

Objector	Objection	Comment
Kathy Smith 20 Blackwell Road, Woy Woy NSW 2256	The extension of time for implementing the development approval or modification of the approval.	Gosford City Council has confirmed in its letter (19 August 2015 as attached) that the development has commenced. No extension of time is necessary or has been sought in this instance.
	Does not comply with Gosford LEP 2014 with respect to FSR.	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP. That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	Does not comply with Gosford LEP 2014 with respect to height.	While the relevant height controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Where the proposed height exceeds the development standards of the Gosford LEP, meets the aims of the height standard as specified in cl.4.3 of the LEP. That is, the proposal responds to the desired future character of Ettalong which is consistent with the Gosford LEP. The proposed height is suitable as it: • Will provide a suitable transition in height and mass from the neighbouring 9-storey 'Outrigger Building' to surrounding low level developments. • Presents a 'pedestrian scale' (3-storeys) along The Esplanade and Memorial Avenue with subsequent storeys being setback from the street frontages. The scale transition in the

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		upper levels of the building are shown in the accompanying elevations and sections (see drawing DA201 and 740, CD Architects January 2016). The proposed building height is lower than the approved development; the height for the existing approval is 23.5m and the proposed height is 22.4m. The proposed height is reduced by 1.1m.
	Cause overshadowing of the Esplanade	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would generally fall within the shadow cast by the approved development. While there is some additional overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small (refer to the accompanying shadow comparison). Issues associated with overshadowing impacts are typically associated with impacts upon private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	Create a 'wind tunnel' on Memorial Avenue.	Compared to the approved development, it is not anticipated that there will be a significant change or increase in the wind generated or deflected by the development as amended. This is because storeys 4 to 7 of the proposal are progressively set back from the foot path of The Esplanade. This design creates a series of irregular setbacks of the individual apartments which would have the effect of mitigating any wind tunnel effects that might be generated by the development.

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Community Environment Network PO Box 149 Ourimbah NSW 2258	The ICAC report on political donations must be made publically available before this proposal is approved.	Not relevant to the assessment.
	Don't know the developer of the site or the relationship to the current owner of the site.	The owner of the site and the applicant are disclosed in the subject 75W modification of the application.
	Exceeds maximum FSR in accordance with the <i>'development standards of the Ettalong Town Centre'</i> Gosford LEP 2014.	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP. That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	Exceeds maximum height in accordance with the <i>'development standards of the Ettalong Town Centre'</i> Gosford LEP 2014.	While the relevant height controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Where the proposed height exceeds the development standards of the Gosford LEP, meets the aims of the height standard as specified in cl.4.3 of the LEP. That is, the proposal responds to the desired future character of Ettalong which is consistent with the Gosford LEP. The proposed height is suitable as it:

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	Creates an overshadowing effect.	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would roughly fall within the shadow cast by the approved development. While there is some overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small. Issues associated with overshadowing are typically to do with private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	Creates a wind tunnel effect.	A wind tunnel associated with the development would not occur. This is because storeys 4 to 7 of the proposal are progressively set back from the foot path of The Esplanade. This design creates a series of irregular setbacks of the individual apartments

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		which would have the effect of mitigating any wind tunnel effects that might be generated by the development.
	Opposes the extension of time for implementing the development or any modification of the approval.	Gosford City Council has confirmed in its letter (19 August 2015 as attached) that the development has commenced. No extension of time is necessary or has been sought in this instance.
Australian Labour Party Umina/Ettalong Beach	Opposed to any extension of time for implementing the development approval or modification of the approval.	Gosford City Council has confirmed in its letter (19 August 2015 as attached) that the development has commenced. No extension of time is necessary or has been sought in this instance.
10 Murray Street Ettalong Beach NSW 2257	Exceeds maximum FSR in accordance with the Gosford LEP 2014.	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP. That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	Exceeds maximum height in accordance with the Gosford LEP 2014.	While the relevant height controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Where the proposed height exceeds the development standards of the Gosford LEP, meets the aims of the height standard as specified in cl.4.3 of the LEP. That is, the proposal responds to the desired future character of Ettalong which is consistent with the Gosford LEP.

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	Creates overshadowing	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would roughly fall within the shadow cast by the approved development. While there is some overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small. Issues associated with overshadowing are typically to do with private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	Creates a wind tunnel effect	A wind tunnel associated with the development is not anticipated to occur.

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		This is because storeys 4 to 7 of the proposal are progressively set back from the foot path of The Esplanade. This design creates a series of irregular setbacks of the individual apartments which would have the effect of mitigating any wind tunnel effects that might be generated by the development.
Bryan Ellis Umina NSW	Exceeds maximum FSR in accordance with the Gosford LEP 2014.	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP. That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
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		The proposed building height is lower than the approved development; the height for the existing approval is 23.5m and the proposed height is 22.4m. The proposed height is reduced by 1.1m.
	Creates overshadowing.	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would roughly fall within the shadow cast by the approved development. While there is some overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small. Issues associated with overshadowing are typically to do with private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	Creates a wind tunnel effect.	A wind tunnel associated with the development is not anticipated to occur. This is because storeys 4 to 7 of the proposal are progressively set back from the foot path of The Esplanade. This design creates a series of irregular setbacks of the individual apartments which would have the effect of mitigating any wind tunnel effects that might be generated by the development.
	Insufficient car parking provided.	The total number of proposed car spaces exceeds the minimum parking requirements as defined under the Gosford DCP 2013. The minimum number of car spaces is 75 and the proposed number of car spaces is 78.

