GOSFORD CITY CENTRE DEVELOPMENT CONTROL PLAN 2018		
Control	**Control Description**	**Planning Assessment**
Chapter 3 – Places and character		
3.5 Other areas	Objectives: ***1.*** *Encourage a mix of uses including employment, residential, recreation and retail that support the commercial core.* ***2.*** *Provide a diversity of housing, including higher density residential development in the city fringe to support the viability of the city centre and encourage 24-hour use of the city's amenities.* ***3.*** *Facilitate tourism and increased residential development along the waterfront.* ***4.*** *Provide a mix of lower scale employment uses in the enterprise corridor zone to encourage employment generating opportunities that complement the commercial core.* ***5.*** *Built form in the city fringe areas is to maintain the prominence of Presidents Hill and views to Brisbane Water*	The proposed development, for a mixed-use development which contains a hotel, commercial tenancy and residential apartments, is consistent and complementary to the context and desired future character of the Gosford City Centre. The proposal is compatible with the surrounding land uses including established commercial and residential uses. The proposed development has been aesthetically designed, which facilitates the compatibility of the proposal with the surrounding uses whilst acting as a catalyst for regeneration of this portion of West Gosford. As such, the proposal is not considered to exhibit any adverse amenity impacts. The proposed layout and building design will ensure the functional operation of the hotel, whilst activating the internal access. The commercial spaces will activate Racecourse Road, whilst ensuring commercial development is retained in this part of Gosford City Centre. The residential component will provide additional residential accommodation to contribute to market demand and increase affordability, whilst locating the lobby along the Young Street frontage to activate this portion of the subject site to ensure a contiguous pedestrian experience is carried through the subject site from Racecourse Road to Young Street. The proposal is not anticipated to exhibit any significant environmental impacts or adversely impact on the amenity or operations of the adjoining sites. In fact, the enhanced public domain works will provide convenient and safe pedestrian links that will contribute to providing a more pleasant environment which will act as a catalyst for the revitalisation of West Gosford. Therefore, the proposal is considered compatible with the site context and setting.
Chapter 4 – Public Spaces		

4.1 Pedestrian network	***1.*** *Existing publicly and privately owned links are to be retained.*	**Complies** – The proposed development seeks to maintain the existing publicly and privately owned links. In fact, the proposed development also seeks to enhance an existing internal road which propose works and to enhance the public domain and provide a pedestrian link between Racecourse Road and Young Street.
	2. *Where possible, existing dead end streets and lanes are to be extended through to the next street as redevelopment occurs to provide pedestrian links.*	**Complies** – a new internal pedestrian link is proposed along the southern boundary connecting Racecourse Road and Young Street.
	3. *Open air links for pedestrians are to be provided as shown in Figure 2. These shall:* *a. be open to the air and publicly accessible.* *b. have a minimum width of 6m clear of all obstructions unless otherwise noted.* *c. connect with existing and proposed through block lanes, shared zones, arcades and pedestrian ways and opposite other through site links.* *d. have active frontages or a street address.* *e. be clear and direct through-ways for pedestrians.* *f. have signage at street entries indicating public accessibility and the street to which the through site link connects.*	**N/A** – Figure 2 of the attached does not apply to the subject site and refers to the commercial core area.
	4. *Arcades are to be provided as shown in Figure 2. These shall:* *a. have a minimum width as shown in Figure 2, clear of all obstructions (including columns, stairs, escalators)* *b. have a minimum clear floor to ceiling height of 6m for 8m wide links and 3m for 4m links (and 6m is desirable), however they can also be provided as open air links if desired* *c. provide direct visibility from street to street* *d. connect to existing footpaths and pedestrian crossings where possible e. have active frontages for their length f. be clear and direct throughways for pedestrians* *e. provide public access at all business trading times* *f. where practical, have access to natural light for at least 30% of their length* *g. where air conditioned, have clear glazed entry doors comprising at least 50% of the entrance*	**N/A** - Clause refers to the commercial core area.

	h. *j. have signage at street entries indicating public accessibility and the street to which the through site link connects*	
	5. *Investigate a potential 5m setback for pedestrian access and street tree planting along the western side of Mann Street between Burns Place and Etna Street (this could be linked to increased height on medium and larger sites).*	**N/A** – Does not relate to the Site.
	6. *Reference should be made to relevant guidelines in Austroads Guides, Australian Standards, NSW Government Planning Guidelines for Walking and Cycling and NSW Roads and Maritime Services technical directions.*	**Complies** – The proposed pedestrian pathway will be constructed in accordance with the relevant guidelines.
4.4 Views and vistas	***1.*** *The floorplates of buildings above street frontage heights should be designed in accordance with the slender tower provisions in Chapter 5 of this DCP.*	A Visual Impact Assessment (VIA) forms part of the attached analysis which concludes that the proposed development creates a gateway landmark building to complement the western portion of the City and mark the entry to Gosford City Centre, particularly when viewed from the Central Coast Highway. Notwithstanding this, none of the identified key views outlined in Figure 4 will be obscured as a result of the proposal. Regardless, as demonstrated in the VIA provided at **Appendix 2,** the proposed development should be considered acceptable having regard to the impact on views and vistas. The Site provides a tower floor plate of which has been granted design excellence by CoGDAP. This is further enhanced by setbacks and variation in the colour scheme to reduce and soften the appearance of the rear component and allow for visual appearance of only the one element of the tower form, particularly when viewed from the Central Coast Highway.
	2. *Key views (identified in Figure 4) are those existing views of the ridgelines of Presidents Hill, Rumbalara Reserve and views of Brisbane Water from important locations, including the centre of Kibble Park, Leagues Club Field and Brian McGowan Bridge.*	**N/A** – The proposed development would not affect key views shown in Figure 4.
	3. *Other key views critical to the heritage significance of heritage items and places should be protected (for example views from the Memorial Park over to Brisbane Water and the waterfront, and views from the Cenotaph to the rising sun in the east).*	**Complies** – The proposed development is not located near any heritage items nor within any of the view corridors outlined in the DCP.

		The development has been designed to ensure that it protects the view of President Hill whilst also delivering a landmark built form.
	4. *Street vistas (identified in Figure 4) are those existing long distance street vistas that allow vision of the surrounding bushland and/or water views. To protect street vistas, development adjoining street vistas should comply with street wall and tower setback controls (identified in Chapter 5 Built form) to maximise preservation of long distance street vistas. Compliance with this control must be demonstrated in any development application for sites adjoining identified street vistas through view analysis. Specifically, the analysis should demonstrate that the proposed built form has been designed to minimise its impact on these views.*	**N/A** – No street vistas, as identified in Figure 4, will be affected as a result of the proposal.
Chapter 5 – Built Form		
5.2.1 Street setbacks and rear setbacks	***1.*** *Buildings should be designed to comply with streetscape controls as shown in Figure 8. These setbacks should be deep soil and contain no parking structures.*	**On Merit** – The proposed development is in the location shown as 'Other Streets'. The 'Other Streets' location requests setbacks of 3-4m and street wall heights of 6-12m. The setbacks generally comply with the 3-4m setbacks as set out by the GCC DCP, however, to ensure an active street frontage is provided to Racecourse Road, 0m setback is provided at ground level. This remains consistent for the podium component which fronts Racecourse Road. As this portion of the Site permits a maximum 24m height limit and based on commentary provided by the Design Review Panel (DRP), a maximum 21m height limit to the top of the hotel use was recommended to obtain the Panels support. As a result, whilst strict compliance with the recommended setbacks and street wall heights fronting Racecourse Road have not been provided, the improvements made to the ground level based on DRP commentary including the clarification, activation of both Racecourse Road and Young Street, in addition to the activation of the proposed lane, results in an enhanced public domain outcome. The limitation of the podium height to 21m as opposed to the permitted 24m height creates a more human scale approach which will be in keeping with the desired future character of the area.

