

WILLOWTREE PLANNING



MEMO

Project No	WTJ23-223
Subject	10 Young Street, West Gosford (DA 10609) – Matters Arising relating to Design (2)
Date	06.06.2023
Prepared by	Willowtree Planning
To	DPE

The Department of Planning and the Environment (DPE)

Comment:

“As requested in the Department’s letter dated 16 March 2023, provide an assessment that demonstrates that a compliant building footprint can be achieved at 1A Racecourse Road, West Gosford with consideration to the ADG Visual Privacy design criteria non-compliance proposed as part of this development..”

Response:

1. ADG Compliance – 3F Visual Privacy

The key data from the most up to date ADG Compliance Table, prepared by Marchese is provided below:

3F Visual Privacy			
Objective 3F-1 Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from habitable rooms and balconies to the side and rear boundaries are as follows:	The proposed development complies with ADG requirements to neighbouring sites. The design has also considered ADG setbacks to comply with any future increase in density on these sites.	Complies
	▪ Up to 12m/ 4 storeys: 6m	Additional consideration has been taken to the building	

ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



WILLOWTREE PLANNING



	<ul style="list-style-type: none"> Up to 25m/ 5-8 storeys: 9m 	<p>separation of the Western facade of the proposed tower with the introduction of the proposed DA for 1A Racecourse Road (Refer to DA2.09 H).</p> <p>All windows on the Western and Eastern facades have been supplied with operable shutters (Refer to DA3.03 H, DA 3.04 G and DA8.02 B). The solution provides visual privacy and protection to the low sun radiation when desired by the occupant to the east, and retains view amenities to the dwellings to the south-east. (Refer to DA5.21 C-5.28 C). The solution provides a screened façade to the east which complies with a 18m ADG requirement for the related building separation. The reference image of the sliding window shutters can be found in DA7.05 F.</p>	
	<ul style="list-style-type: none"> Over 25m (9+ storeys): 12m 		
	Separation distances between buildings on the same site should combine required building separations depending on the type of room (see Figure 3F.2 in the ADG).	Complies	Complies
Objective 3F-2 Site and building design elements increase privacy without compromising access to light and air and balance outlook to views from habitable rooms and private open space.		Complies	Complies

ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



WILLOWTREE PLANNING



As a result of the irregular geometry of the Site, particularly the orientation of the boundary with 1A Racecourse Road, the approach to separation distances presented within drawing **DA1.04 G** was agreed with the City of Gosford Design Advisory Panel (CoGDAP). The Panel considered this to be a reasonable approach in terms of not compromising the development potential of 1A Racecourse Road, particularly with the addition of operable shutters at this interface.

Fixed louvers were originally proposed to provide privacy to the dwellings within the development, as well as to the future dwellings at 1A Racecourse Road. However, the Panel recommended the use of adjustable shutters given the degree of ADG compliance relating to separation distances, as the quality of solar access and outlook were deemed to be of greater importance.

For background, the following response was provided to CoGDAP in December 2021.

2. The following response was provided to CoGDAP in respect of the development potential of 1A Racecourse Road in Willowtree Planning's submission dated 16 December 2021.

The subject site presents an irregular shape, with an unusual boundary interface to 1A Racecourse Road, West Gosford. The arrangement of this boundary provides a challenging circumstance in providing separation.

There are a few items at play in determining a suitable setback for our proposed development at 10 Young Street, West Gosford, which are extrapolated as follows.

Introduction of privacy screening/ sliding shutters:

The introduction of screening/ sliding shutters to the building façade adjacent to 1A Racecourse Road, obstructs views to and from the potential neighbouring built form. The potential built form for 1A Racecourse Road has been anticipated based on the following:

- Scoping documentation submitted as part of SSD-21848218;
- Gosford SEPP development standards; and
- ADG controls.

Scoping documentation submitted as part of SSD-21848218

Luux Properties has commenced a State Significant Development (SSD) assessment process for a proposed mixed-use development at 1A Racecourse Road, West Gosford, involving residential flat buildings, hotel accommodation and commercial uses. The component of development that adjoins 10 Young Street is the Stage 2 provision of 14 storey residential tower, with a tower setback of approximately 12.4m from the southern property boundary and at least 15.9m from the eastern boundary (that is adjacent to 10 Young Street).

It is understood that these development outcomes for 1A Racecourse Road are not definite, however as detailed below there are other standards and controls that have been investigated to understand the future development opportunities, and determine whether the proposed development of 10 Young Street is sympathetic to such opportunities.

ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



WILLOWTREE PLANNING



Gosford SEPP development standards

1A Racecourse Road, West Gosford, is afforded the following development standards:

Standard	Requirement
Land zoning	B6 Enterprise corridor
Height of buildings	12m
FSR	1.5:1
Key site	Gosford City Centre
Exceptions to height and floor space in Zones B3, B4 and B6	The proposal may exceed the maximum height and FSR described above, by an amount to be determined by consent authority, subject to the requirements of Clause 5.46 of the Regional Precincts SEPP.

Based on the above, it is understood that 1A Racecourse Road may be afforded additional building height and FSR under the same provisions as 10 Young Street, including Design Excellence. The scoping design for 1A Racecourse Road indicates a total FSR of 2.9:1 and building height (for the tower adjacent to 10 Young Street) of approximately 45m; around 10 storeys above the standard 12m height limit for this site.

