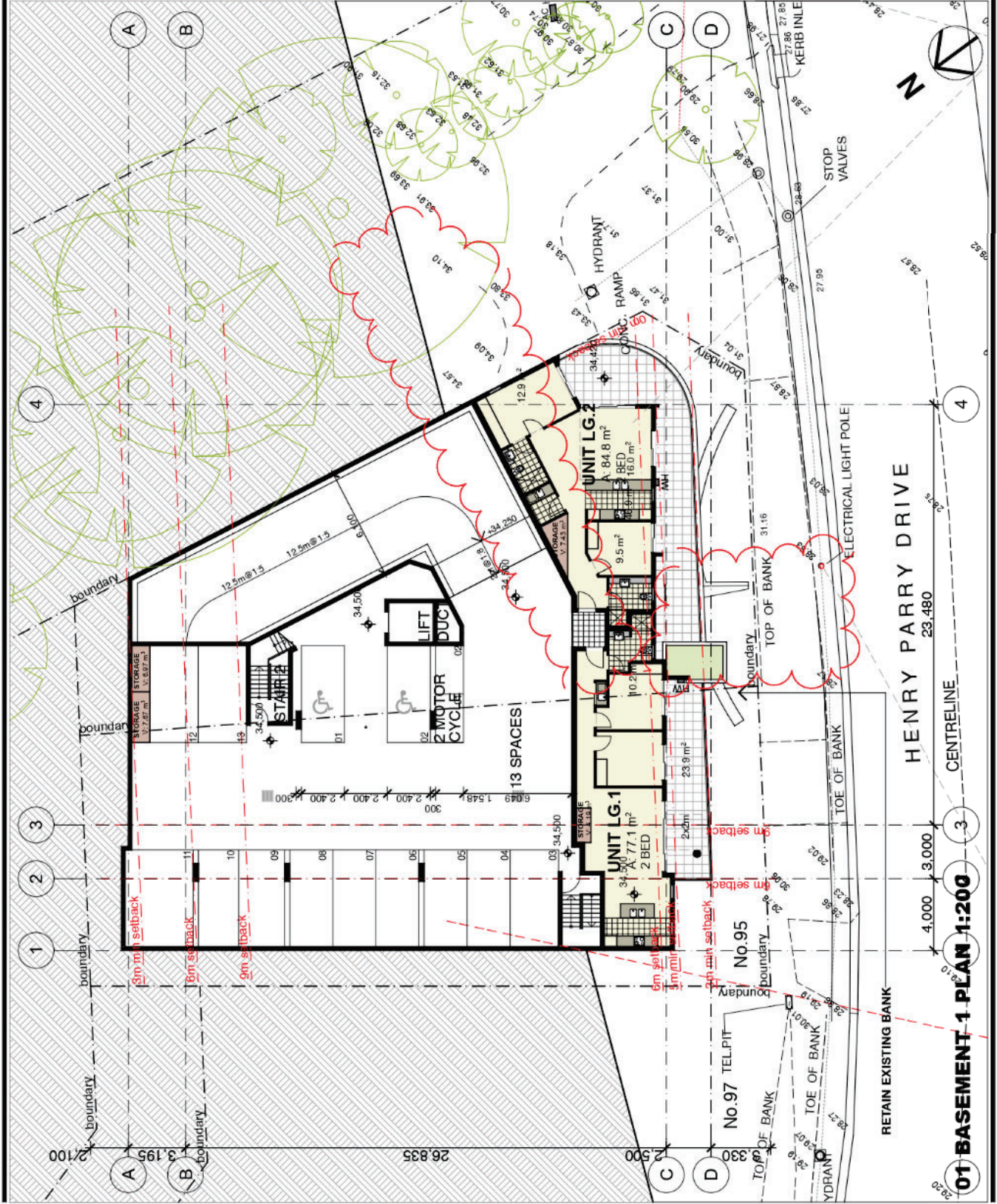
Scale As shown @ A3

Drawing name

BASEMENT 2 PLAN

Drawing Number Amendment **B**

DA-03



B FRONT DOOR RELOCATED 25/05/20
 A ISSUED FOR DA 3/00/4/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3, Level 1, 114 of Dalrymple Lane
 Macquarie NSW 2003
 mob: 0421 882 253
 email: forley@forleygrant.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing shall be read in conjunction with all relevant codes, regulations, reports, and drawings. All dimensions shall be to the finished dimensions unless otherwise stated. Refer to the notes for any dimensions to be supplied for a client's use in issuing the plan.

Drawn JG Approved JG Date Printed 11/8/20

Job Number 1732

Scale As shown @ A3

Drawing name

BASEMENT 1 PLAN

Drawing Number Amendment
DA-04 B

01 BASEMENT 1 PLAN 1:200



B FRONT DOOR RELOCATED 25/05/20
 A ISSUED FOR DA 3/00/4/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3, Level 1, 114 of Debra Lane
 Macquarie Park, 2003
 mob: 0421 822 223
 email: forley@forleygrant.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing shall be read in conjunction with all relevant contracts, specifications, reports, and drawings. All dimensions shall be to the finished dimensions unless otherwise stated. Repetitive dimensions shall be indicated by a leader line to the first dimension only.

Drawn	Approved	Date Printed
JG	JG	11/8/20
Job Number	1732	
Scale	As shown @ A3	
Drawing name		

LEVEL G FLOOR PLAN
 Drawing Number
DA-05
 Amendment
B

01 LEVEL-G PLAN 1:200



A ISSUED FOR DA 30/04/18
Amendments

Architect
Forley + Grant Architecture
 Suite 3, Level 1, 114 Adelaide Lane
 Warracott NSW 2203
 Mob: 0481 882 253
 Email: forley@fgarch.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing is to be used in conjunction with all relevant codes, regulations, approvals, reports, and drawings. All dimensions shall be given in millimetres unless otherwise stated. All dimensions shall be given in millimetres unless otherwise stated. All dimensions shall be given in millimetres unless otherwise stated. All dimensions shall be given in millimetres unless otherwise stated.

Drawn: JG
 Approved: JG
 Date Printed: 11/8/20

Job Number: 1732

Scale: As shown @ A3
 Drawing name:

LEVEL 1 FLOOR PLAN
 Drawing Number: Amendment A
DA-06

01 LEVEL 1 PLAN 1:200



A ISSUED FOR DA 30/04/18
Amendments

Architect
Forley + Grant Architecture
 Suite 3 Level 1, 114 Adelaide Lane
 Macquarie NSW 2003
 mob: 0481 882 253
 email: forley@forleygrant.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing should be read in conjunction with all previous drawings, specifications, reports, and drawings. All dimensions shall be to the finished dimensions only. Do not scale from drawings. Report any discrepancies to the architect for a decision before proceeding with work.

Drawn **JG** Approved **JG** Date Printed **11/8/20**

Job Number **1732**

Scale **As shown @ A3**
 Drawing name

LEVEL 2 FLOOR PLAN
 Drawing Number **DA-07**
 Amendment **A**

01 LEVEL 2 PLAN 1:200



A ISSUED FOR DA 30/04/18

Amendments

Architect

Forley + Grant Architecture
Suite 3, Level 1, 114 of Dalroy Lane
Warragul NSW 2203
mob: 0481 882 223
email: forley@forleygrant.com.au

Project Details

RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing should be read in conjunction with all previous drawings, specifications, reports, and drawings. All dimensions shall be given dimensions only, to the nearest millimetre. Report any discrepancies to the architect for a decision before proceeding with work.