		Whilst the proposed development does not wholly comply with the numerical controls, a high-quality podium and street address which enhances pedestrian amenity and connectivity will result. The proposed development has also included high quality deep soil zones and landscaping to ensure that there is a transition between public and private space, as depicted in the accompanying Landscape Plans provided at **Appendix 3**.
	2. *In addition to the above, street building alignment and street setbacks are to comply with Figure 8. Parking structures may encroach into these setbacks by up to 1m (except for 0m ground setbacks).*	**Complies** – generally the car parking is provided above ground. However, some at grade car parking is provided along the southern land and eastern boundary Notwithstanding this, a 3m side setback is facilitated for the southern boundary. The northern boundary provides an 8m boundary and a zero metre setback to the northern boundary for the podium component of the Site is provided. Based on the obscure shape of the Site And the narrow width of the handle portion of the Site, a zero metre setback to the north is considered acceptable for the following reasons: ▪ Based on the narrow nature of the Site, to ensure sufficient commercial uses may be provided whilst also ensuring enhanced public domain and pedestrian footpath are provided, a zero setback would be allow for such active uses and enhanced public domain areas to be provided ▪ Should built form not be provided in this portion of the Site, a disconnect would result along Racecourse Road which provides a void between existing development located along Central Coast Highway and potential development proposed along Racecourse Road ▪ A development which provides no built form fronting Racecourse Road would not enhance the pedestrian experience nor provide a human scale environment along Racecourse Road and may result in a development similar to that approved for the Site, which would not be the preferred outcome. ▪ The built form proposed along Racecourse Road (potential zero boundary for 1A Racecourse Rd building also) joining the zero-lot boundary can allow for a complete podium form fronting the proposed tower element. The podiums could complement each other with active/semi active ground floor and

		articulated street walls. The streetscape height transition from 21m to 12m height limit (provided for 1A Racecourse Road) will be enhanced and better defined by maximising street frontage and creating a balance between open space and built forms. The blank street wall will not detract from nor affect the streetscape visually. ▪ Alternatively, if compliant setbacks were provided for 1A Racecourse Road, a scenario which would reduce the visual impact of the blank street wall along the zero-lot boundary on the streetscape would result. Whilst the future built form of 1A Racecourse Road will partly cover the blank wall from pedestrian view, a combination of street wall art and façade treatment could provide a more attractive, innovative and improved streetscape. Based on the above, it is considered that a zero boundary setback to the north is acceptable for the podium.
	3. *Outside the B zones (B3, B4 and B6), a minimum rear setback of 6m is required.*	**N/A** – the proposed development is located within the B6 zone. Regardless, a rear setback in excess of 6m is provided.
	4. *Balconies may project up to 600mm into front building setbacks, provided the cumulative width of all balconies at that level is no more than 50% of the horizontal width of the building façade measured at that level. This control does not apply to buildings with 0m setbacks.*	**N/A** – the proposed development does not seek to provide balconies within the front building setbacks.
	5. *Building separation and visual privacy requirements of SEPP65 and the Apartment Design Guide will also apply as well as to the controls described above.*	The proposed development provides residential units on the upper levels. As demonstrated in the accompanying architectural plans and within the ADG Compliance Schedule (**Appendix 23**), compliance with the recommended setbacks is achieved.
5.2.2 Street wall heights and upper podium	***1.*** *The street frontage height of buildings must comply with the minimum and maximum heights above mean ground level on the street front as shown in Figure 8.*	**On Merit** – This is considered acceptable based on the discussion provided in **Section 5.2.1** above.
	2. *All built form above the street wall height should be set back a minimum of 3m from the building line of the street wall frontage. This may include:*	**Complies** – the tower component is significantly setback from the podium form, as a result of the irregular shape of the Site.

	a. *an 'upper podium' of up to 2 storeys/7m (in height) and side setbacks should be provided consistent with the Apartment Design Guide; and* b. *a tower element above this, which is to be consistent with the controls in Section 5.2.5 of this document.*	
	3. *For development fronting Mann Street, a building's street wall must:* a. *not be greater than 3 storeys at the building street frontage to Mann Street to maintain its existing scale, character and relative human scale, and to access to direct sunlight (refer clause 8.2 in GCC SEPP). Note - This control relates only to the ground level street wall at the building street frontage to Mann Street, and does not relate to any street wall of an upper podium that fronts Mann Street, and is set back from the (ground level) street wall.* b. *comply with the height in metres as shown in Figure 8.*	**N/A** – The proposed development does not front Mann Street.
5.2.3 Active street frontages and street address	***1.*** *Frontages labelled 'primary active frontage' on Figure 8 are to:* a. *Include active uses (for example, retail and business premises) at ground level facing the street for sites within the following character areas: City North, City South and Civic Heart. For sites in other areas, high quality residential with street address may be provided at ground level* b. *Maximise operable and glazed shop frontages, entries for all uses, active office uses such as reception and any other activities which provide pedestrian interest and activation* c. *Minimise blank walls (with no windows or doors), fire escapes, service doors, plant and equipment hatches* d. *Not include more than 12m of frontage dedicated to office use (retail, business and other active uses should be provided at ground level)* e. *Provide elements of visual interest* f. *Provide a high standard of architectural finish and detail* g. *Not contain vehicular access unless demonstrated to be the only suitable location on the property for such access.*	**N/A** – the Site is not labelled as a primary active frontage on Figure 8 of the GDCP2018. Notwithstanding this, the proposed development provides activated frontages to both Racecourse Road and Young Street and internally within the Site to the internal lane along the southern boundary.

	2. *Frontages labelled 'active laneway' on Figure 8 are to provide similar activation to 'primary active frontage', however are preferred for vehicular access where a site has a frontage to both.*	**N/A** – the Site is not labelled as an active laneway on Figure 8.
	3. *All locations are to provide street address and direct pedestrian access off the primary street frontage.*	**Complies** – the Site will provide access from both Racecourse Road and Young Street through the Site. Additionally, the hotel component will be accessible from the internal road. This will facilitate a pick-up and drop-off area for the hotel, covered by the staggered tower element and awning.
5.2.4 Building setbacks and separation	***1.*** *Minimum side setbacks up to street wall height are defined in Figure 8.*	**Complies** – the proposed development complies with the 3m side setback that is shown on Figure 8 for the southern setback. The built form cantilevers above part of the 3m setback for the middle portion of the Site. This is to provide a covered area for the hotel entry and pickup and drop off area. Therefore, whilst a technical non-compliance occurs for the upper level portions, a 3m setback is provided on the ground floor and suitable separation is provided between adjoining properties as a result of the existing ROW/internal lane. In excess of the required 3m setback is provided to the northern boundary. The side setback of the northern boundary for the podium component has previously been addressed in **Section 5.2.1** above.
	2. *In addition to the above, setbacks (including front, rear and side setbacks) for residential uses, serviced apartments and hotels should be compliant with the Apartment Design Guide that accompanies SEPP65 regarding visual privacy*	**Complies** – as previously outlined in **Section 5.2.1**.
	3. *Above the street wall height, all building facades should be well articulated to be attractive in all views. Blank walls with minimal articulation facing any boundary will not be permitted.*	**Complies** - The building facades have been designed to be visually interesting and include detailed vertical articulation. The proposed colours and materials are outlined in the architectural plans located at **Appendix 1**.
5.2.5 Slender towers with high amenity	***1.*** *For development within the B zones (B3, B4 and B6), the maximum floorplate size for towers is:* *a. 750sqm GFA for residential uses, serviced apartments and hotels.* *b. 1500sqm GFA for commercial uses (office space).*	**On Merit** – as previously discussed in **Section 4.4** above, a minor non-compliance occurs however, the development is considered acceptable in terms of this control. The Site provides a tower floor plate of which has been granted design excellence by CoGDAP. This is further enhanced by setbacks and variation in the colour scheme

