

**MAJOR PROJECT ASSESSMENT:
Ettalong Beach
Memorial Avenue and The Esplanade,
Ettalong Beach
(MP 09_0121)**



Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

November 2010

ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PPR	Preferred Project Report
Proponent	Tesrol Ettalong Pty Ltd
RtS	Response to Submissions

Cover Photograph: Proposed southern elevation (as amended) of Stage 1 building

© Crown copyright 2010
Published November 2010
NSW Department of Planning
www.planning.nsw.gov.au

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

EXECUTIVE SUMMARY

This is a report on a Project Application seeking approval for the construction of a mixed use development at the corner of Memorial Avenue and The Esplanade, Ettalong Beach pursuant to Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act). The site is located within the Gosford Local Government Area. The Proponent is Tesrol Ettalong Pty Ltd.

The proposal seeks approval for the construction of 2 mixed use buildings. Stage 1 comprises a 7 storey mixed use building with retail at ground floor, 45 residential units and communal facilities on upper levels and associated basement parking. Stage 2 comprises of a 2 storey retail and commercial building.

The Proponent submitted a Preferred Project Report which reduced the height of the building by 3.8m, increased the setback of levels 3-5 from the southern boundary facing The Esplanade and deleted the roof top plant. This reduced the overall height, bulk and scale of the building by more than one storey.

The PPR has a Capital Investment Value of \$27,420,000 and would create 200 new construction jobs and 32 operational jobs.

The site is located within both the 3(a) Business (General) and the 3(b) Business (Special) zones of the Gosford City Council Planning Scheme Ordinance 1968. The proposed retail, commercial and residential uses are permissible.

The Environmental Assessment (EA) was exhibited for a 30 day period from Wednesday 5 May 2010 to Friday 4 June 2010. The Department received 4 submissions from public authorities and 37 submissions from the public.

Key issues considered include: height, bulk and scale, overshadowing and view sharing.

The Department has assessed the merits of the proposal and is satisfied that the impacts of the proposed development have been satisfactorily addressed within the EA, PPR and the Department's recommended conditions of approval.

The proposed development achieves an appropriate level of design and will maintain and enhance the amenity of the locality and surrounding development. In addition, the proposal would assist in contributing towards long term dwelling targets contained in the Central Coast Regional Strategy. For the above reasons, the proposal is supported, subject to recommended conditions of approval.

TABLE OF CONTENTS

1.	BACKGROUND	3
2.	PROPOSED PROJECT	5
2.1	Project Description (Exhibited EA)	5
2.2	Preferred Project Report	5
2.3	Project Need and Justification	7
3.	STATUTORY CONTEXT	9
3.1	Major Project	9
3.2	Permissibility	9
3.3	Environmental Planning Instruments	10
3.4	Objects of the EP&A Act	10
3.5	Ecologically Sustainable Development	10
3.6	Statement of Compliance	11
4.	CONSULTATION AND SUBMISSIONS	12
4.1	Exhibition	12
4.2	Public Authority Submissions	12
4.2.1	Gosford City Council	12
4.2.2	NSW Office of Water (NOW)	12
4.2.3	NSW Department of Environment and Climate Change (DECCW)	12
4.2.4	Energy Australia	12
4.3	Public Submissions	12
5.	ASSESSMENT	14
5.1	Height, Bulk and Scale	14
5.1.1	Height	15
5.1.2	Floor Space Ratio	15
5.2	Amenity	17
5.2.1	SEPP 65 and Residential Flat Design Code (RFDC) Compliance	17
5.2.2	Overshadowing	17
5.2.3	View Sharing	18
5.3	Parking and Traffic	19
5.4	Section 94 Contributions	20
5.5	Climate Change	20
5.6	Other Issues	21
5.6.1	Service Laneway	21
5.6.2	Public Domain	21
5.6.3	Privacy	21
5.6.4	Impact Upon the Local Economy	21
6.	RECOMMENDATION	22
APPENDIX A	ENVIRONMENTAL ASSESSMENT	23
APPENDIX B	PROPONENT'S RESPONSE TO SUBMISSIONS	24
APPENDIX C	CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS	25
APPENDIX D	RECOMMENDED CONDITIONS OF APPROVAL	34

1. BACKGROUND

The site is located on the southern edge of the Ettalong Beach town centre within the Gosford City Council LGA. The site is bounded by The Esplanade to the south and Memorial Avenue to the west, and covers an area of 3149m².