Drawn **JG** Approved **JG** Date Printed **11/8/20**

Job Number **1732**

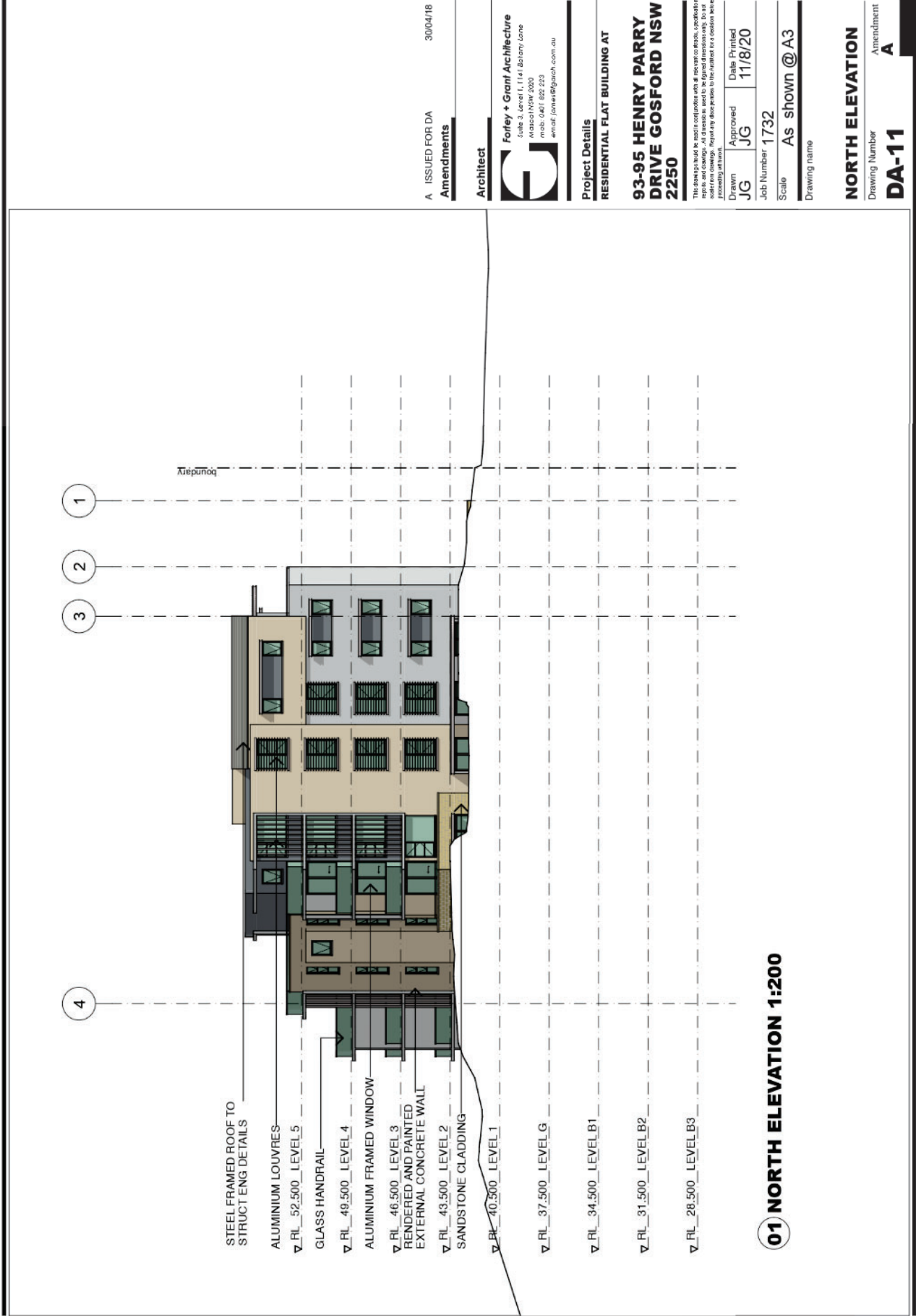
Scale **As shown @ A3**

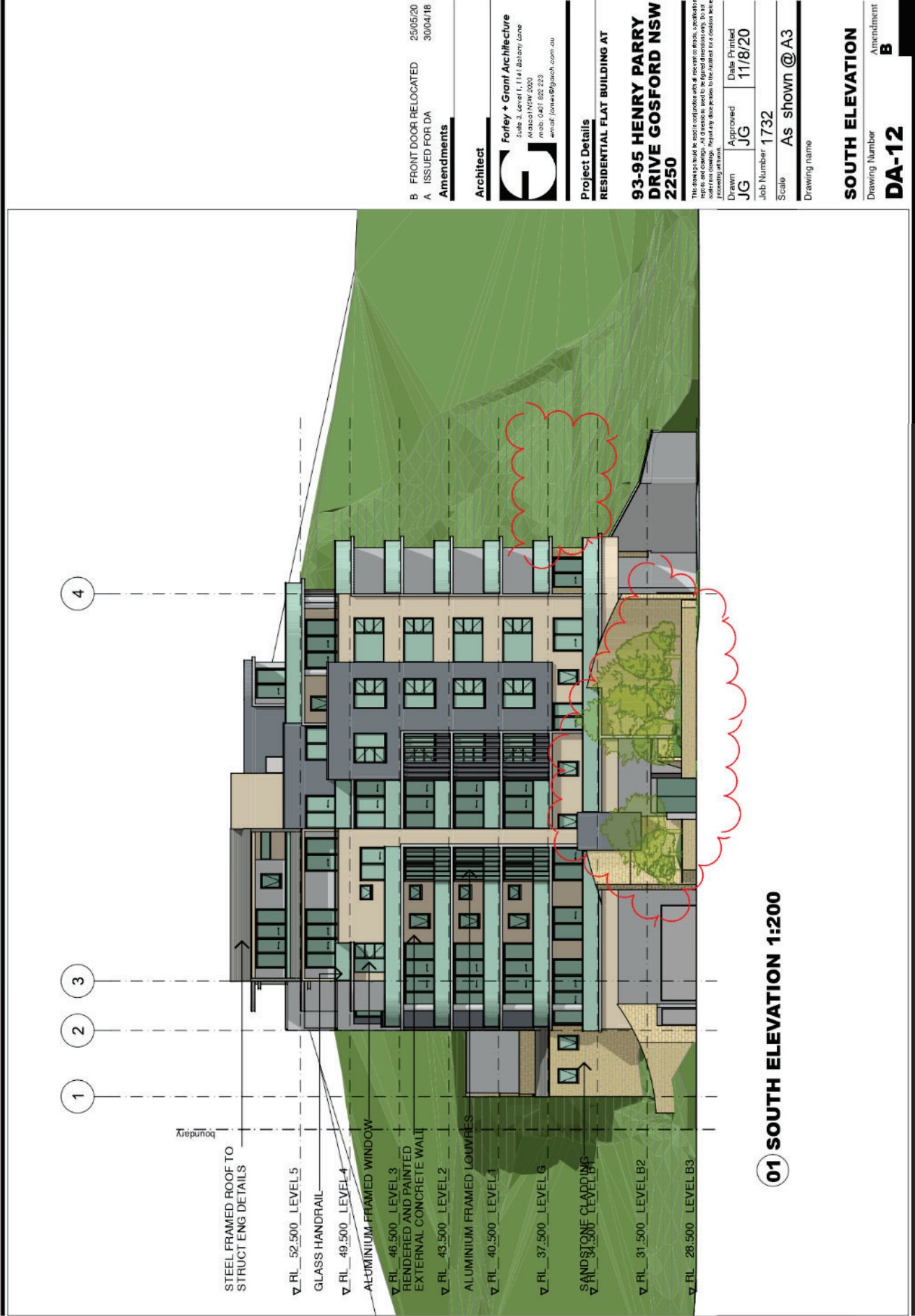
Drawing name

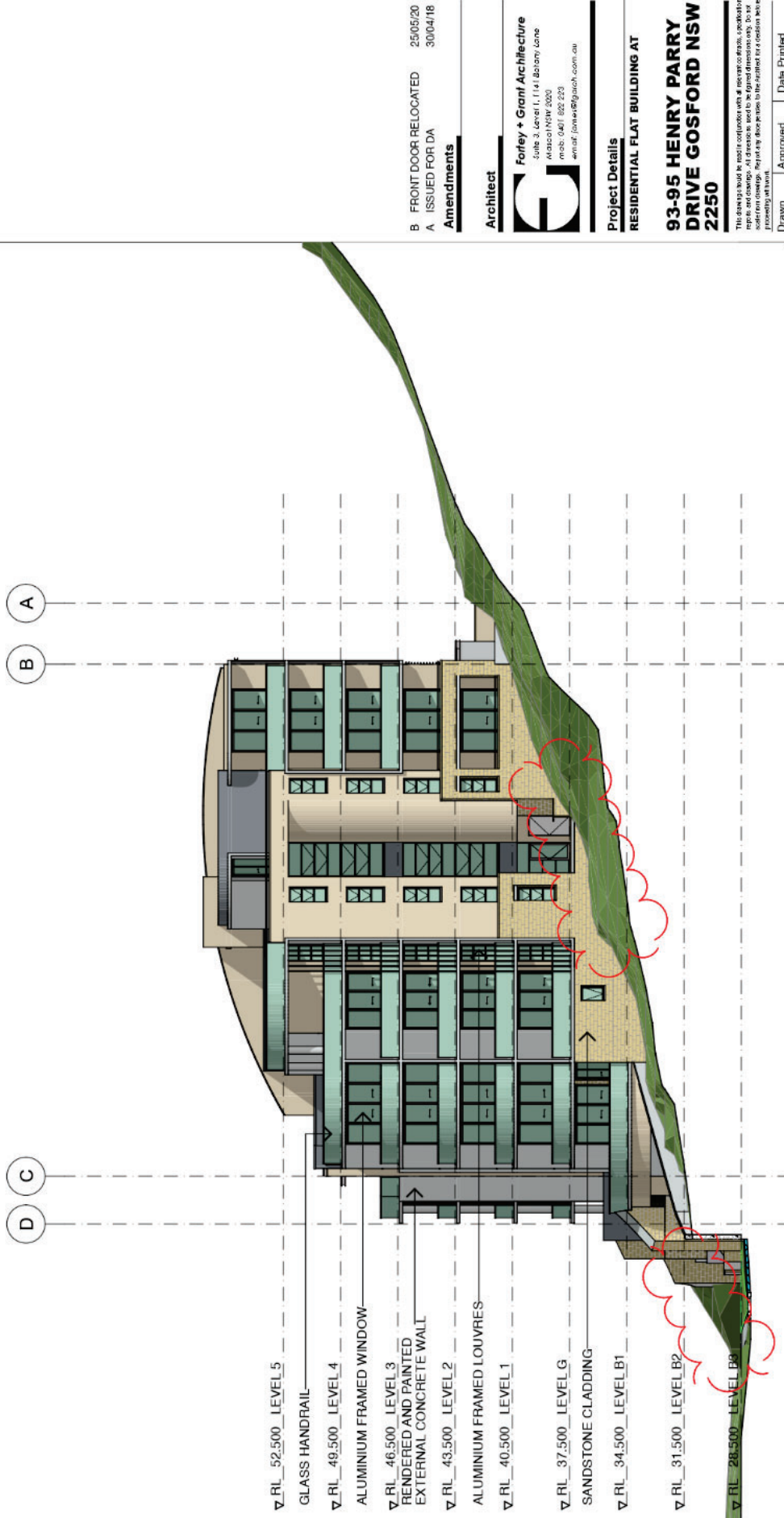
LEVEL 5 FLOOR PLAN

Drawing Number **Amendment**

DA-10 **A**







- ▽ RL_52.500_LEVEL5
- GLASS HANDRAIL
- ▽ RL_49.500_LEVEL4
- ALUMINIUM FRAMED WINDOW
- ▽ RL_46.500_LEVEL3
- RENDERED AND PAINTED EXTERNAL CONCRETE WALL
- ▽ RL_43.500_LEVEL2
- ALUMINIUM FRAMED LOUVRES
- ▽ RL_40.500_LEVEL1
- ▽ RL_37.500_LEVELG
- SANDSTONE CLADDING
- ▽ RL_34.500_LEVELB1
- ▽ RL_31.500_LEVELB2
- ▽ RL_28.500_LEVELB8

01 EAST ELEVATION 1:200

Amendments

B	FRONT DOOR RELOCATED	25/05/20
A	ISSUED FOR DA	30/04/18

Architect

Forley + Grant Architecture
 Suite 3, Level 11, 114 of Dalmore Lane
 Macquarie NSW 2003
 mob: 0421 822 223
 email: forley@fgarch.com.au

Project Details

RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

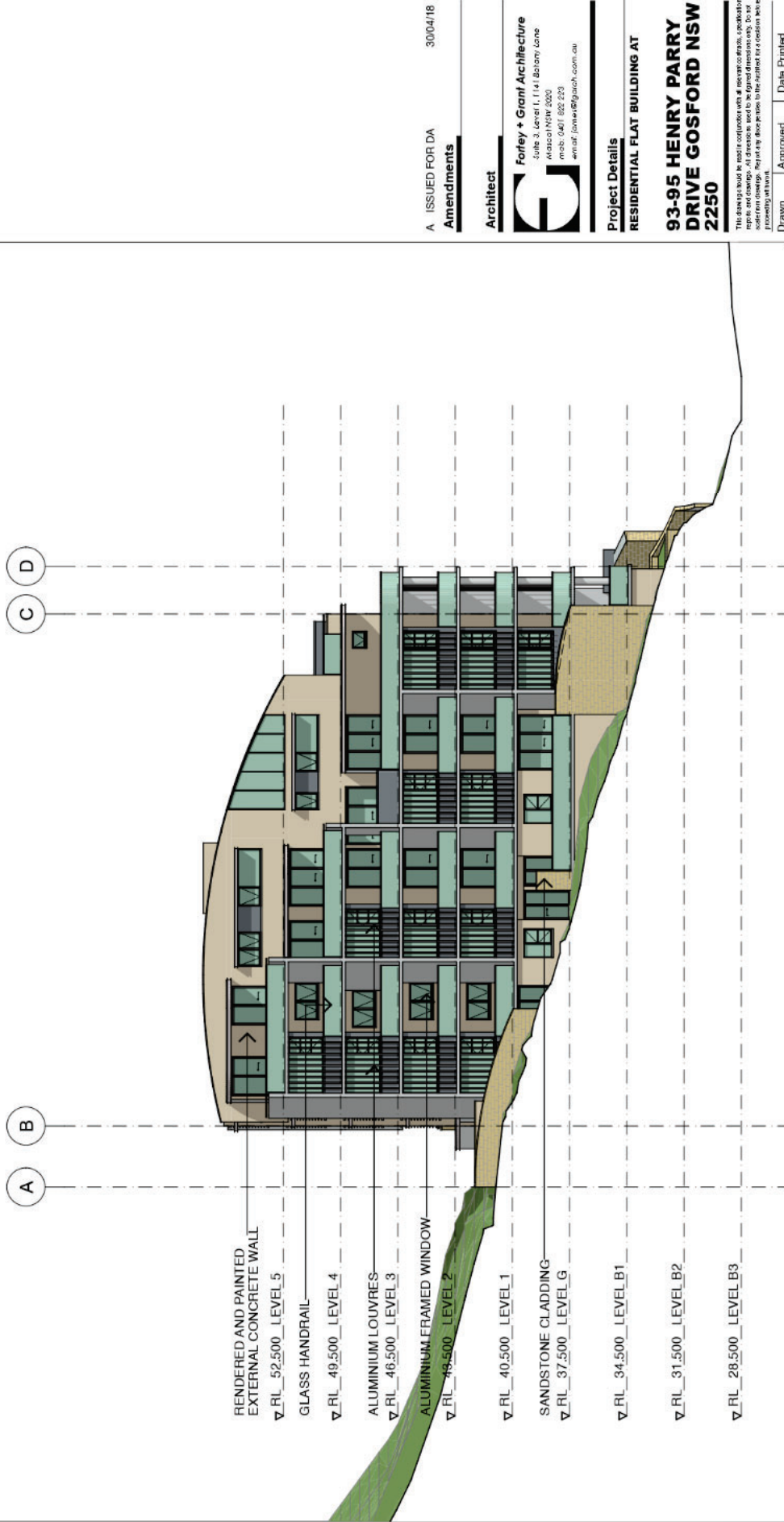
This drawing shall be used in strict accordance with all project contracts, specifications, reports, and drawings. All dimensions shall be given in millimetres only. Do not scale from drawings. Report any discrepancies to be corrected for a design team meeting at once.

Drawn	JG	Approved	JG	Date Printed	11/8/20
Job Number	1732				
Scale	As shown @ A3				
Drawing name					

EAST ELEVATION

Drawing Number **DA-13**

Amendment **B**



01 WEST ELEVATION 1:200

A ISSUED FOR DA 30/04/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3 Level 1, 114 Adelaide Lane
 Warragul NSW 2203
 mob: 0421 882 223
 email: forley@fgarch.com.au

Project Details

RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing is a technical representation of the proposed development. It is not to be used for any other purpose without the written consent of the architect. All dimensions are to be taken from the finished work unless otherwise stated. The architect is not responsible for any errors or omissions in this drawing.