	Note - This maximum floor plate control applies only to towers, and not to podium level development.	to reduce and soften the appearance of the rear component and allow for visual appearance of only the one element of the tower form, particularly when viewed from the Central Coast Highway.
	2. *In other zones, the maximum GFA of a tower level is 20% of the total GFA and up to 500sqm GFA max.*	**N/A** – Proposed development is located in B6 zone.
	3. *The maximum building length for towers in any direction is 45m.*	**Complies**.
	4. *All tower forms must be set back a minimum 8m from the street wall frontage, however reductions may be accepted (from 8m to 6m) on some sites where it is demonstrated that this control would compromise the ability to design the podium or tower appropriately.*	**Complies** – The tower form on top of the podium has provided a setback in excess of 8m to Racecourse Road.
	5. *All building frontages for a tower with a length over 30m should be:* *a. expressed as two vertical forms* *b. include a clear 'break' of minimum 1m width and 1m depth* *c. include a stepped height difference of minimum two storeys.*	**Complies** – The proposal provides a building which is expressed as two (2) vertical forms. The building has been designed to take account of built form and materiality. The proposed form and massing have been designed to provide two tower forms with a 1.6m break. As a result, two separate tower forms appear and a varying length between 18.9m-23.06m results for each tower component. Additional setbacks have been provided to provide clear distinctions between the tower forms. The appearance of the rear tower form is concealed as a result.
	6. *Tower heights should be varied. Where two towers are provided on one site, their height above ground level should have a minimum of 15% variation between each tower (e.g. with three towers, the tallest should be minimum 30% taller than the shortest).*	**N/A** – The proposed development does not propose two towers but provides two vertical forms to appear as though two (2) towers are provided.
	7. *For sites with more than one tower, separation between buildings should be considered in accordance with the specified distances for each component use, as if there is a boundary between them.*	**N/A**.
5.2.6 Fine grain frontages	***1.*** *The maximum continuous street frontage length of an individual podium (below street wall height) is 40m. Where a podium form exceeds this length it will be visually broken into two or more podium forms. This is described in Figure 9. Each of these forms will:* *a. not exceed 40m in length with a preferred length of less than 30m.*	**On Merit** – The podium form and length provides a direct response to the irregular shape of the Site. Whilst a 49m podium length is provided, there is no alternative given the narrow handle configuration of the Site. The alternative would be to provide no built form in this location, as per a previously approved DA which would not result in a preferred outcome for the Site or West Gosford. The

	b. *be separated from other podium forms by full height breaks of a minimum of 3m (note: separation requirements within the Apartment Design Guide will apply in addition to this where relevant). These breaks should extend to the top of the street wall however may not extend to ground level to ensure continuity of active frontages.* c. *be designed to relate to the pattern of vertical circulation cores where possible.* d. *have its own architectural character which establishes 'fine grain' (through massing, articulation, composition of building elements, material use and details for different building elements, etc.) so that the street block presents as a group of buildings rather than a single building.*	proposed form and external appearance is considered to improve the quality and amenity of the streetscape through the following: ▪ Appropriately scaled building to the public domain; ▪ Streetscape activation; ▪ Proposed built form provides a human scale which fronts onto the internal lane. ▪ Provides a welcoming public domain amenity area; and ▪ A high quality landscaping design allows for circulation through the Site, enhanced pedestrian connections and a visual presence from the public domain. For the reasons above, it is considered that the form and external appearance of the development will improve the quality and amenity of the streetscape and should be considered on merit.
	2. *Each podium form (below street wall height) is to be articulated into smaller elements at a scale or grain. This is described in Figure 9. Each of these forms should respond to:* a. *the established height datum of adjacent buildings, particularly where the street wall height proposed significantly exceeds this.* b. *the established rhythm of building frontages within the area (the lot pattern) of between 5 and 20 metres.* c. *the use of the building and the various components of the building.* d. *the location of the building, or that part of the building relative to pedestrian or outdoor recreation activity.* e. *the details and building elements including building entries, ground floor, lower floors, top floor and roof.*	
5.2.8 Building sustainability and environmental performance for key sites, medium sites and large sites	***1.*** *Measures to improve energy efficiency, water efficiency and waste minimisation should be investigated as part of the enhanced design excellence and design review process.*	**Complies** - As demonstrated in the accompanying BASIX specifications report, the building meets and proposes to achieve the commitments identified in the BASIX Certificate with the goal of meeting and exceeding the minimum building sustainability and environmental performance standards. A Nationwide House Energy Rating Scheme (NatHERS) Certificate accompanies the BASIX documentation and as outlined in the accompanying NatHERS certificate, an average 6.9 star rating is achieved for the residential component. BASIX requires all dwellings in NSW to achieve a minimum of 5.5 star and an overall average of 6

		Stars NatHERS rating for development. The Proposal provides 0.9 in excess of the average 6-star rating resulting in a better than average energy rating. To improve the efficiency of the hot water systems, a 3 star Water Efficiency Labelling and Standards (WELS) rated showerheads have been incorporated, 4 star WELS minimum rated toilets, 6 star WELS kitchen and bathroom taps and dishwashers are to be utilised for the residential component of the development. The high ratings will ensure that the water efficiency quality of these appliances and fixtures provides a high water aspect BASIX rating. Additionally, a 30Kl rainwater tank has also been proposed to meet BASIX requirements to harvest rainwater for reuse. This volume for reuse is proposed to be provided beneath the vehicle ramp from the ground floor to the first floor, near the northern right of way driveway. The collected rainwater is proposed to be reticulated within levels 5, 6 and 7 of the residential units for use as toilet flushing. Based on guidance from the NSW MUSIC Modelling Guidelines, it is expected each 2 bedroom unit to have a daily reuse demand of 0.125kL/day, which will result in a daily re-use demand of 3kL/day for the development. The development has implemented best practise building sustainability mechanisms to ensure that environmental performance standards are exceeded.
	2. *Buildings are to comply with or where possible exceed the Building Sustainability Index (BASIX) by 10% for residential development.*	**Complies** – As above.
	3. *Buildings are to achieve a 4.5 star as built NABERS rating for commercial office buildings.*	**N/A** – The proposed development is not commercial.
	4. *To minimise energy use, buildings are to be designed to:* *a. include high levels of insulation to reduce energy consumption and include energy efficient appliances; and* *b. b. incorporate green roof and green facade/green wall elements to reduce heat loads on internal spaces.*	**Complies** – A high performance façade will insulate the internal environment, thus requiring less energy to mitigate the effect of diurnal temperature swings while providing a stable environment for occupants. Green roofs have been incorporated above the podium and on the roof of the tower reducing cooling loads, the heat island effect and providing green spaces for occupants.
	5. *Development is to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of*	**Complies** – As above - areas such as green roofs and landscapes surrounding entrances have been incorporated to provided localised cooling.