The development site comprises two land holdings that are separated by a 6 metre wide Council laneway. The northern parcel (lots 111 & 112 DP 10650) has an area of 916.9m². The southern parcel (lots 113 to 116 DP 10650) has an area of 2232.3m². Both sites are vacant and are currently being utilised as a public car park for 104 vehicles.

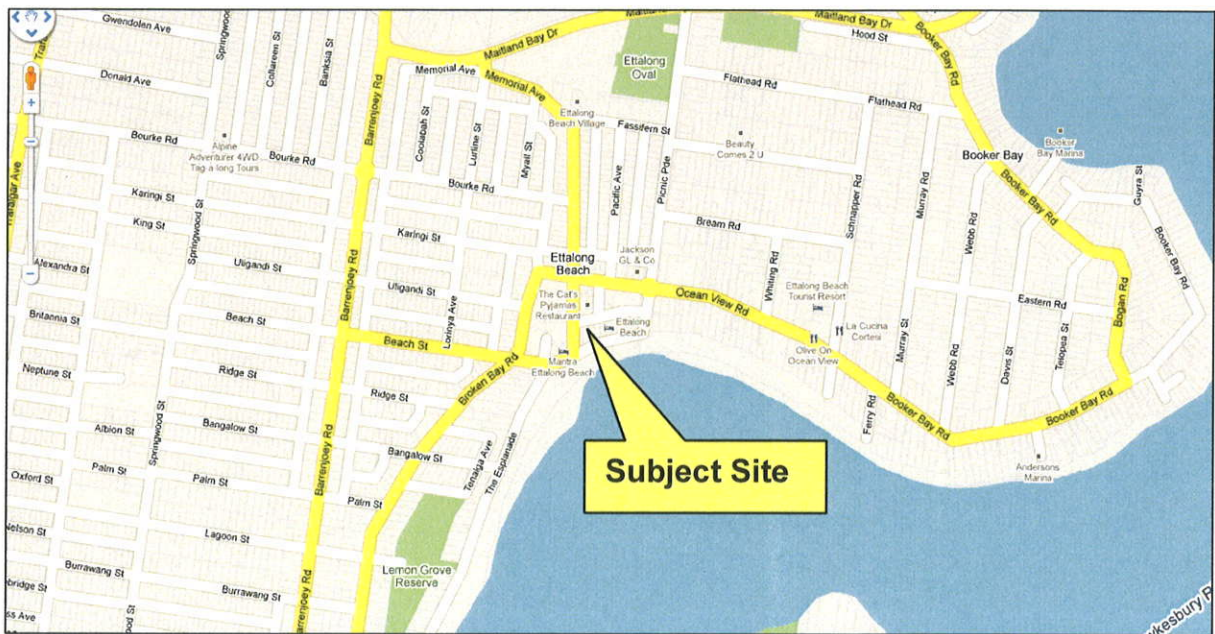


Figure 1 – Ettalong Beach



Figure 2 – Site and surrounding area

Immediately to the south of the site is Ettalong Beach fronting Brisbane Waters. Immediately to the west of the site is the 'Outrigger Resort' building. The 'Outrigger Resort' is the largest and tallest building within the Peninsula and has a height of 9 storeys. The building is a 'Ziggurat' form resulting in a building that steps away from the beach as the height of the

building increases. The 'Outrigger Resort' dominates the Peninsula skyline as it is substantially taller than the surrounding one and two storey development within the area.

A modest painted brick and tile two storey motel is located immediately to the east. To the north of the site lies the core commercial area of Ettalong Beach. This area is characterised by one and two storey commercial and retail buildings. A large public car park is located to the north-west of the site and is known as the War-Memorial Club Site. The four storey 'Ettalong Beach Hotel' building is the only other building in the immediate vicinity of the site that is greater than two storeys in height. The building is located approximately 60 metres to the north-east of the site.

2. PROPOSED PROJECT

2.1 Project Description (Exhibited EA)

The proposal seeks approval for the construction of two buildings over two stages. Stage 1 involves the redevelopment of the larger southern parcel of land and stage 2 the smaller northern land parcel.

The exhibited EA sought approval for:

Stage 1 - the construction of a single building ranging in height from 3 to 7 storeys, basement car parking facilities, roof top plant equipment and landscaping including a 6 metre wide pedestrian link. The building will accommodate retail units at ground level with residential units and communal facilities on upper floors.