Drawn JG Approved JG Date Printed 11/8/20

Job Number 1732

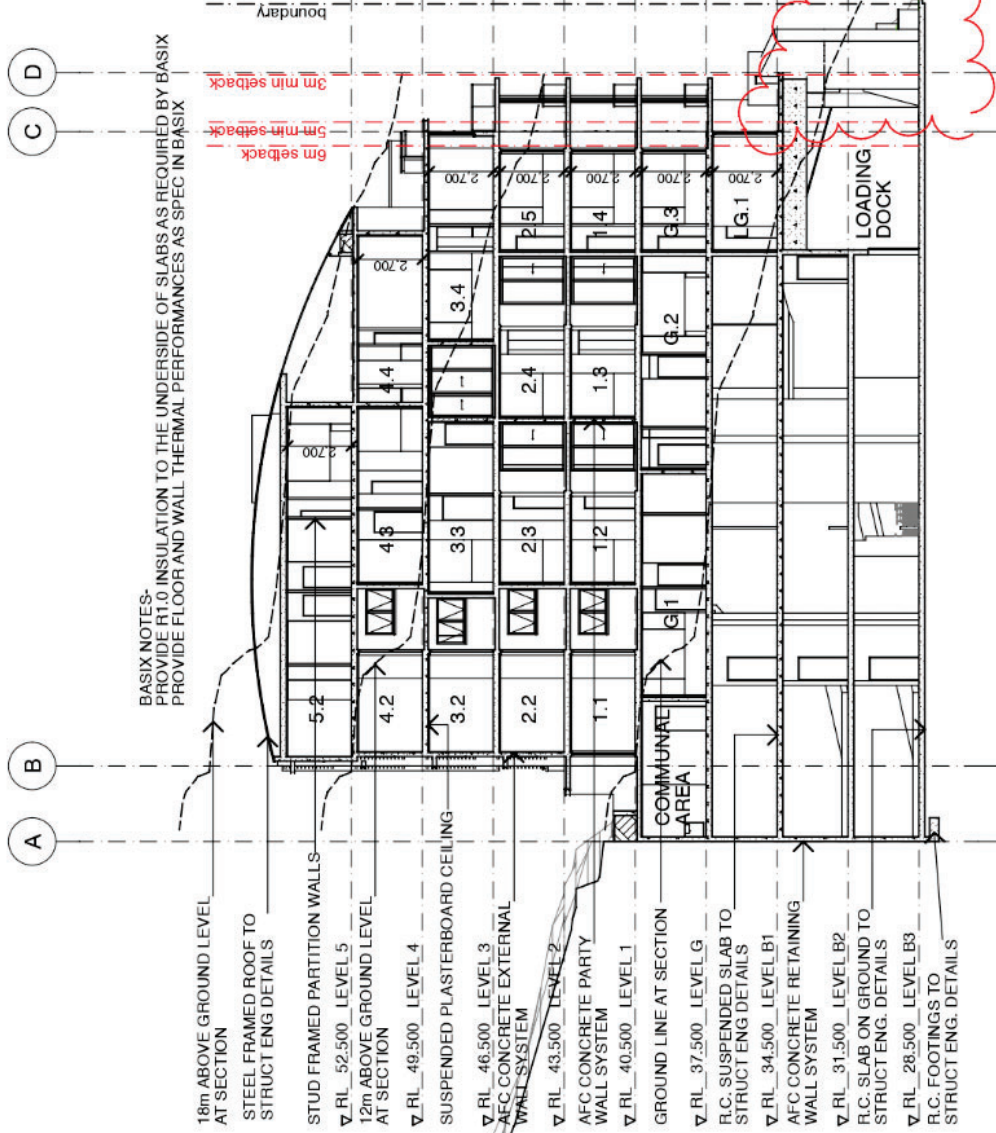
Scale As shown @ A3

Drawing name

WEST ELEVATION

Drawing Number Amendment

DA-14 A



BASIX NOTES-
 PROVIDE R1.0 INSULATION TO THE UNDERSIDE OF SLABS AS REQUIRED BY BASIX
 PROVIDE FLOOR AND WALL THERMAL PERFORMANCES AS SPEC IN BASIX

- 18m ABOVE GROUND LEVEL AT SECTION
- STEEL FRAMED ROOF TO STRUCT ENG DETAILS
- STUD FRAMED PARTITION WALLS
- ▽ RL 52.500 LEVEL 5
- 12m ABOVE GROUND LEVEL AT SECTION
- ▽ RL 49.500 LEVEL 4
- SUSPENDED PLASTERBOARD CEILING
- ▽ RL 46.500 LEVEL 3
- AFC CONCRETE EXTERNAL WALL SYSTEM
- ▽ RL 43.500 LEVEL 2
- AFC CONCRETE PARTY WALL SYSTEM
- ▽ RL 40.500 LEVEL 1
- GROUND LINE AT SECTION
- ▽ RL 37.500 LEVEL G
- R.C. SUSPENDED SLAB TO STRUCT ENG DETAILS
- ▽ RL 34.500 LEVEL B1
- AFC CONCRETE RETAINING WALL SYSTEM
- ▽ RL 31.500 LEVEL B2
- R.C. SLAB ON GROUND TO STRUCT ENG. DETAILS
- ▽ RL 28.500 LEVEL B3
- R.C. FOOTINGS TO STRUCT ENG. DETAILS

01 SECTION 1:200

B FRONT DOOR RELOCATED 25/05/20
 A ISSUED FOR DA 30/04/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3 Level 1, 11 of Dalroy Lane
 Macquarie Park 2008
 mob: 0421 822 223
 email: forley@forleygrant.com.au

Project Details

RESIDENTIAL FLAT BUILDING AT
93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This document is for the sole use of the client and is not to be distributed, copied, reproduced, or otherwise used without the written consent of the architect. All drawings are to be printed on A3 paper unless otherwise specified. Repayment of fees is required for a design when proceeding with work.

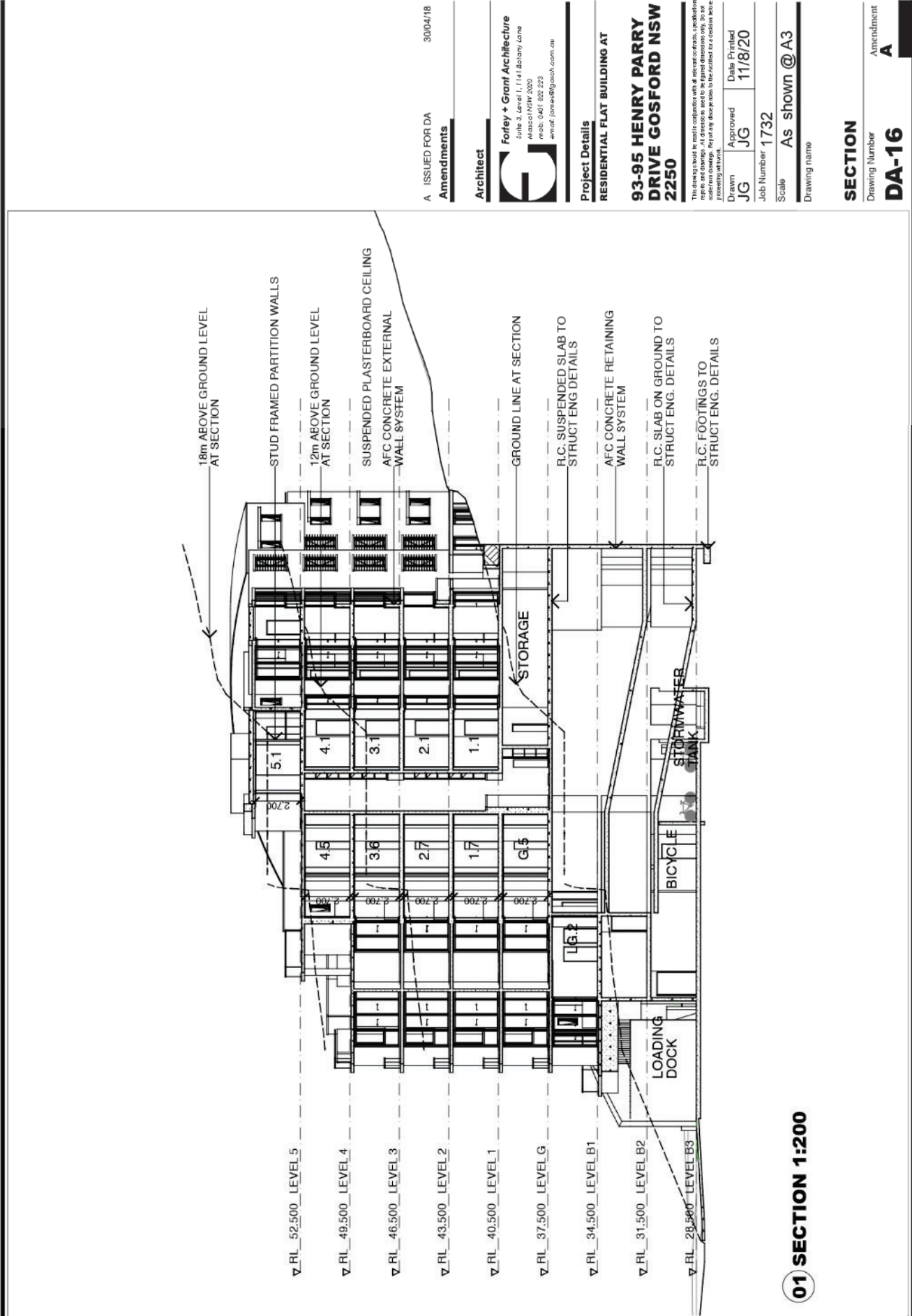
Drawn	JG	Approved	JG	Date Printed	11/8/20
-------	----	----------	----	--------------	---------

Job Number 1732

Scale As shown @ A3
 Drawing name

SECTION

Drawing Number
DA-15
 Amendment
B



A ISSUED FOR DA Amendments 30/04/18

Architect
Forley + Grant Architecture
 Suite 3, Level 1, 114 of Belmore Lane
 Macquarie NSW 2003
 mob: 0447 882 223
 email: forley@forleygrant.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing should be read in conjunction with all other drawings, specifications, reports, and drawings. All dimensions shall be figured dimensions only. Do not scale dimensions. Report any discrepancies to the architect for a decision before proceeding with work.