	glazing, natural ventilation, appropriate use of thermal mass and external shading, including vegetation.	
	6. *All new water fittings and fixtures in all non-residential development, the public domain, and public and private parks are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.*	**Complies** - WELS rated fittings will be incorporated into a wider strategy to reduce water use on Site. Additionally, a 30Kl rainwater tank has also been proposed to harvest rainwater for reuse.
	7. *Rainwater tanks are encouraged to be installed for all non-residential development.*	**Complies** - As above, a 30Kl rainwater tank has also been proposed to harvest rainwater for reuse.
	8. *Where possible, use building materials, fittings and finishes that:* *a. have been recycled;* *b. are made from or incorporate recycled materials; and* *c. have been certified as sustainable or 'environmentally friendly' by a recognised third-party certification scheme.*	**Complies** - The Project will include initiatives such as; high percentage of PVC products used in the project including those in all formwork, pipes, flooring, blinds and cables shall meet the Best Practice Guidelines for PVC in the Built Environment, published by the Green Building Council of Australia.
5.2.9 Above ground parking	***1.*** *Car parking is to be provided wholly underground unless the determining authority is satisfied unique site conditions prevent achievement of parking in basements. The determining authority may require the provision of a supporting report (for example, a geotechnical report), prepared by an appropriately qualified professional as information to accompany a development application to the determining authority.*	**On Merit -** As outlined in the Concept Engineering Report, a high standing water level is estimated to be approximately 1.0m AHD. Additionally, the Site is affected by of a highwater table and acid sulfate soils above ground car parking has been proposed. In-principle approval of this design was also supported by the Design Review Panel prior to lodgement, subject to suitably screening treatments to the above ground car parking levels being provided.
	2. *On-site car parking provided at or above ground level is to have a minimum floor to floor height of over 3.5m so it can be adapted to another use in the future.*	**Complies -** Floor to floor height ranging from 3.1m-4.71m have been provided to allow for adaptation. Whilst a minor non-compliance is provided, sufficient space is considered available although a technical numerical non-compliance occurs. Additionally, the GFA proposed is close to the maximum permitted GFA and therefore, would not allow for conversion of this space to GFA, as the required car parking areas are exempt from the GFA calculation.
	3. *On-site parking is to be accommodated underground, or otherwise fully integrated into the design of the building as illustrated in Figures 10 and 11. Where integration is not achieved, car-parking areas will count towards gross floor area for the purposes of calculating Floor Space Ratio.*	**Complies** - Car parking has been appropriately integrated into the design and will be adequately screened from Racecourse Road to ensure that an attractive design results.

	4. *Any on site above ground parking should be 'sleeved' by a minimum 8m depth activation (commercial or residential use) facing any street as illustrated in Figure 11.*	**On-Merit.** As above, the proposed design has provided adequate screening to ensure minimal view of the above ground car park areas can be seen from Racecourse Road and internally along the lane. The design has also been further endorsed (in-principle) by the DRP.
5.2.11 Internal amenity	***1.*** *Building depth, deep soil requirements, communal open space and planting on structures should follow the guidance provided in the Apartment Design Guide that accompanies SEPP 65.*	**Complies.** See accompanying plans, ADG compliance table and development schedule particulars (Project summary of the Architectural plans package).
	2. *For commercial office uses, all areas should be within 10m of a source of daylight. An atrium/ lightwell can be provided to ensure that this is achieved in larger floorplate buildings.*	**N/A** – The proposed development will not comprise commercial office uses.
	3. *Development applications are to demonstrate compliance with Apartment Design Guide sun access for residential uses.*	**Complies**.
	4. *Fixed shading devices are not to substantially restrict access to natural daylight and outlook.*	**Complies** – No fixed shading structures are proposed as part of the Landscape Report. Awnings are proposed above the hotel component and pedestrian walkway which will provide suitable shading from weather conditions.
5.2.12 Building services and the streetscape	***1.*** *Substations must be provided wholly within the subject site, either internal to the development or suitably located and integrated within the architectural or landscaping design. Substations are to be designed in accordance with Ausgrid's requirements for distribution substations which are set out in their network standards NS117 and NS141 for kiosks, and NS113 and NS114 for chambers (or as updated from time to time). Substations within the street will not be accepted.*	**Complies** - Space has been allowed for the provision of a substation in the north-eastern portion of the Site.
	2. *Building entries, building services including fire services and parking and servicing locations should all be treated with high quality materials. Materials used to treat the external facade should 'turn in' and continue at least 3m into vehicular entry locations.*	**Complies** - The proposed development with be finished will high quality robust and durable materials.
	3. *Ground floor substations are preferred to simplify substation access and avoid the need for forced ventilation. Ausgrid will only permit a basement substation by exception when there are no technically viable alternatives.*	**Complies** - Space has been allowed for the provision of a substation in the north eastern corner of the Site.