Stage 2 - the erection of a 2 storey commercial/retail building with associated car parking facilities.

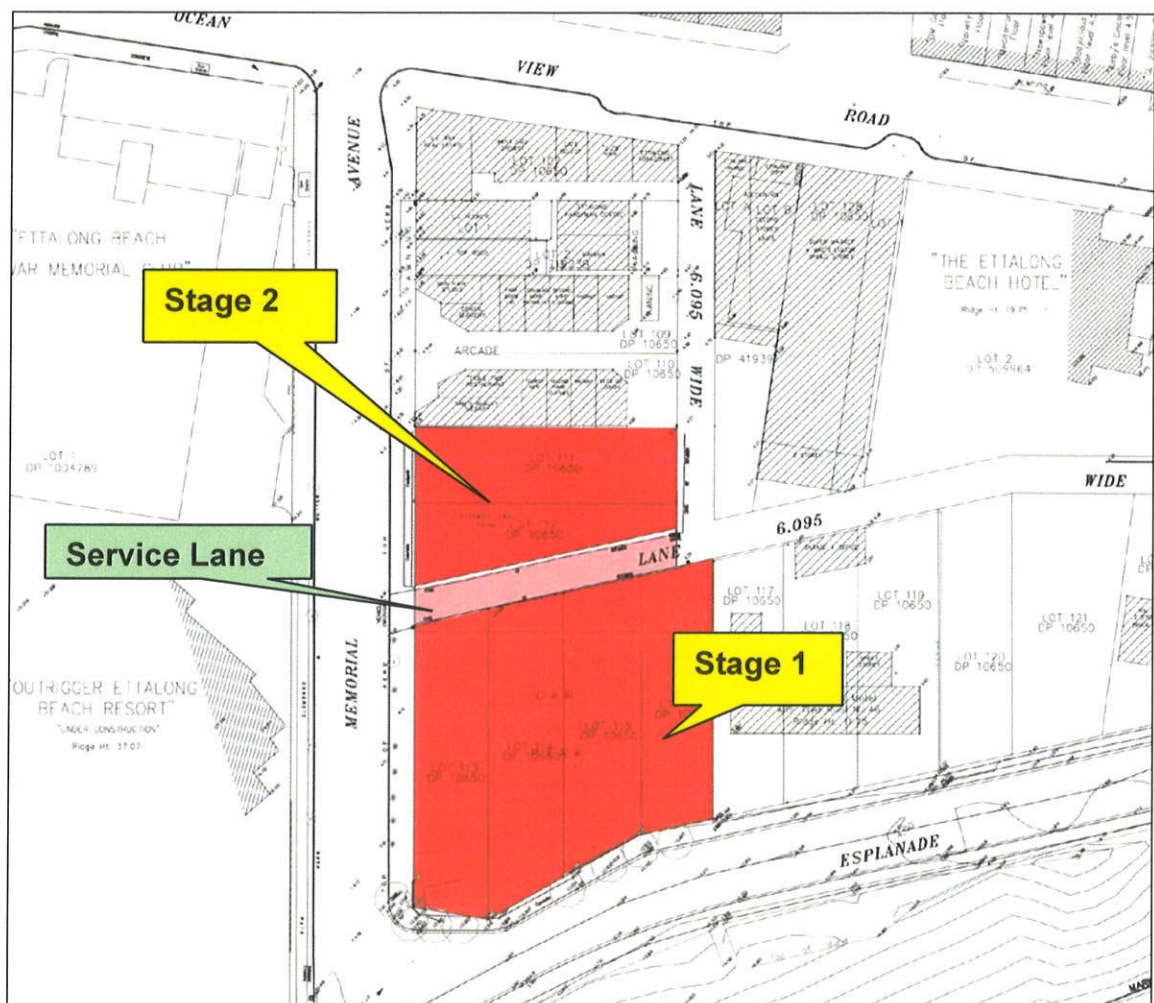


Figure 3 – Subject Site (Stage 1 and 2)

2.2 Preferred Project Report

The Proponent submitted a Preferred Project Report (PPR) in response to the issues raised in submissions (see Appendix B). The PPR amended the height and layout of the Stage 1 building. The PPR:

- Reduced the overall building height from RL 31.300 to RL 27.500 a difference of 3.8 metres (greater than 1 storey);
- Reduced the ground floor storey height and converted the mezzanine level into a new floor;

- Increased the setback of level 3 – 5, from the southern boundary facing The Esplanade;
- Reduced the building envelope of level 6 by increasing the setbacks from all side boundaries; and
- Deleted the roof top plant level (plant incorporated into upper most residential level).