Drawn	JG	Approved	JG	Date Printed	11/8/20
Job Number	1732				
Scale	As shown @ A3				
Drawing name					

SECTION
 Drawing Number
DA-16
 Amendment
A

CALCULATIONS

SITE ZONE	B4 Mixed Use	GOSFORD LEP 2014-
SITE AREA	1154.3m ²	SITE AREA = 1154.3m ²
ALLOWABLE FLOOR AREA	3462.9m ²	FLOOR SPACE RATIO 2.5:1
PROPOSED FLOOR AREA	2765m ²	ZONED B4 MIXED USE
ALLOWABLE FSR	3.0:1	HEIGHT OF BUILDINGS P2 18m
PROPOSED FSR	2.39:1	NO LAND RESERVATIONS
ALLOWABLE DEEP SOIL	174m ² min (15%)	NOT A CONSERVATION AREA
PROPOSED DEEP SOIL	176.3m ² (171.1m ² min 2 m dimension)	NOT A HERITAGE ITEM
ALLOWABLE SITE COVERAGE	693m ² (60%)	ACID SULPHATE SOIL CLASS 5
PROPOSED SITE COVERAGE	566.1m ² (excludes balconies)	ADDITIONAL PERMITTED USES - NONE
REQUIRED ACCESSIBLE UNITS	4 UNITS	DEVELOPMENT INCENTIVES - GOSFORD CITY CENTRE (refer Clause 8.9 lapsed 3 april 2016)
PROPOSED ACCESSIBLE UNITS	4 UNITS (10%)	
REQUIRED ADAPTABLE UNITS	11 - 4 = 7 UNITS (30%)	
PROPOSED ADAPTABLE UNITS	7 UNITS	

SEPP 65

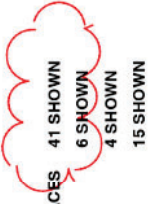
TOTAL NO OF UNITS = 34	15 SUPPLIED
25% UNITS WITH EXTERNAL KITCHENS = 9	23 SUPPLIED
70% UNITS WITH 3 HOURS SUN = 24 (33 out of 34 units get 2 hours sun)	25 SUPPLIED
60% UNITS WITH CROSS VENTILATION = 21	1 SUPPLIED
10% SINGLE ASPECT UNITS FACING SOUTH = 3	

UNIT YIELD

1 bed units	13
2 bed units	19
3 bed units	2
UNIT TOTAL	34

CAR PARKING (RMS requirements)

1 bed units	0.6 SPACE REQUIRED
2 bed units	0.9 SPACES REQUIRED
3 bed units	1.4 SPACES REQUIRED
VISITOR SPACES	1 SPACE PER 5 UNITS REQUIRED
ACCESS PARKING	
MOTORCYCLE PARKING	1 SPACE/15 DWELLINGS REQUIRED
BICYCLE PARKING	1 SPACE/3 DWELLINGS + 1 VISITOR SPACE /12 DWELLINGS



7.8
17.1
2.8
6.8
34.5 TOTAL REQUIRED INCLUDING 5 DISABLED SPACES
41 SHOWN
6 SHOWN
4 SPACES REQUIRED
15 SHOWN

B FRONT DOOR RELOCATED 04/05/20
A ISSUED FOR DA 30/04/18
Amendments

Architect

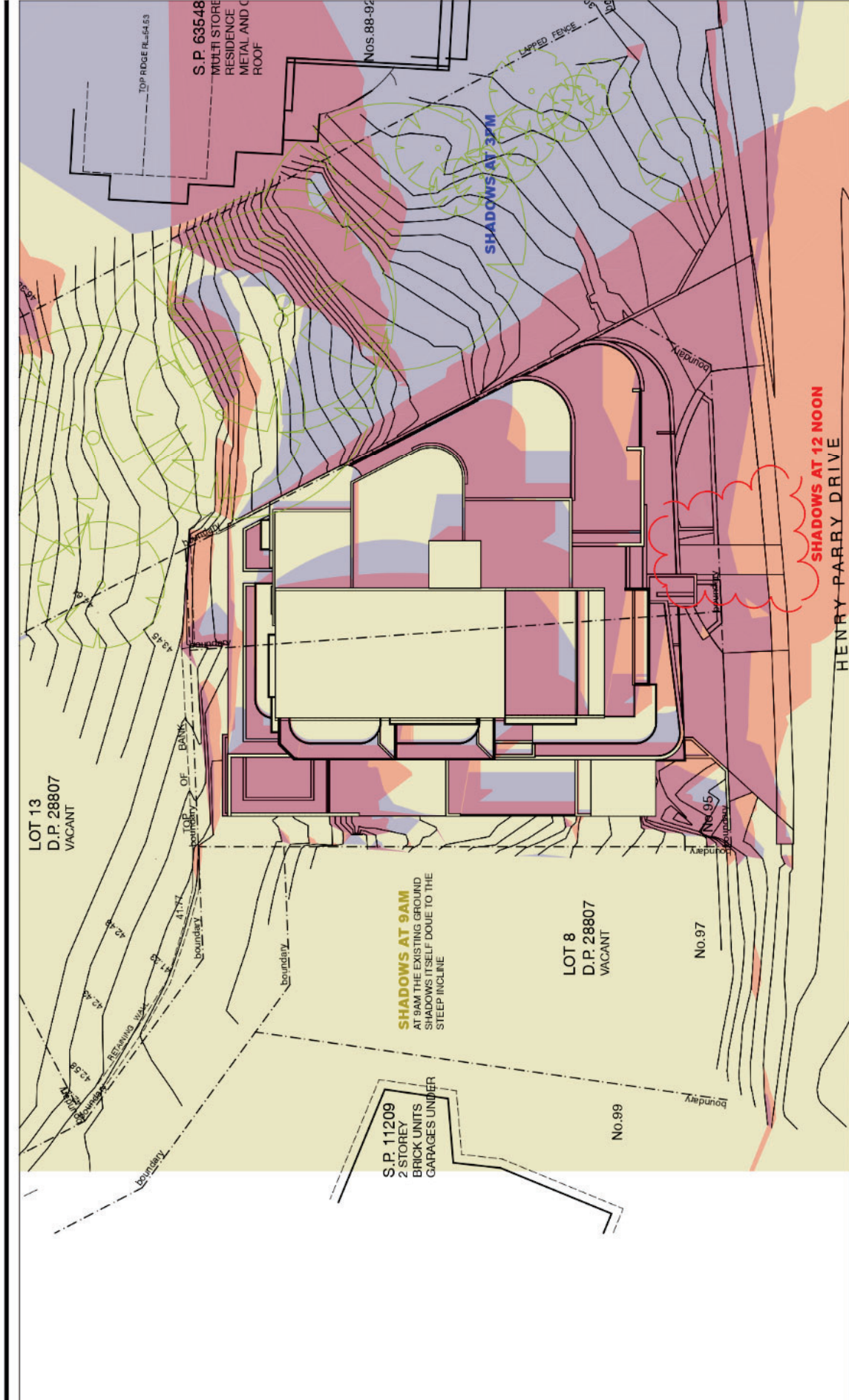
Forley + Grant Architecture
 Suite 3, Level 1, 114 Adelaide Lane
 Macquarie Park, NSW 2109
 mobile: 0421 882 223
 email: forney@fgarch.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