<table>
<tr><td rowspan="3">5.2.13 Landscape design</td><td>1. For all development applications, a landscape plan shall be submitted by a suitably qualified landscape architect that includes:
a. the planting schedule with numbers and species of plants including botanical and common names,
b. the number and name including botanical and common names of mature trees on site,
c. the type, levels and details of paving, fencing, retaining walls and other details of external areas of the site, and
d. an outline of how landscaped areas are to be maintained for the life of the development.</td><td>Complies - A Landscape Plan has been prepared by Site Image and is provided at Appendix 3.</td></tr>
<tr><td>2. All development proposals are to be designed to minimise the impact on significant trees on site, street trees and trees on adjoining land including remnant vegetation.</td><td>Complies – No trees are proposed to be removed.
Additionally, the proposed landscaping has been designed to be well-integrated with the architectural design of the proposed building in that landscaping will be provided on various levels of the building, from the ground plane up to the podium and roof level to enhance amenity and soften the proposed built form. Particularly, the streetscapes will be provided with paving treatments and street trees. Planting is also provided along the street verges to improve street amenity and reduce the heat island effect.</td></tr>
<tr><td>3. Landscaped areas are to be irrigated with recycled water.</td><td>Complies – As previously outlined, a rainwater tank is proposed. As outlined above, the rainwater tank will collect rainwater which will be reticulated within levels 5, 6 and 7 of the residential units for use as toilet flushing. Additionally, rainwater reuse has been provided as a method of retention of stormwater runoff.</td></tr>
<tr><td>5.2.14 Site cover and deep soil zones</td><td>1. The maximum site cover for development is specified in the following table:
<table><tr><th>Zone</th><th>Commercial & Mixed Use</th><th>Residential</th></tr><tr><td>Commercial Core</td><td>100%</td><td>N/A</td></tr><tr><td>Mixed Use and Enterprise</td><td>75%</td><td>60%</td></tr><tr><td>All other zones</td><td>75%</td><td>50%</td></tr></table></td><td>Complies – The proposed development would have a total site coverage of less than 50% which remains well within the 75% parameter for mixed use development.</td></tr>
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	2. *All developments with a residential component in all zones except the Commercial Core must include a deep soil zone.*	**Complies** – In excess of the required 7% deep soil (ADG) planting is proposed.
	3. *The deep soil zone shall comprise no less than 15% of the total site area (or proportionate to the percentage of residential uses in a mixed-use development). It is to be provided preferably in one continuous block but otherwise with no dimension (width or length) less than 6 metres.*	**On Merit –** 7.72% deep soil planting is proposed (289.4m^2) and therefore the proposed development is supportable on merit notwithstanding the numerical non-compliance with this non-statutory control.
	4. *Where non-residential development results in full site coverage and there is no capacity for water infiltration, the deep soil component must be provided on structure. In such cases, compensatory storm water management measures must be integrated within the development to minimise storm water runoff.*	**N/A** – The proposed development will provide residential development and does not propose full site coverage.
	5. *Where deep soil zones are provided, they must accommodate existing mature trees as well as allowing for the planting of trees/shrubs that will grow to be mature plants.*	**Complies** – The proposed development would allow for the planting of existing mature trees and tree/shrubs that will grow in to mature plants, as detailed in the accompanying Landscape Plan.
	6. *No structures, works or excavations that may restrict vegetation growth are permitted in this zone (including but not limited to car parking, hard paving, patios, decks and drying areas).*	**Complies** – No structures, works or excavations are proposed to interfere with the deep soil landscaping.
5.2.16 Safety and Security	***1.*** *Address 'Safer-by-Design' principles to the design of public and private domain, and in all developments (including the NSW Police 'Safer by Design' crime prevention though environmental design (CPTED) principles).*	**Complies** – The 'Safer-by-Design' principles have been considered throughout the design which have been facilitated by activating the street frontages with commercial, hotel and residential lobby uses.
	2. *Ensure that the building design allows for passive surveillance of public and communal spaces, access ways, entries and driveways.*	**Complies** – The proposed development allows for passive surveillance.
	3. *Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and car parks.*	**Complies** – The proposed development has been designed to avoid blind corners and dark alcoves and increased connectivity through the Site will result, connecting Racecourse Road and Young Street.
	4. *Maximise the number of residential 'front door' entries at ground level.*	**N/A** – The proposed development provides the main entry point for the residential component fronting Young Street. The remainder are located above the ground level and the commercial and hotel use will activate the remainder of the ground street frontages.

	5. *Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering.*	**Complies** – The proposed development provides for clearly defined legible entrances. This is further translated in the design of built form, particularly in terms of the hotel component.
	6. *Clearly define the development boundary to strengthen the transition between public, semiprivate and private space. This can be actual or symbolic and can include landscaping, fences, change in paving material, etc.*	**Complies** – The development boundary is clearly defined by pedestrian pathways and clear way finding mechanisms. Additionally, the public and private is essentially defined and separated with appropriate landscaping.
	7. *Provide adequate lighting of all pedestrian access ways, parking areas and building entries.*	**Complies** – The proposed development will ensure that adequate lighting is provided to public areas, particularly along the pedestrian pathway which wraps around the built form.
	8. *Provide clear lines of sight and well-lit routes throughout the development.*	**Complies** – The development provides clear lines of sight and well-lit routes throughout the development.
	9. *Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway.*	**Complies** – The development allows for casual surveillance and activated spaces.
	10. *For large scale retail and commercial development with a construction value of $7 million or over, provide a 'safety by design' assessment in accordance with the CPTED principles from a qualified consultant.*	**N/A** – The proposed development is not large-scale retail or wholly commercial. Regardless, the proposed has been designed in accordance with the 'safer by design' principles.
5.2.17 Building Exteriors	***1.*** *Adjoining buildings (particularly heritage buildings) are to be considered in the design of new buildings in terms of:* *a. appropriate alignment and street frontage heights,* *b. setbacks above street frontage heights,* *c. appropriate materials and finishes selection,* *d. facade proportions including horizontal or vertical emphasis.*	**Complies** - There are no heritage items within close proximity of the Site. Buildings surrounding the Site are predominately low scale retail, commercial and industrial uses.
	2. *Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged.*	**Complies** - a roof terrace area has been provided which benefits from views to Gosford Racecourse, Presidents Hill and Brisbane water.
	3. *Articulate façades so that they address the street and add visual interest.*	**Complies** - Facades are visually interesting and address the street.
	4. *External walls should be constructed of high quality and durable materials and finishes with 'self-cleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.*	**Complies** - The materials are robust and durable.

	5. *Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.*	**Complies** - The materials are robust and durable and would not incur significant maintenance costs.
	6. *To assist articulation and visual interest, expanses of any single material is to be avoided.*	**Complies** - Facades are visually interesting and address the street. Building facades have been designed to be visually interesting and include detailed articulation. The proposed colours and materials are clearly outlined in the Design Excellence Statement prepared by Marchese and located at **Appendix 6**.
	7. *Limit sections of opaque or blank walls greater than 4m in length along the ground floor to a maximum of 30% of the building frontage.*	**Complies** - Facades are visually interesting and address the street. The building facades have been designed to be visually interesting and include detailed articulation. The proposed colours and materials are clearly outlined in the Design Excellence Statement and architectural plans.
	8. *Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass.*	**Complies** - The car showroom will be provided with predominately glazed materials considering the nature of the use however, this will be broken up in sections by entry voids to avoid large expanses of glazing.
	9. *Highly reflective finishes and curtain wall glazing are not permitted above ground floor level (refer to Section 8.4.1).*	**Complies** - No materials are proposed above ground level which would exceed the acceptable allowed reflectance.
	10. *A materials sample board and schedule is required to be submitted with applications for development over $1 million or for that part of any development built to the street edge.*	**Complies** - A materials schedule accompanies the application and is located in the architectural plans.
	11. *Minor projections up to 450mm from building walls in accordance with those permitted by the Building Code of Australia may extend into the public space providing it does not fall within the definition of gross floor area and there is a public benefit, such as:* *a. expressed cornice lines that assist in enhancing the streetscape,* *b. projections such as entry canopies that add visual interest and amenity, and* *c. provided that the projections do not detract from significant views and vistas (refer to Figure 4)*	**N/A** – There are no minor projections from the building walls which would extend into public space or outside of the boundary of the Site.
	12. *The design of roof plant rooms and lift overruns are to be integrated into the overall architecture of the building.*	**Complies** - The proposed plant room and lift over run are located on the roof level and have been designed to be integrated into the overall architecture of the building.