The above changes reduced the overall height bulk and mass of the building. The proponent also provided greater detail on external materials and included visual interpretation of the building when viewed from selected positions around Brisbane Waters. Further details of the PPR proposal are found in table 1 below.

Table 1: Key Project Components (As Amended by PPR)

Aspect	Description
Project Summary	<ul style="list-style-type: none"> • Two Stages • Stage 1 – Construction of a 7 storey mixed use residential building • Stage 2 – Construction of a 2 storey commercial/retail building • Combined GFA of 6725m² • Maximum height 23.5 metres
<i>Residential</i>	45 units (10 x 1 bed, 26 x 2 bed and 9 x 3 bed)
<i>Retail</i>	Stage 1 - 511m ² Stage 2 - 338m ²
<i>Commercial</i>	Stage 2 – 522m ²
<i>Car Parking</i>	Stage 1 – 81 spaces at basement and ground level Stage 2 – 12 spaces at grade
<i>Communal facilities</i>	Stage 1 – Gym and swimming pool on level 1, communal open space on levels 1 through to 6 including planter beds and landscaping.
<i>Community facility</i>	Stage 1 – 6 metre wide pedestrian link between The Esplanade and the service lane.



Figure 4 – Image of Proposal (Stage 1 - As Exhibited)



Figure 5 – Image of Proposal as Amended (Stage 1 - PPR)



Figure 6 – Image of Proposal (Memorial Avenue Elevation Stage 2 Building)

2.3 Project Need and Justification

NSW State Plan

The proposal is consistent with the following objectives of the State Plan:

- Providing development in close proximity to existing centres, services and transport.
- Increasing the supply of dwellings within existing urban areas.
- Implementing more environmentally sustainable practices (including photovoltaic cells, grey water recycling and use of energy efficient devices).

Central Coast Regional Strategy

The strategy indicates that the Central Coast's population will increase by approximately 100,000 people by 2031. To accommodate this growth, 56,000 new dwellings are required. The strategy has been prepared to ensure that population growth is accommodated in a manner that preserves and enhances quality of life for the Region's residents, while also protecting the natural environment. To achieve these key objectives, the strategy indicates the need for a greater diversity of housing types and the need to limit the majority of new housing (40,000 dwellings or 71%) to existing urban areas.

The proposal is consistent with the objectives of the Central Coast Regional Strategy as it will increase both the number and type of residential accommodation within existing town centres.

Peninsula Urban Directions Strategy (PUDS)

PUDS was prepared in order to address the growth potential of suburbs on the Woy Woy Peninsula, including Ettalong Beach. PUDS provides an urban design strategy which focuses increased densities in and around existing town centres and limits urban expansion in order to facilitate additional housing within established land use zones while offering improved levels of social equity, environmental sustainability and economic efficiency. PUDS was used as a basis for the development of the Draft Gosford LEP 2009.

Specifically, the recommended strategy outlined by PUDS is for consolidated growth in the area based on the following principles:

- Town Centres averaging 5 storeys (ground floor retail, 4 storey residential above), with provision of up to 6 storeys with the provision of public benefits;
- Development facing the waterfront should generally be a maximum of 3 storeys;
- Building heights that are distributed to screen existing tall or 'overscaled' structures;
- Town Centres accounting for 25% of projected population growth;
- Residential developments to offer a range of housing opportunities;
- New planning controls which focus on envelopes and height rather than density, incentives and rewards for the provision of public benefits, stepped buildings forms to maintain sunlight and a modest scale at street-level; and
- Protect views and view corridors.

The Department considers the project to be largely consistent with the recommended strategy outlined within PUDS. The project will provide new residential, commercial and retail facilities within the Ettalong Town Centre. The site lies within an appropriate zone and is of a size and scale that is suitable to accommodate these uses. The development will contribute to key aims and objectives of the strategy, namely to provide additional higher density housing in town centres, reinforce the role and function of town centres such as Ettalong Beach and provide an adequate height transition from the neighbouring 9 storey Outrigger building.