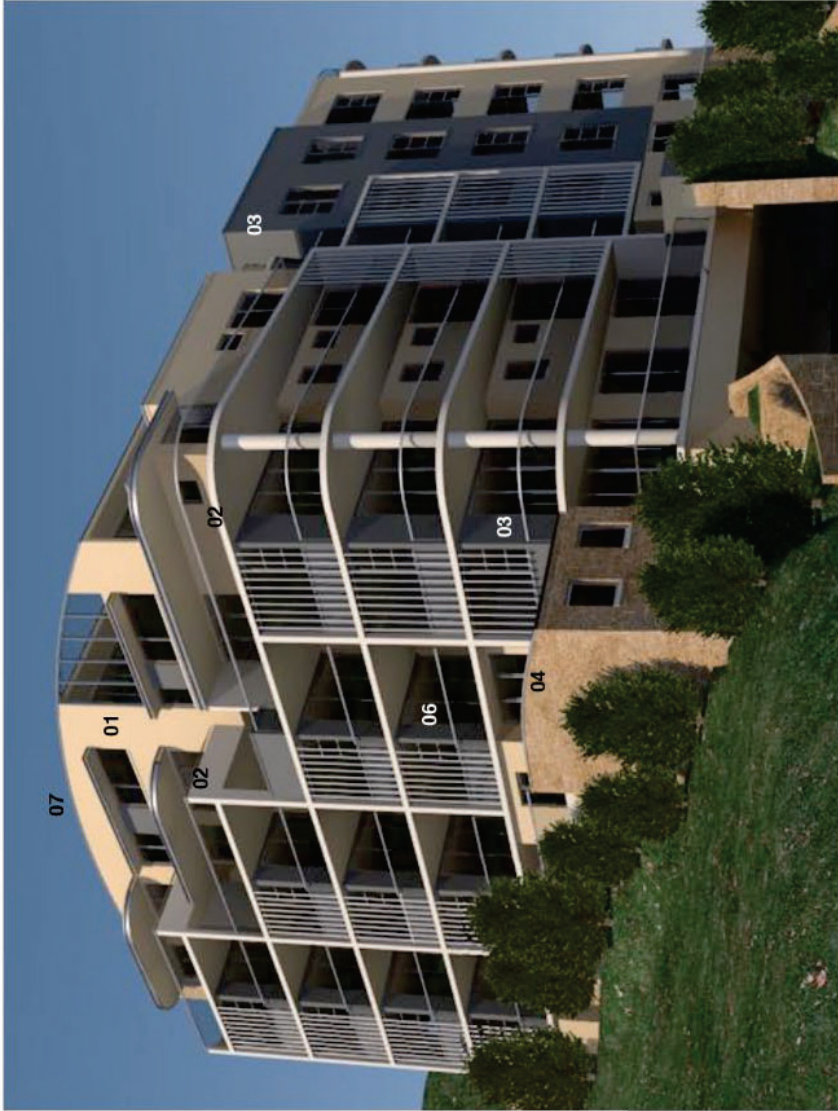
93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing should be read in conjunction with all previous drawings, specifications, reports and drawings. All dimensions should be given dimensions only. Do not consider coverings. Report any discrepancies to be notified for a decision before proceeding with work.
 Drawn JG JG Approved JG JG Date Printed 11/8/20
 Job Number 1732
 Scale As shown @ A3
 Drawing name

CALCULATIONS
 Drawing Number
 Amendment
DA-17 B



Amendments A ISSUED FOR DA B FRONT DOOR RELOCATED	30/04/18 04/05/20	Architect  Fortley + Grant Architecture Suite 3, Level 1, 1141 Bakers Lane Mascot NSW 2020 mbs: (04) 932 223 email: james@fgarch.com.au Nominated Architect James Grant 6540	Project Details RESIDENTIAL FLAT BUILDING AT 93-95 HENRY PARRY DRIVE GOSFORD NSW 2250	Drawing name SHADOW DIAGRAMS Drawing Number DA-19 Amendment B
	30/04/18 04/05/20			

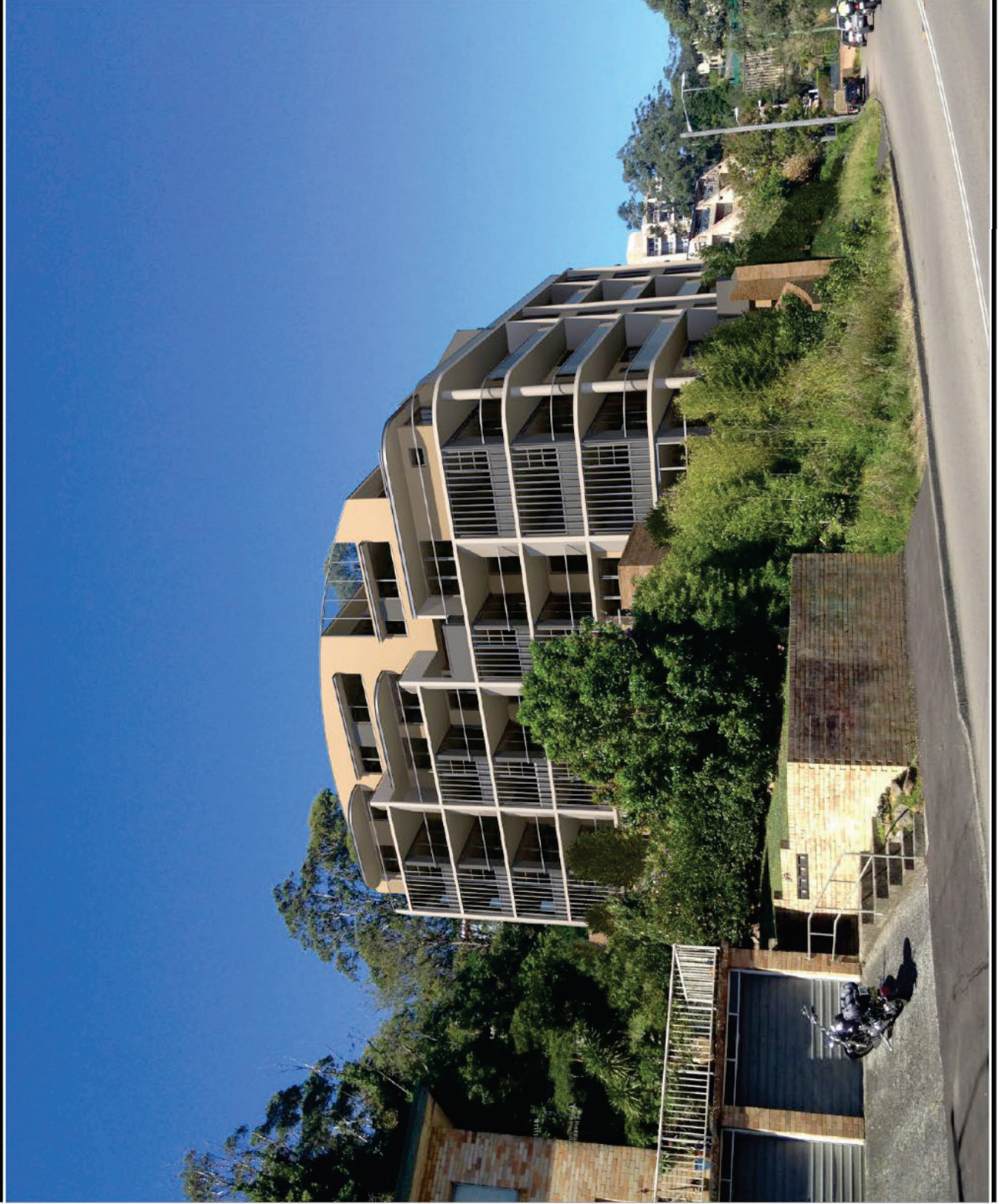


01 MATERIALS VIEW

	01 PAINTED RENDER DULUX POLINATE
	02 PAINTED RENDER DULUX LEXICON
	03 PAINTED RENDER DULUX SIMONE WEIL
	04 SANDSTONE CLADDING

- 05 STAINLESS STEEL HANDRAILS ON GLASS BALUSTRADING
- 06 ANODISED ALUMINIUM WINDOW FRAMES
- 07 ROOF SHEETING COLOURBOND WINDSPRAY

Amendments A ISSUED FOR DA 30/04/18	Project Details RESIDENTIAL FLAT BUILDING AT 93-95 HENRY PARRY DRIVE GOSFORD NSW 2250	Architect Fortey + Grant Architecture Suite 3, Level 1, 1141 Bakers Lane Mascot NSW 2020 mabs: (040) 832 223 email: fjmcs@fgarch.com.au <small>Nominated Architect James Grant 6540</small>	Drawing name MATERIALS AND FINISHES Drawing Number DA-20 Amendment A
<small>THIS DRAWING IS THE PROPERTY OF FORTHEY + GRANT ARCHITECTURE PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF FORTHEY + GRANT ARCHITECTURE PTY LTD IS STRICTLY PROHIBITED. ALL DIMENSIONS ARE TO BE TAKEN UNLESS OTHERWISE SPECIFIED. DO NOT SCALE DRAWINGS. REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT FOR A CORRECTED VERSION.</small>		Drawn JG Approved JG Date Printed 11/8/20 Job Number 1732 Scale As shown @ A3	



A ISSUED FOR DA 30/04/18
Amendments

Architect

Forley + Grant Architecture
 Suite 3 Level 1, 11 of Dalroy Lane
 Warracombrie NSW 2033
 mob: 0487 822 223
 email: forley@forleygrant.com.au