		Additionally, to ensure the lift overrun is less intrusive, a separate lift core is provided which only travels from Level 12 to Level 13 (roof). Therefore, the design has been suitably integrated into the design of the roof and will not pose as a dominant feature.
5.2.18 Public Artworks	***1.*** *Public art is to respond to the particular site of the development as well as the city as a whole.*	**Complies** – A Public Art Plan which sets out visually interesting public art opportunities may be undertaken however, as part of this Proposal plan has not been prepared based on the limited areas which this could be located, given the narrow nature of the portion of the Site which fronts Racecourse Road.
	2. *Provide well designed and visually interesting public art made by artists or organisations that are competent in the selected field.*	
	3. *Construct public art of materials that are hardwearing, resistant to vandalism and constructed to ensure minimal maintenance.*	**Complies** – Should public art be proposed in the future, the materials utilised will be hardwearing and resistant to vandalism.
Chapter 7 – Access and parking		
7.2 Pedestrian Access and Mobility	***1.*** *Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.*	**Complies** – As previously outlined, the building entry points would be clearly visible from street frontages.
	2. *The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (AS 1428 Pt 1 and 2, or as amended) and the Disability Discrimination Act 1992 (as amended).*	**Complies** – An Access Report has been prepared by Code Consulting to ensure that the proposed development is accessible.
	3. *Barrier free access is to be provided to not less than 20% of dwellings in each development and associated common areas.*	**N/ Complies** – An Access Report has been prepared by Code Consulting to ensure that the proposed development is accessible.
	4. *All development must provide at least one main pedestrian entrance with convenient barrier free access to at least the ground floor level.*	**Complies** – The proposal provides free flowing access to the hotel, commercial and residential lobby at the rear of the Site.
	5. *All development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.*	**Complies** – Access paths from public roads and spaces as well as internal spaces provide unimpeded internal travel.
	6. *Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip*	**Complies** - Pedestrian access ways, entry paths and lobbies will use durable materials commensurate with the standard of the adjoining public domain.

	resistant materials, tactile surfaces and contrasting colours.	
7.3 Vehicular Driveways and Manoeuvring areas	***1.*** *Driveways should be:* *a. provided from lanes and secondary streets rather than the primary street, wherever practical,* *b. located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees,* *c. located a minimum of 6 metres from the perpendicular of any intersection of any two roads, and* *d. if adjacent to a residential development, setback a minimum of 1.5m from the relevant side property boundary.*	**Complies** – The proposed ingress and egress from the ground floor level to the upper level car park is provided *via* Young Street or the new internal road which may be accessed from Racecourse Road *via* a series of right of carriageways the subject site benefits from. All have been designed in accordance with the relevant Australian Standards.
	2. *Vehicle access is to be integrated into the building design so as to be visually recessive.*	**Complies** – Generally, access will be facilitated *via* existing right of way access along the southern boundary of the Site and been setback into the development and also *via* existing access from Young Street.
	3. *All vehicles must be able to enter and leave the site in a forward direction.*	**Complies** – All vehicles entering the Site can ingress/egress in forward direction.
	4. *Design of driveway crossings must be in accordance with Council's standard Vehicle Entrance Designs, with any works within the footpath and road reserve subject to a Section 138 Roads Act approval.*	**Complies** – Vehicle entrances have been designed in accordance with all relevant standards.
	5. *Driveway widths must comply with the relevant Australian Standards. Car space dimensions must comply with the relevant Australian Standards. Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard, (AS 2890.1).*	**Complies** – Driveway widths and car spaces have been designed in accordance with all relevant standards.
	6. *Vehicular ramps less than 20m long within developments and parking stations must have a maximum grade of 1 in 8. Ramp widths must be in accordance with AS 2890.2.*	**Complies** – Vehicular ramps have been designed in accordance with the relevant standards.
	7. *Access ways to underground parking should be sited to minimise noise impacts on adjacent habitable rooms, particularly bedrooms.*	**N/A –** underground parking is not proposed.
	8. *For residential development in the General Residential zone, use semi-pervious materials for all uncovered parts*	**N/A** – The proposed development is not located in the R1 General Residential zone.

	of driveways and parking areas to assist with storm water infiltration.	
	9. *Building entries, building services including fire services and parking and servicing locations should all be treated with high quality materials. Materials used to treat the external facade should 'turn in' and continue at least 3m into vehicular entry locations.*	**Complies** – The proposed development with be finished will high quality robust and durable materials.
7.4 On-Site Parking	***1.*** *On-site vehicle and bicycle parking is to be provided in accordance with Table 2 of this chapter.*	**Complies** – as demonstrated in the Addendum Statement of Environmental Effects, the proposal provides a total of 130 car parking spaces, which exceeds the required 129 car parking spaces. Whilst bicycle parking is only specifically prescribed to be provided for the commercial component of the Site, as indicated in the GCC DCP, 14 bicycle parking spaces are provided in the north-western corner of the ground floor of the proposal. As the commercial component (showroom) requires 1 space per 200m² GFA per employee and 1 per 750m² GFA for visitors, five (5) bicycle spaces are required. To ensure sustainable options of transportation are promoted across the Site, an additional nine (9) bicycle spaces than that required will be provided.
	1. *Car parking and associated internal manoeuvring areas provided over and beyond that required by this chapter is to be calculated towards gross floor area.*	**Complies** – The proposed car parking meets the requirements of the GCC DCP.
	2. *Car parking above ground level is to have a minimum floor to ceiling height of 3.1m so it can be adapted to another use in the future.*	**On merit** – the upper level of above ground parking has a floor to ceiling height of 3.1m to allow for adaptive reuse in the future.
	3. *On-site parking must meet the relevant Australian Standard (AS 2890.1 2004 – Parking facilities, or as amended).*	**Complies** – All on site car parking has been designed to meet the relevant standards.
	4. *To accommodate people with disabilities, provide a minimum of 4% of the required parking spaces, or minimum of 2 spaces per development, (whichever is the greater) as an appropriately designated and signed disabled parking space.*	**Complies** – The accessible car parking spaces will be higher than the rates set out in DCP to ensure sufficient car parking is provided to service the proposed adaptable units. A minimum 3.74 accessible car parking spaces is required to satisfy this control (7.4(5)). As eight (8) accessible car parking spaces are provided, in excess of the required amount has been provided.

	5. *A Transport Management Plan is required to accompany development applications to justify any proposed variation to parking rates.*	**Complies** – There is no variation to the parking rates. The proposed development seeks to provide the minimum requirement of car parking.
	6. *Uncovered on-site parking areas, including the top of front building setbacks, are prohibited.*	**Complies** – Car parking is proposed along the southern boundary which may be used by the public and restrictions may be applied by the Council, as deemed necessary. Six (6) uncovered car parking spaces are proposed to service the Site east ROW and north-western corner, which will generally facilitate hotel and showroom staff car parking and are considered appropriate, based on their locations. These are not considered on-site parking areas.
	7. *Bicycle parking is to be in secure and accessible locations, with weather protection.*	**Complies** – The proposed bicycle parking is located in secure and accessible location.
	8. *The impact of any on-grade car parking must be minimised by:* *a. locating parking on the side or rear of the lot away from the street frontage,* *b. provision of fencing or landscape to screen the view of cars from adjacent streets and buildings,* *c. allowing for safe and direct access to building entry points, or* *d. incorporating car parking into landscape design of the site (such as plantings between parking bays to improve views, selection of paving material and screening from communal and open space areas).*	**Complies -** The proposed at grade car parking is sufficiently screened by landscaping and is separated from pedestrian walkways to mitigate any potential pedestrian and car conflict. As per the intentions of this control, plantings and landscaping have been provided between car parking spaces on the ground level.
	9. *Reference should be made to relevant guidance in Austroads Guides, Australian Standards, NSW Government Planning Guidelines for Walking and Cycling and NSW Roads and Maritime Services technical directions.*	**Complies** – The proposal has been designed to ensure that the cycling aspects of Austroads Guides and "Walking and Cycling Program Guidelines" 2019-2020 have been considered to ensure that congestion is reduced on our roads and walking and cycling are encouraged for short local trips. Based on the proximate location of the Site to employment hubs such as the surrounding hospitals and health facilities in relation to its proximate location within Gosford City Centre, the proposal is suitably placed to promote and support a walking and cycling culture.
7.5 Site Facilities and Services	***Bicycle lockers and shower facilities*** ***1.*** *For commercial and retail development providing employment for 20 persons or more, provide adequate*	**N/A –** In excess of 20 full time staff will not be employed on the Site for commercial or retail development at any one time**.**