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Edward Mieluk Terrigal NSW	Below the minimum amount of open space on the site. The recommended total open space is 558sqm of open space and the proposed open space is 414sqm. Loss of amenity as the gym, community room, indoor pool and void are to be replaced with 14 apartments.	The Apartment Design Guide for the State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development recommends 25% of the site area is allocated to communal open space. In this instance, 558sqm are recommended to be communal open space and 414sqm are proposed as communal open space. Communal open space would be provided as a common green space on level 1 (127m²), and a swimming pool and bathing area (287m²) on level 3. This communal open space on levels 1 and 3 would provide recreational facilities for the benefit of all occupants. The amenity for the swimming pool and bathing area on level 3, was originally an indoor area on level 2. This new design has the pool and bathing area to level 3 on the south side of the development opposite Ettalong Beach, enabling users to enjoy the water views, outdoors and solar access. This design increases the amenity of the area. Coupled with a high degree of amenity in the common areas which are offset by iconic water views of Ettalong Beach, the allocated communal open space is deemed acceptable.
	Smaller apartment areas compared to the original approval	All the apartments meet the requirements for minimum apartment size as specified in the Apartment Design Guide for State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development.
	Fourteen additional apartments, which is an increase of 31% of approved apartments.	The overall proposed building bulk remains largely unchanged and does not significantly affect the public domain in comparison to the approved development.

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	Table 1 states that 10 x 3-bedroom apartments are proposed while table 7 mentions 12 x 3-bedroom apartments.	In table 7 the sentence should read 'Of the 10 3-bedroom apartments, one apartment has less than 12sqm of POS.'
	FSR increases from 2.5:1 to 2.63:1 which will lead to overcrowding on the site.	The overall building bulk of the proposed development will remain unchanged. The proposal seeks to maximise the efficient use of floor space, while maintaining the building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	Traffic Study recommended no extra parking is required if 14 additional apartments are approved. Objector suggests that at least 14 additional parking spaces are required.	The total number of proposed car spaces exceeds the minimum parking requirements as defined under the Gosford DCP 2013. The minimum number of car spaces is 75 and the proposed number of car spaces is 78.
John Wiggin North Gosford	The approved development does not comply with the Gosford LEP 2014	The development standards under the Gosford LEP do not apply to the subject Project Application as it is a Part 3A assessment.
	FSR increases from 2.5:1 to 2.63:1 which does not comply with the Gosford LEP	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP.

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		That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	Stage 1 of the development would cause significant overshadowing of The Esplanade.	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would roughly fall within the shadow cast by the approved development. While there is some overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small. Issues associated with overshadowing are typically to do with private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	The height and design of the development and its proximity to the Mantra Resort will create a wind tunnel on Memorial Avenue.	A wind tunnel associated with the development is not anticipated to occur. This is because storeys 4 to 7 of the proposal are progressively set back from the foot path of The Esplanade. This design creates a series of irregular setbacks of the individual apartments which would have the effect of mitigating any wind tunnel effects that might be generated by the development.
	Opposes extension of time to commence the development and modification of the approval.	Gosford City Council has confirmed in its letter (19 August 2015 as attached) that the development has commenced. No extension of time is necessary or has been sought in this instance.

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Michael Conroy	<i>'In view of the past and future ICAC recommendations, it would be appropriate if the current application for The Esplanade, Ettalong were referred to the Planning Assessment Commission for determination'.</i>	Not relevant to the proposal.
	The approved development exceeds height limit of 11.5m to 22.4m as defined under the Gosford LEP 2014.	While the relevant height controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Where the proposed height exceeds the development standards of the Gosford LEP, meets the aims of the height standard as specified in cl.4.3 of the LEP. That is, the proposal responds to the desired future character of Ettalong which is consistent with the Gosford LEP. The proposed height is suitable as it: • Will provide a suitable transition in height and mass from the neighbouring 9-storey 'Outrigger Building' to surrounding low level developments. • Presents a 'pedestrian scale' (3-storeys) along The Esplanade and Memorial Avenue with subsequent storeys being setback from surrounding streets. The scale transition in the upper levels of the building are shown in the accompanying elevations and sections (see drawing DA201 and 740, CD Architects January 2016). • The proposed building height is lower than the approved development; the height for the existing approval is 23.5m and the proposed height is 22.4m. The proposed height is reduced by 1.1m.