Project Details

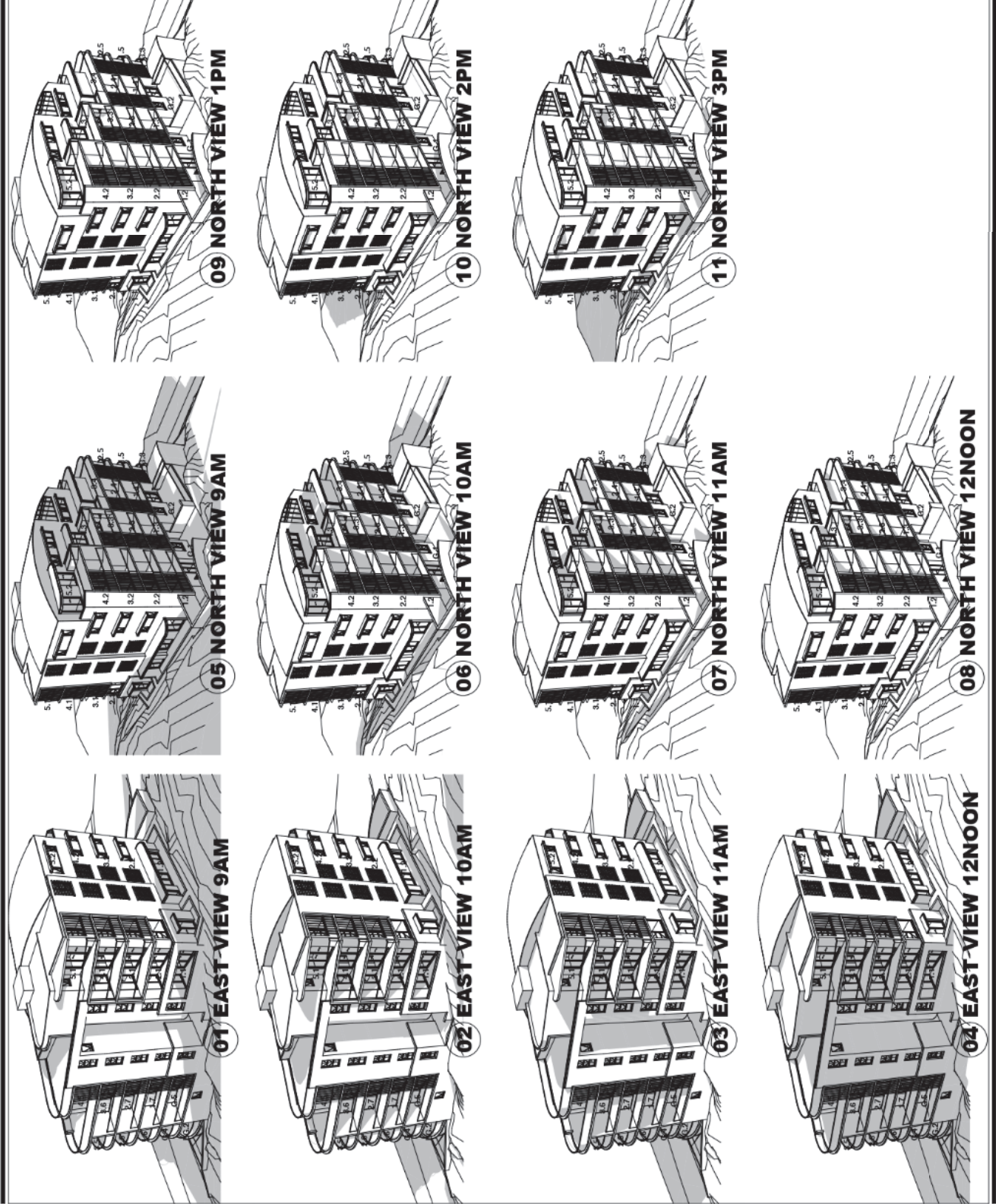
RESIDENTIAL FLAT BUILDING AT
93-95 HENRY PARRY
DRIVE GOSFORD NSW
2250

This document is for specific project use only. It is not to be used for any other purpose, and all drawings are subject to change. Reproduction of this document without the written consent of the architect is prohibited.

Drawn	JG	Approved	JG	Date Printed	11/8/20
Job Number	1732				
Scale	As shown @ A3				

Drawing name

PHOTOMONTAGE
 Drawing Number
DA-21
 Amendment
A



A ISSUED FOR DA 30/04/18

Amendments

Architect

Forley + Grant Architecture
 Suite 3, Level 1, 114 of Dalrymple Lane
 Wacol QLD 4003
 mob: 0421 822 223
 email: forley@forleygrant.com.au

Project Details
RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This drawing should be read in conjunction with all other drawings, specifications, reports, and drawings. All dimensions shall be given in millimetres unless otherwise stated. For any dimensions to be specified for a detail where no dimension is given, refer to the relevant detail in the specification.