	change and shower facilities for cyclists. Facilities should be conveniently located close to bike storage areas.	
	Mailboxes ***1.*** *Provide mail boxes for residential building and/or commercial tenancies in one accessible location adjacent to the main entrance to the development.*	**Complies** – It is considered that the development is capable of compliance.
	2. *They should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.*	**Complies** – It is considered that the development is capable of compliance.
	3. *Mail boxes shall be secure and large enough to accommodate articles such as newspapers.*	**Complies** – It is considered that the development is capable of compliance.
	Communication structures, air conditioners and service vents ***1.*** *Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:* *a. away from the street frontage,* *b. integrated into the roof-scape design and in a position where such facilities will not become a skyline feature at the top of any building, and* *c. adequately setback from the perimeter wall or roof edge of buildings.*	**Complies** – It is considered that the development is capable of compliance.
	2. *A master antenna must be provided for residential apartment buildings. This antenna shall be sited to minimise its visibility from surrounding public areas.*	**Complies** – It is considered that the development is capable of compliance.
	Waste (garbage) storage and collection - General (all development) ***1.*** *All development is to accommodate waste handling and storage on-site.*	**Complies** – The proposed development is able to accommodate waste storage and collection on Site and the loading dock is located on the ground floor of the proposal.
	2. *Access for waste collection and storage is preferred from rear lanes, side streets or rights of ways.*	**Complies** – Access to waste storage areas is located from the ROW on the northern side of the site and waste is collected from the loading dock area, where the hotel, residential and commercial waste storage areas abut.
	3. *Waste storage areas are to be designed to:* *a. ensure adequate driveway access and manoeuvrability for any required service vehicles,* *b. be located so as not to create any adverse noise impacts on the existing developments or sensitive*	**Complies** – The proposed waste storage area has been designed to ensure adequate driveway access and manoeuvrability, located on the ground floor to ensure there are no noise impacts and the loading can be adequately screened from the public.

<table>
<tr><td></td><td>noise receptors such as habitable rooms of residential developments, and
c. be screened from the public way and adjacent development that may overlook the area.</td><td></td></tr>
<tr><td></td><td>4. The storage facility must be well lit, easily accessible and on level grade for movement of bins, free of obstructions that may restrict movement and servicing of bins or containers and designed to minimise noise impacts.</td><td>Complies – The waste storage area will be well lit, easily accessible and on grade to ensure easy movement of bins. The waste storage will also be free of obstructions and designed to minimise noise impacts.</td></tr>
<tr><td></td><td>Location requirements for waste storage areas and access:
1. Where waste volumes require a common collection, storage and handling area, this is to be located:
a. for residential flat buildings, enclosed within a basement or enclosed carpark,
b. for multi-unit housing, at ground behind the main building setback and façade, or within a basement or enclosed carpark, and
c. for commercial, retail and other development, on-site in basements or at ground level within discrete service areas not visible from main street frontages.</td><td>Complies – The proposed waste storage area is located on the ground floor level at the rear of the Site.</td></tr>
<tr><td></td><td>2. Where above ground garbage collection is prohibitive or impractical due to limited street frontage, or would create an unsafe environment, an on-site basement storage area must be provided.</td><td>Complies – The proposed waste storage area is located on the ground floor level in a practical location which does not front a public road.</td></tr>
<tr><td></td><td>3. Where a waste vehicle is required to enter the site, access and circulation areas shall be designed to accommodate a vehicle with the following specification:
<table><tr><td>Vehicle length</td><td>10.5m</td></tr><tr><td>Vehicle height</td><td>4.0m</td></tr><tr><td>Ramp width</td><td>4m</td></tr><tr><td>Turning circle</td><td>AUSROADS template for HRV, R=12.5m, speed 5kph</td></tr><tr><td>Minimum truck loading</td><td>23 tonne</td></tr></table>Any access route for waste collection vehicles and operators is subject a Section 88B Instrument under the</td><td>Complies – The waste storage area will comply with all relevant standards to accommodate waste vehicles in accordance with AS2890.2.</td></tr>
</table>

	Conveyancing Act for right of access being provided prior to an occupational certificate being issued.	
	Service docks and loading / unloading areas ***1.*** *Provide adequate space within any new development for the loading and unloading of service/delivery vehicles.*	**Complies** – The service dock and loading/unloading area will comply with the relevant standards.
	2. *Preferably locate service access off rear lanes, side streets or rights of way*	
	3. *Screen all service doors and loading docks from street frontages and from active overlooking from existing developments.*	
	4. *Design circulation and access in accordance with AS 2890.1.*	
	Fire service and emergency vehicles ***1.*** *For developments where a fire brigade vehicle is required to enter the site, vehicular access, egress and manoeuvring must be provided to, from and on the site in accordance with the NSW Fire Brigades Code of Practice - Building Construction - NSWFB Vehicle Requirements.*	**Complies** – The proposed development is capable of providing access for a fire brigade vehicle.
	2. *Generally provision must be made for NSW Fire Brigade vehicles to enter and leave the site in a forward direction where:* *a. NSW Fire Brigade cannot park their vehicles within the road reserve due to the distance of hydrants from the building or restricted vehicular access to hydrants, or* *b. otherwise required by the NSW Fire Brigades Code of Practice - Building Construction NSWFB Vehicle Requirements.*	
Chapter 8 – Environmental Management		
8.2 Energy Efficiency and Conservation	***Residential*** ***1.*** *New dwellings, including multi-unit development within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.*	**Complies –** See accompanying BASIX Certificate and report located at **Appendix 11**.
	Non-Residential ***2.*** *Improve the control of mechanical space heating and cooling by designing heating/ cooling systems to target*	**Complies** - As the building contains separated uses, the heating/cooling system has been designed on a zonal basis to allow for maximum control for the end user. Therefore,

	only those spaces which require heating or cooling, not the whole building.	systems can respond to demand ensuring spaces are not overserved.
	3. *Improve the efficiency of hot water systems by:* *a. insulating hot water systems, and* *b. installing water saving devices, such as flow regulators, 3 stars rated shower heads, dual flush toilets and tap aerators.*	**Complies** - The proposal has high ambitions for water reduction. As outlined in the BASIX report and civil documentation, rainwater will be harvested and re-used on site. In addition, the 3 Star WELS minimum rated Showerheads, 4 Star WELS minimum rated Toilets, 6 Star WELS minimum rated Kitchen and Bathroom Taps and 6 Star WELS minimum rated Dishwashers are proposed for the residential component. In addition, a rainwater tank is proposed in which the water will be reticulated within levels 5, 6 and 7 of the residential units for use as toilet flushing.
	4. *Reduce reliance on artificial lighting and designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.*	**Complies** - The buildings lighting control strategy will be based around "daytime" and "night-time" settings to reduce lighting consumption. Where feasible, daylight dimming and PIR sensors will be installed so the lighting system responds to occupancy. Additionally, the proposal seeks to achieve high levels of solar access to allow daylight to penetrate the floor plate illuminating most spaces during the day.
	For all commercial development over $5 million ***5.*** *Provide an Energy Efficiency Report from a suitably qualified consultant to accompany any development application for new commercial office development with a construction cost of $5 million or more that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme.*	**N/A** – An ESD Report is not required as the proposal does not propose a commercial office development.
	6. *All non-residential development Classes 5 to 9 need to comply with the Building Code of Australia energy efficiency provisions.*	**Complies** - The building will meet the relevant BCA energy efficiency provisions as outlined in the BCA report.
8.3 Water Conservation	***1.*** *New dwellings, or developments which contain a residential component within a mixed use building or serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.*	**Not Relevant** – The proposed development does not incorporate a residential component.

