



4 August 2020

Mr Brendan Roberts  
Acting Director  
Regional Assessments  
Department of Planning, Industry and Environment

via email: [brendon.roberts@planning.nsw.gov.au](mailto:brendon.roberts@planning.nsw.gov.au)

Dear Mr Roberts

### **Mann Street Gosford SSD 10114 – follow up Questions**

Thank you for your presentation and attendance at the meeting with the Independent Planning Commission (Commission) on 27 July 2020 regarding the above SSD application that is currently before the Commission for determination.

As discussed at the meeting, the Commission has identified a number of matters that require further clarification. These are as follows:

1. It would be appreciated if the Department could articulate its conclusions regarding the proposed height of the towers with particular reference to the exception criteria in cl 8.4(4) of the GCC SEPP. The Commission seeks to understand the justification for the additional height (above the SEPP control), not only the criteria that were assessed under SEPP.
2. Clause 8.3(4) of the GCC SEPP states that, “*Development consent must not be granted ...unless the consent authority considers that the development exhibits design excellence*”, having regard to the matters in cl 8.3(4) (a) to (e). This appears to be covered in various sections of the Assessment Report. Given that the consent authority must have regard to each sub clause, and that this must be addressed prior to consent, could the Department please provide the consideration/justification under each of the stated criteria (a) to (e) inclusive.
3. Why is the maximum height plane across the site (as shown in the GCC SEPP Height of Buildings Map) expressed as a maximum RL and not in meters directly above existing ground level? Is this information available in an urban design study or the like that explains the basis for the height shown on the HOB Map?
4. Modification B1 c) requires an amendment to the envelopes to “*explore opportunities to further increase solar access to the southern through site link (i.e. the northwest oriented component, located between the Eastern Tower and the Southern Tower) in midwinter*”.



- a. As consent has been recommended without any definitive change to the envelopes, does the Department consider that the proposal exhibits “design excellence” without any amendment in this regard?
  - b. What is the Department’s reasoning for the provision in terms of the Applicant having to “explore opportunities”, rather than a definitive amendment being required?
  - c. Where do you see further opportunities to increase solar access to this strategically significant thoroughfare and generally, into the public open spaces within the site, the adjacent parks and waterfront reserve?
5. On 30 April 2020 the National Construction Code (NCC) came into effect requiring energy efficiency ratings for commercial buildings to achieve a minimum 5.5-star energy efficiency rating or above. However, the Department has recommended a FEAR requiring that future buildings achieve a 4-star NABERS energy efficiency rating. Noting the Department’s advice during the meeting with the Commission that the recommended requirement was based on the DCP, should the more updated NCC provision now apply?
  6. Could the Department provide the Commission with the full minutes of all of the DAP meetings, including the workshops that were held on this project (in addition to that shown in Appendix E of the Assessment Report).
  7. The following issue was not raised in the Meeting with the Department, but was identified in the meetings held with the Applicant and Central Coast Council:

*The development has a significant interface with the Leagues Club Field currently under construction by the Hunter and Central Coast Development Corporation (HCCDC). There is conflicting information regarding the proposed extension of Baker Street in the Field development. The Applicant indicated that the street would be extended to be a one-way for vehicles and be a share way for pedestrians. However, the Council indicated that the proposed function of the extended road is unknown, and, as identified in its submission, a turning area would be needed at the end of the current two-way section (either on the Field or the subject site). Clarification is needed if Baker Street will terminate at Vaughan Street with bollards (allowing emergency access only, or continue through).*

It would be appreciated if the Department could advise the Panel as to the status of the extension of Baker Street and facilitate a meeting with the Panel and the HCCDC, if this needs a detailed explanation.



Additional information required

In regard to the proposed urban design response, the Commission requests the following additional information in order to determine the proposal. It is likely that this information will need to be prepared by the Applicant which was accordingly advised at its meeting with the Commission on 28 July 2020:

- a. Drawings of the proposed envelope showing the RLs of Yaringa Lookout, Eureka Lookout and Henry Parry Drive.
- b. Shadow diagrams showing the extent of overshadowing of Poppy Park and the War Memorial Park, particularly the area directly in front of the War Memorial (the parks are not fully shown on the submitted diagrams).
- c. Using the same podium and tower footprints proposed (in pages 41 - 49 incl.) and with reference to the elevations, sections and yield (pages 50 - 54 incl.) of the Applicant's EIS, - an accurate site control analysis with drawings to scale (not massing sketches as provided on page 23) of a proposal with a 'compliant' height (Gosford SEPP height control) showing the:
  - resultant FSR;
  - height plane, with RLs noted on the ridgeline for Yaringa Lookout, Eureka Lookout and Henry Parry Drive;
  - open space; and
  - solar access / shadow diagrams.

The Commission would be grateful if the Department could prepare a formal response to these matters by Friday 7 August 2020.

Should you have any questions, I have asked Ms Heather Warton, 0411 359 941 or [heather.warton@ipcn.nsw.gov.au](mailto:heather.warton@ipcn.nsw.gov.au) to liaise directly with you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Barry', with a horizontal line underneath.

**Stephen Barry**  
Director