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	The approved development exceeds FSR of 1:1 to 2.59:1 as defined under the Gosford LEP 2014.	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP. That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	Stage 1 of the development would cause significant overshadowing of The Esplanade.	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would roughly fall within the shadow cast by the approved development. While there is some overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small. Issues associated with overshadowing are typically to do with private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	The height and design of the development and its proximity to the Mantra Resort will create a wind tunnel on Memorial Avenue.	A wind tunnel associated with the development is not anticipated to occur. This is because storeys 4 to 7 of the proposal are progressively set back from the foot path of The Esplanade. This design creates a series of irregular setbacks of the individual apartments

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Anonymous Annangrove NSW	The building is too high for the site.	While the proposed height exceeds the development standards of the Gosford LEP, it does meet the aims of the height standard as specified in cl.4.3 of the LEP. That is, the proposal responds to the desired future character of Ettalong which is consistent with the Gosford LEP. The proposed height is suitable as it: • Will provide a suitable transition in height and mass from the neighbouring 9-storey 'Outrigger Building' to surrounding low level developments, and; • Present a 'pedestrian scale' (3-storeys) along The Esplanade and Memorial Avenue. As subsequent storeys are setback from the streets, this design complies with the height controls for properties fronting The Esplanade. • The proposed building height is lower than the approved development; the height for the existing approval is 23.5m and the proposed height is 22.4m. The proposed height is reduced by 1.1m.
	The building is too large for the site.	The overall bulk and scale of the development is appropriate as it: • Will provide a suitable transition in height and mass from the neighbouring 9-storey 'Outrigger Building' to surrounding low level developments. • Presents a 'pedestrian scale' (3-storeys) along The Esplanade and Memorial Avenue. • The irregular setbacks of the individual apartments which contribute to the building façade will provide a fine grain to the development that mitigates any sense of building bulk in the locality. • Responds to the desired future character of Ettalong which is consistent with the Gosford LEP.

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	No consideration of the surrounding building views	In comparison to the approved development, the proposal will maintain view sharing opportunities by providing view sharing corridors east and west of the proposed development.
Jack Lloyd Commented on "Planning Alerts" website https://www.planningalerts.org.au/applications/596167	Insufficient car parking	The total number of proposed car spaces exceeds the minimum parking requirements as defined under the Gosford DCP 2013. The minimum number of car spaces is 75 and the proposed number of car spaces is 78.
	(Proposed) building height is 22.4 metres compared with the LEP restriction to 11.5 metres.	While the relevant height controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Where the proposed height exceeds the development standards of the Gosford LEP, meets the aims of the height standard as specified in cl.4.3 of the LEP. That is, the proposal responds to the desired future character of Ettalong which is consistent with the Gosford LEP. The proposed height is suitable as it: • Will provide a suitable transition in height and mass from the neighbouring 9-storey 'Outrigger Building' to surrounding low level developments. • Presents a 'pedestrian scale' (3-storeys) along The Esplanade and Memorial Avenue with subsequent storeys being setback from the street frontages. The scale transition in the upper levels of the building are shown in the accompanying elevations and sections (see drawing DA201 and 740, CD Architects January 2016). • The proposed building height is lower than the approved development; the height for the existing approval is 23.5m and the proposed height is 22.4m. The proposed height is reduced by 1.1m.

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	The floor space ratio is nearly three times the standard set in the Gosford LEP 2014.	While the relevant FSR controls in the Gosford LEP are cited in the Statement of Environmental Effects, they do not apply to this Project Application being a Part 3A assessment. Nonetheless, while the proposed FSR exceeds the Gosford LEP, it does meet the aims of the FSR as specified in cl. 4.4 of the LEP. That is, the proposal seeks to maximise the efficient use of floor space, while generally maintaining the overall building envelope and ensuring that the new development reflects the desired character of the locality in which it is located.
	The Stage 1 development may create significant overshadowing in The Esplanade area.	Compared to the approved development, the proposed building bulk and height will not result in any significant increase in overshadowing of neighbouring properties or areas of public open space. Total shadow volumes increase by 68m², 61m² and 70m² at 9am, 12 noon and 3pm on 21 June respectively (drawing number DA 600, CD Architects). Shadows from the development would roughly fall within the shadow cast by the approved development. While there is some overshadowing from the development, it is not considered significant in its impact as Ettalong Beach. This beach covers a large area and the overshadowed area is relatively small. Issues associated with overshadowing are typically to do with private open space (i.e. open areas within residential premises). Much of the building shadow would fall on public areas; such as The Esplanade, Memorial Avenue and part of Ettalong Beach. Neighbouring developments that would experience overshadowing are hospitality premises; that is, the Mantra Hotel and Ettalong Beach Motel. In all of these areas, private open space would not be adversely affected.
	The Mantra development dominates the landscape and shows how inappropriate further high	The overall bulk and scale of the development is appropriate as it: • Will provide a suitable transition in height and mass from the neighbouring 9-storey 'Outrigger Building' to surrounding low level developments. • Presents a 'pedestrian scale' (3-storeys) along The Esplanade and Memorial Avenue.

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	buildings would be at this time.	• The irregular setbacks of the individual apartments which contribute to the building façade will provide a fine grain to the development that mitigates any sense of building bulk in the locality. • Responds to the desired future character of Ettalong which is consistent with the Gosford LEP.