	2. *All new development shall demonstrate implementation of best practice water saving infrastructure including provision of rainwater / storm water retention tanks.*	**Complies** - Water retention has been considered for flushing toilets, as outlined above.
8.4 Reflectivity	***1.*** *New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.*	**Complies** – It is not anticipated that the proposed façade materials will have a specular reflectance exceeding 20%. As such, it is considered to comply with the relevant controls.
	2. *Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.*	
	3. *Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.*	
8.5 Wind Mitigation	***1.*** *Site design for tall buildings (towers) should:* *a. set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower,* *b. ensure that tower buildings are well spaced from each other to allow breezes to penetrate city centre,* *c. consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level, and* *d. ensure usability of open terraces and balconies.*	**N/A** -The wind conditions in the ground level footpath areas would be expected to be within the walking comfort criterion based on the provision of setbacks, the podium level and the awnings and variety in built form which should alleviate any potential discomfort in terms of wind and should be considered acceptable in terms of wind impacts. Additionally, the proposal will not exceed 48m and therefore a wind tunnel test is not deemed necessary.
	2. *To ensure public safety and pedestrian comfort, a Wind Effects Report is required to accompany development proposals with buildings greater than 14m in height.*	
	3. *For buildings over 48m in height, results of a wind tunnel test are to be included in the report.*	
8.6 Waste and Recycling	***Non-residential*** ***1.*** *Development applications for all non-residential development must be accompanied by a waste management plan that addresses:* *a. best practice recycling and reuse of construction and demolition materials,* *b. use of sustainable building materials that can be reused or recycled at the end of their life,* *c. handling methods and location of waste storage areas that have no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians, and*	**Complies** – A Waste Management Plan has been prepared and is located at **Appendix 26**.

	d. *procedures for the on-going sustainable management of green waste; garbage and recyclables including, glass, metals and paper; including access estimated volumes; required bin capacity and on-site storage requirements.*	
8.7 Noise and Vibration	***1.*** *Development should be designed to minimise the potential for offensive noise.*	**Complies** – Detail surrounding the acoustic assessment is included within the acoustic assessment provided at **Appendix 23**.
	2. *Where a proposed development includes an activity which may generate unreasonable noise or which may be affected by an existing noise source, an acoustic study is to be undertaken to establish noise levels and provide a mitigation strategy, demonstrating the measures to be taken to effectively mitigate noise.*	
	3. *Noise sensitive developments, such as dwellings, should be designed to reasonably protect the proposed development from noise sources such as arterial roads, railway lines, sporting complexes and entertainment venues.*	
	4. *Noise buffering should not be provided by high fences, garages or blank walls to public streets. Where screening by these or similar methods is the only practical solution, the screen should be no greater than 50% of the street frontage. Such screening should have visual interest and retain some surveillance from the building behind the screen's entries, windows or balconies, when practical.*	
	9. *When a development consent is granted and includes conditions of consent requiring monitoring of noise levels and setting of acoustic performance standards, provision should be made to test actual noise levels after the development is occupied and when noise generating activities commence; and for corrective acoustic treatment to be applied if necessary.*	
9.1 Housing Choice and Mix	***1.*** *Where residential units are proposed at ground level within the Mixed Use zone and Special Activities zones, development must demonstrate how future commercial uses can be accommodated within the ground level design. The development must address:* *a. access requirements including access for persons with a disability,* *b. any upgrading works necessary for compliance with the Building Code of Australia, and*	**Complies** - No residential units are provided on the ground floor level.

	c. *appropriate floor to ceiling heights.*	
	2. *To achieve a mix of living styles, sizes and layouts within each residential development, comply with the following mix and size:* *a. provide a mix of bed-sitter/studio, one bedroom, two bedroom and three bedroom apartments,* *b. bed-sitter apartments and one bedroom apartments must not be greater than 25% and not less than 10% of the total mix of apartments within each development,* *c. two bedroom apartments are not to be more than 75% of the total mix of apartments within each development, and* *d. for smaller developments (less than six dwellings) achieve a mix appropriate to the locality.*	**On Merit** - Based on current market trends and the demand for one (1) bedroom units in this area, no one bedroom units have been provided. The proposal facilitates a mixture of two (2) and three (3) bedroom units. The proposed two (2) bedrooms constitutes approximately 89% of the total units and the proposed three (3) bedroom units provide 11%. Whilst the proposed two (2) bedroom units is 14% in excess of the recommended maximum of 75%, the proposed mix is considered suitable based on current market trends demand which predominately sees significantly more demand for two (2) bedroom units. Whilst a technical numerical non-compliance occurs, the mix of unit proposes is considered acceptable considering tits context.
	3. *Up to a 40% mix of studio and one bedroom apartments is permitted within residential development owned by the NSW Land and Housing Corporation (NSW LHC).*	**N/A** - the Site is not owned by the NSW Land and Housing Corporation (NSW LHC).
	4. *For residential apartment buildings and multi-unit housing on land with less than 20% slope, 15% of all dwellings (or at least one dwelling – whichever is greater) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "preadaptation" design details to ensure visitability is achieved*	**Complies** - 15% of the proposed units are required to be adaptable which represents 8.7 units based on a maximum of 58 units being provided. As 9 adaptable units are proposed, in excess of the required amount has been catered for within the proposal.
	5. *Where possible, adaptable dwellings shall be located on the ground floor, for ease of access. Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access from the basement to allow access for people with disabilities.*	**Complies** - Lift access is provided to all levels. As the car parking is proposed above ground, no basement is proposed. Regardless all levels are adequately serviced by lift access.
	6. *The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply*	**Complies** - An Access report accompanies the application which specifically addresses the Australian Adaptable Housing Standard 4299 (1995) which details the capability of compliance.

<table>
<tr><td></td><td>with the Australian Adaptable Housing Standard (AS 4299-1995).</td><td></td></tr>
<tr><td></td><td>7. Car parking and garages allocated to adaptable dwellings must comply with the requirements of the relevant Australian Standard for disabled parking spaces.</td><td>Complies - As detailed in the accompanying plans and access report accessible car parking bays have been provided.</td></tr>
<tr><td>9.2 Storage</td><td>1. In addition to storage in kitchens, bathrooms and Bedrooms wardrobes. Storage is to be provided in accordance with the following:
<table><tr><th>Dwelling Type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m^3</td></tr><tr><td>1 bedroom apartments</td><td>6m^3</td></tr><tr><td>2 bedroom apartments</td><td>8m^3</td></tr><tr><td>3+ bedroom apartments</td><td>10m^3</td></tr></table>2. At least 50% of the required storage is to be located within the apartment.</td><td>Complies - As 52 x 2 bedroom units and 6 x 3 bedroom units are proposed, a total area of 476m^3 of storage is required. As a total of 579m^3 is provided the proposed storage complies with this control.
At least 356.9m^3 has been provided within the apartments which represents approximately 75% of the required storage being located within the apartments.</td></tr>
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