Drawn JG Approved JG Date Printed 11/8/20

Job Number 1732

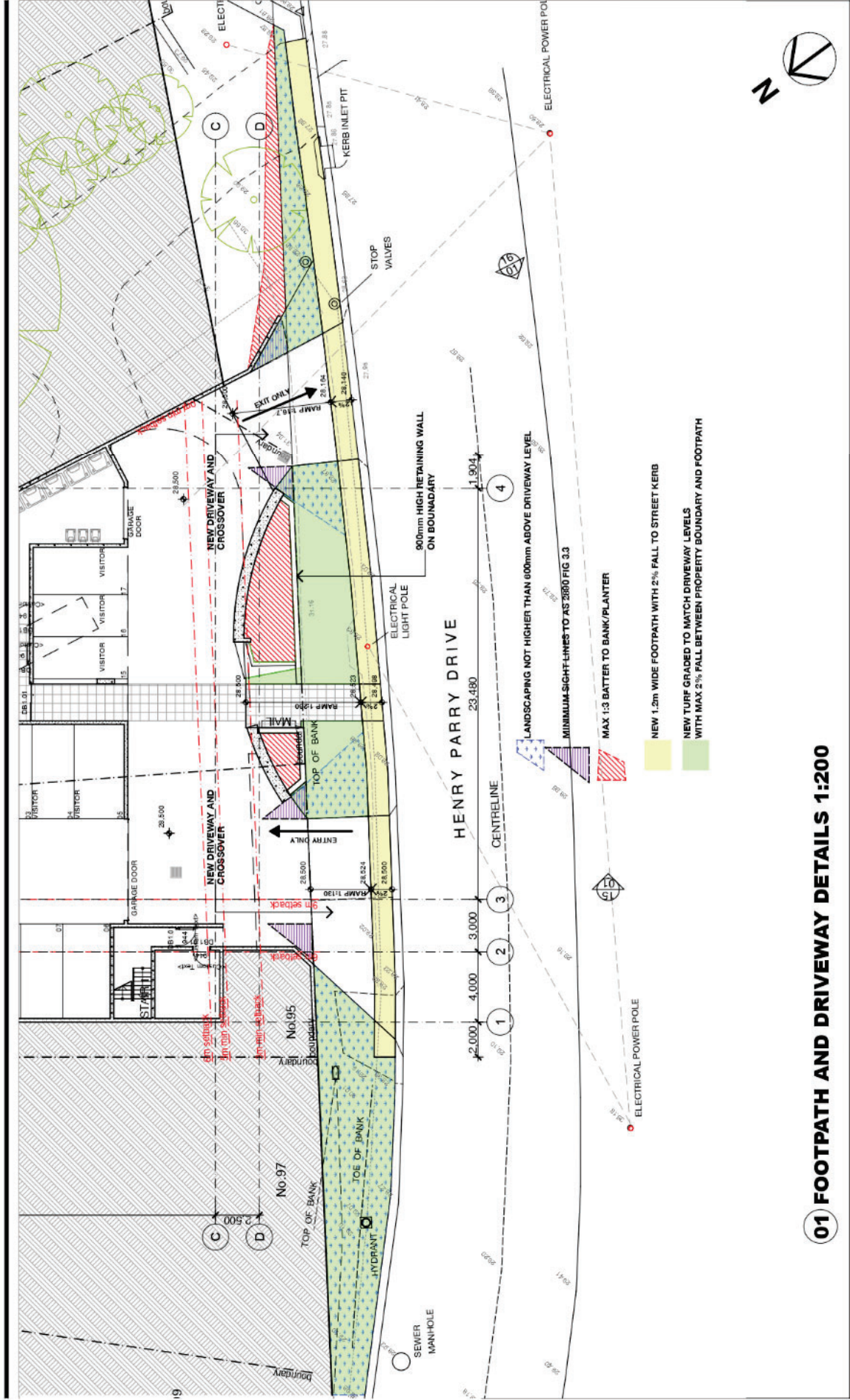
Scale As shown @ A3

Drawing name

SHADOW VIEWS

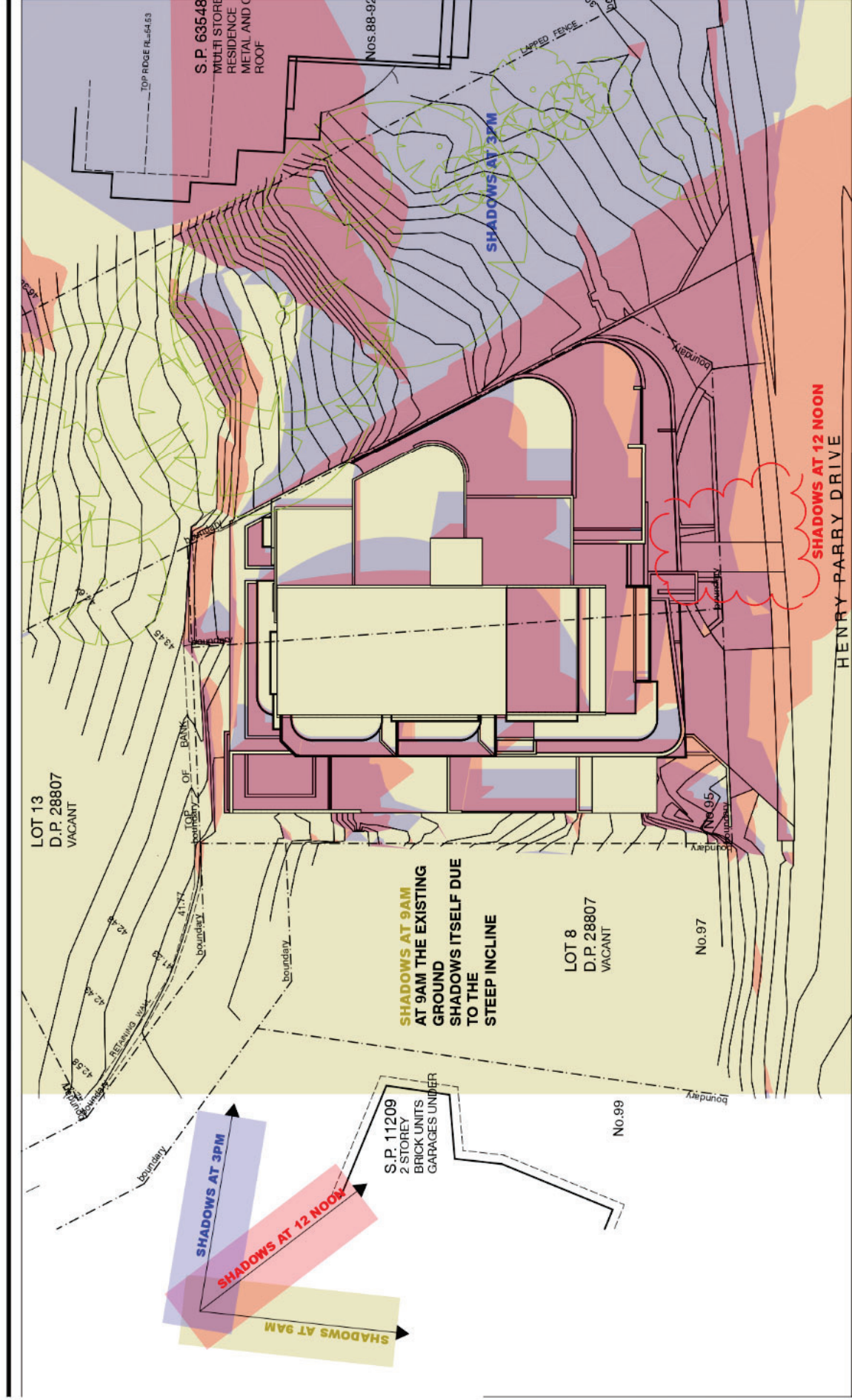
Drawing Number Amendment

DA-22 A



01 FOOTPATH AND DRIVEWAY DETAILS 1:200

<p>Amendments A ISSUED FOR DA</p>	<p>Architect Fortey + Grant Architecture Suite 3, Level 1, 1141 Bakery Lane Mascot NSW 2020 mobile: (0401) 832 223 email: james@fortech.com.au Nominated Architect: James Grant 6540</p>	<p>Project Details RESIDENTIAL FLAT BUILDING AT 93-95 HENRY PARRY DRIVE GOSFORD NSW 2250</p>	<p>Drawing name FOOTPATH AND TRAFFIC SAFETY PLAN</p> <p>Drawn: JG Approved: JG Job Number: 1732 Scale: As shown @ A3</p> <p>Date Printed: 11/8/20</p>	<p>Amendment A</p> <p>Drawing Number DA-23</p>
--	--	--	---	--



Amendments A ISSUED FOR DA B FRONT DOOR RELOCATED		Architect Forley + Grant Architecture Suite 3, Level 1, 1141 Bakery Lane Mascot NSW 2020 mbs: (041) 822 223 email: fma@forgrch.com.au Nominated Architect James Grant 6540		Project Details RESIDENTIAL FLAT BUILDING AT 93-95 HENRY PARRY DRIVE GOSFORD NSW 2250		SHADOW DIAGRAMS 21ST JUNE Drawing Number DA-19 Amendment B	
Issued for DA 30/04/18 04/05/20		Drawing name SHADOW DIAGRAMS 21ST JUNE		Drawing Number DA-19		Scale As shown @ A3	
Drawn JG		Approved JG		Date Printed 19/8/20		Job Number 1732	

CALCULATIONS

SITE ZONE	B4 Mixed Use	GOSFORD LEP 2014-
SITE AREA	1154.3m ²	SITE AREA = 1154.3m ²
ALLOWABLE FLOOR AREA	3462.9m ²	FLOOR SPACE RATIO 2.5:1
PROPOSED FLOOR AREA	2765m ²	ZONED B4 MIXED USE
ALLOWABLE FSR	3.0:1	HEIGHT OF BUILDINGS P2 18m
PROPOSED FSR	2.39:1	NO LAND RESERVATIONS
ALLOWABLE DEEP SOIL	174m ² min (15%)	NOT A CONSERVATION AREA
PROPOSED DEEP SOIL	176.8m ² (171.1m ² min 2 m dimension)	NOT A HERITAGE ITEM
ALLOWABLE SITE COVERAGE	693m ² (60%)	ACID SULPHATE SOIL CLASS 5
PROPOSED SITE COVERAGE	566.1m ² (excludes balconies)	ADDITIONAL PERMITTED USES - NONE
REQUIRED ACCESSIBLE UNITS	4 UNITS	DEVELOPMENT INCENTIVES - GOSFORD CITY CENTRE (refer Clause 6.9 lapsed 3 april 2016)
PROPOSED ACCESSIBLE UNITS	4 UNITS (10%)	
REQUIRED ADAPTABLE UNITS	11 - 4 = 7 UNITS (30%)	
PROPOSED ADAPTABLE UNITS	7 UNITS	

SEPP 65

TOTAL NO OF UNITS = 34	15 SUPPLIED
25% UNITS WITH EXTERNAL KITCHENS = 9	23 SUPPLIED
70% UNITS WITH 3 HOURS SUN = 24 (33 out of 34 units get 2 hours sun)	25 SUPPLIED
60% UNITS WITH CROSS VENTILATION = 21	1 SUPPLIED
10% SINGLE ASPECT UNITS FACING SOUTH = 3	

UNIT YIELD

1 bed units	13
2 bed units	19
3 bed units	2
UNIT TOTAL	34

CAR PARKING (RMS requirements)

1 bed units	0.6 SPACES REQUIRED
2 bed units	0.9 SPACES REQUIRED
3 bed units	1.4 SPACES REQUIRED
VISITOR SPACES	1 SPACE PER 5 UNITS REQUIRED
ACCESS PARKING	
MOTORCYCLE PARKING	1 SPACE/15 DWELLINGS REQUIRED
BICYCLE PARKING	1 SPACE/3 DWELLINGS + 1 VISITOR SPACE /12 DWELLINGS

7.8	
17.1	
2.8	
6.8	
34.5 TOTAL REQUIRED INCLUDING 6 DISABLED SPACES	41 SHOWN
5 SPACES REQUIRED	6 SHOWN
4 SPACES REQUIRED	4 SHOWN
11.3 + 2.8 = 14.1 SPACES REQUIRED	15 SHOWN

B FRONT DOOR RELOCATED 04/05/20
A ISSUED FOR DA 30/04/18

Amendments

Architect

Forney + Grant Architecture
 Suite 3, Level 1, 114 of Basing Lane
 100/102 Pitt Street
 Sydney, New South Wales 2000
 NSW
 Australian Architectural Practice - 02951 6540

Project Details

RESIDENTIAL FLAT BUILDING AT

93-95 HENRY PARRY DRIVE GOSFORD NSW 2250

This sheet should be read in conjunction with all other drawings, specifications, reports, and drawings. All drawings to be printed dimensions only. Do not scale from drawings. Report any discrepancies to the architect for a decision before proceeding with work.

Drawn	JG	Date Printed	19/8/20
Approved	JG		

Job Number 1732

Scale As shown @ A3

Drawing name

CALCULATIONS

Drawing Number Amendment

DA-17 **B**

