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14 January 2016

Gosford City Council

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Your ref: MO 09_0121 MOD 1

Mr Anthony Witherdin
Acting Director Regional Assessments
NSW Department of Planning & Environment
natasha.harras@planning.nsw.gov.au

Dear Mr Witherdin,

PROPOSAL: Modification of consent for approved mixed residential & commercial premises 7 stories

PROPERTY: Lots 11 - 116 DP 10650, Nos 47 – 50 The Esplanade, Ettalong Beach

I refer to your advice of 27/11/2015 attaching the above request to modify the consent and inviting Council to make a submission. Following are Council's comments:

Background

The original proposal was approved by the Minister for Planning as a Major Project with regard to Part 3A of the Environmental Planning & Assessment Act (EP & A Act) 1979 and the Major Projects SEPP.

Consent is now sought for approval of modifications to the proposed development under S75W of the EP & A Act 1979 which has been repealed.

Proposed Modification

The proposed modification involves:

- an increase of 14 additional units
- an increase of 272m² of additional gross floor area
- a reduction in building height of 1.1 metres; and
- internal and external design amendments

Comment on Modifications

1. Car Parking

Under the provisions of GDCP 2013, Chapter 7.1 – Car Parking the modified proposal requires 76.1 spaces. The development provides 78 parking spaces and complies with Council's car parking requirements

The car parking design has been certified by Varga Traffic Planning Pty Ltd as complying with the relevant provisions of Part 1 and Part 6 of AS2890 – Off Street Car parking Facilities

2. Additional Gross Floor Area (14 additional units)

Generally the additional floor area is spread over all floors of the building with some balconies etc. being located with a nil setback from the street or lane. Refer density comments below.

- Height Reduction

The proposed modified height reduction by 1.1 metres creates no additional issues

3. Density

- The density on the site is 1:1 under the GLEP and the density of the approved application is 2.5:1. The proposed density, though not complying with the requirements of GLEP 2014, may be justifiable in the context of the existing Outrigger Resort and club and the likely development of the remainder of the property.
- The application is generally an appropriate response to the context and has a number of desirable attributes. The active street fronts, parking hidden within the building and architectural design contribute to quality urban design. The extension of the laneway from Ocean View Road to The Esplanade is particularly commended. This reduces the scale of the block and creates an interesting, small scale pedestrian space lined with retail and commercial use. It is essential that any future redevelopment of the adjoining sites ensure the laneway has active frontages and is predominantly for pedestrian use.
- The laneway on the north of the site is part of the public domain and the building should address the street in a more appropriate manner than blank walls and roller shutters. The building above should be setback in some locations to allow for adequate landscaping to contribute to the streetscape and provide a visual connection between Memorial Avenue and the new pedestrian lane.

4. Scale

- The scale is generally acceptable. The building steps back on The Esplanade to reduce bulk and minimise overshadowing of the beach.
- The use of the continuous curved balconies creates a suitably scaled podium at the third level with floor plates on higher floors being divided and setback to reduce their visual bulk.

5. Built Form

The built form is satisfactory. There is a definite base with retail uses at street level to activate the street-front and the stone cladding further emphasises the base of the building.

- The curved slab edges emphasise the prominent corner and emphasise the podium level and add definition to the street front with upper levels stepping back to reduce the scale.
- There remains concern that the northern elevation facing the lane is composed entirely of blank walls, roller shutters and doors. This should be amended to include some areas of landscaping to contribute to the streetscape and soften the appearance of the blank walls.

6. Resource Energy and Water Efficiency

- On a large project such as this, active solar design including photo voltaic **cells and solar hot water should be considered.**
- Large areas of west and east facing windows appear to have no sun screening.

7. Landscape

- There is minimal deep soil planting within the site. Street planting, though desirable is not a substitute for on-site landscaping.
- Landscaping should include street upgrading. Wider footpaths with landscaping bays extending into the road reserve will assist in reducing the apparent width of the street, provide physical and visual separation between the road and footpath and provide shade to east and west facing public spaces.
- The palms shown on the drawings do not provide adequate visual separation or shade and lower more bushy species should be considered.

8. Amenity

- There is concern at the inadequate solar access, privacy conflicts and poor outlook of the internal units (115, 215 and 310). These do not comply with separation distances in the Apartment Design Guide (ADG) and rely on screens to attempt to provide visual privacy. These may provide some visual privacy but do not ensure acoustic privacy and reduce outlook and solar access. A preferable option would be to remove these three units and incorporate the floor area into adjacent units and/or for landscaping and common facilities such as a meeting room or gym.

9. Safety & Security

- Balconies and windows provided on all sides ensure surveillance of the streets and lane. Clear sight lines to and from the street and internal corridors to lift lobbies are provided. Safety and Security is considered satisfactory.

10. Social Dimensions

- A mix of unit sizes including accessible units provides accommodation for the needs of a variety of occupants.

11. Aesthetics

- Subject to addressing the streetscape issues on the northern lane, the aesthetics are generally acceptable. There is adequate articulation and variation in materials to disguise the bulk of the development and to provide visual interest.

12. BCA

- An assessment of the amended design has been carried out. The proposal will generally comply with the Building Code of Australia

As outlined above Council is concerned at the inadequate solar access, privacy conflicts and poor outlook of the internal units (115, 215 and 310). A preferable option would be to remove these three units and incorporate the floor area into adjacent units and/or for landscaping and common facilities such as a meeting room or gym. There is also the concern regarding the northern elevation facing the lane. This should be amended to include some areas of landscaping to contribute to the streetscape and soften the appearance of the blank walls.

The proposed modifications to the consent are considered to create substantially the same development as the original proposal.

Should you have any enquiries with regard to the above please do not hesitate to contact Fred Dobbs on 4325 8222 during business hours, Monday to Friday or via email at goscity@gosford.nsw.gov.au.

Yours sincerely

Shari Hussein

Shari Hussein
Manager Development & Compliance