Among other things, to achieve the uplift of FSR and building height, 1A Racecourse Road, must also demonstrate how the development will address:

- (i) *the suitability of the land for development,*
- (ii) *existing and proposed uses and use mix,*
- (iii) *heritage issues and streetscape constraints,*
- (iv) *the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
- (v) *bulk, massing and modulation of buildings,*
- (vi) *street frontage heights,*
- (vii) *environmental impacts such as sustainable design, overshadowing, wind and reflectivity,*
- (viii) *the achievement of the principles of ecologically sustainable development,*
- (ix) *pedestrian, cycle, vehicular and service access, circulation and requirements,*
- (x) *the impact on, and any proposed improvements to, the public domain.*

Of particular interest is the requirement to address overshadowing of 10 Young Street. When comparing a compliant scheme for 1A Racecourse Road to the proposed uplift of some 10 storeys, the overshadowing impact to 10 Young Street is anticipated to be severe.

ADG controls

Among other things, the development of 1A Racecourse Road would need to demonstrate that overshadowing of neighbouring properties is minimised during mid-winter. In particular, 'overshadowing should be minimised to the south or downhill by increased upper level setbacks'.

Whilst it is unclear whether 1A Racecourse Road, would in fact be granted an uplift in building height as described above, this outcome has been considered in assessing whether the proposed development is commensurate to the opportunities of 1A Racecourse Road.

ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



WILLOWTREE PLANNING



The introduction of privacy screening/ sliding shutters at 10 Young Street, as illustrated in drawings refs. **DA3.03 H** and **DA3.04 G**, aligns with the key outcomes of visual privacy, balancing site and context specific design solutions with views, outlook, ventilation and solar access.

Law of Averages:

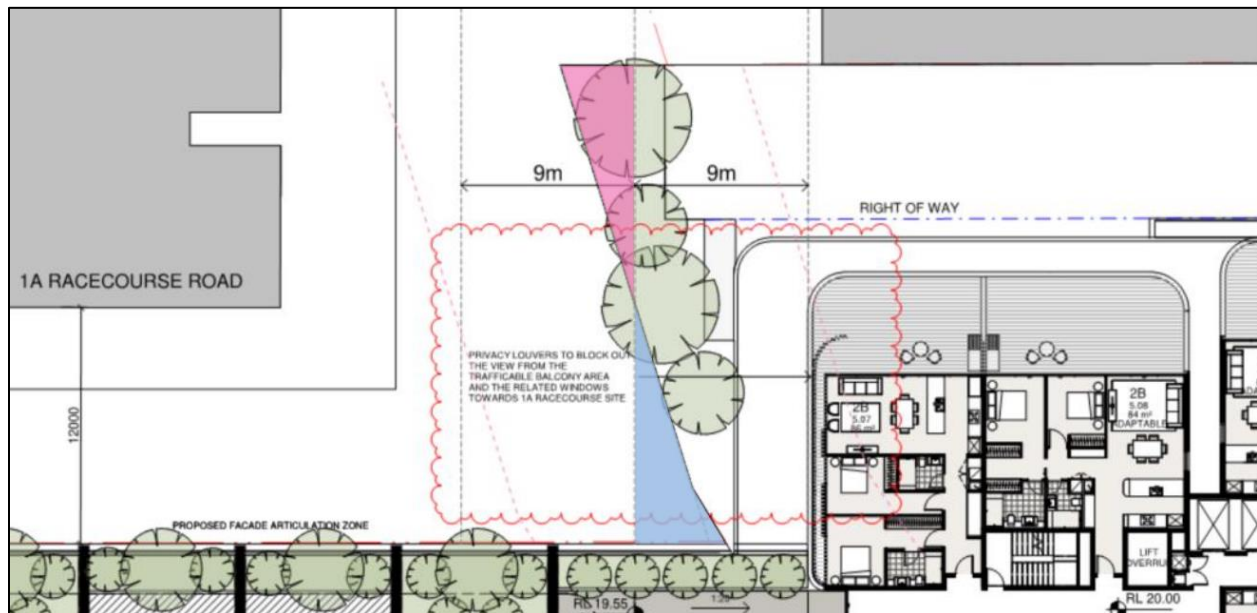
Given the alignment of the boundary between 10 Young Street and 1A Racecourse Road, it is apparent that both properties intend to apply the 'law of averages' approach to building separation, which benefits both properties development opportunities.

The angled nature of the property boundary presents a challenge in demonstrating strict compliance with Objective 3F-1 of the ADG.

By straightening the extent of this boundary, purely for the purpose of determining a building separation, an outcome that benefits both sites are achieved. This outcome allows development at 1A Racecourse Road to be located closer to the boundary in the northern portion of the separation area, as shown in **pink** below. Similarly, the outcome also allows 10 Young Street's development to be located closer in the southern portion of the separation area, as shown in **blue** below.

Based on this approach it is considered that both properties benefit equally from this arrangement, and 1A Racecourse Road is certainly not burdened.

It is also valuable to note that much of interface of this boundary is afforded to an existing and to be maintained ROW. As such, approximately 8 to 10m of this area at 10 Young Street does not propose any habitable or non-habitable elements; therefore, 1A Racecourse Road would not be subject to any building separation for up 10m of the subject boundary.



ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



WILLOWTREE PLANNING



With the inclusion of privacy screening at 10 Young Street, and in consideration of the above, it is demonstrated that the proposal achieves a quality outcome with respect to its interface with 1A Racecourse Road.

ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



SYDNEY | NEWCASTLE | GOLD COAST | BRISBANE