



Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

24 March 2016

Dear Ms McNally

Subject: Determination of Modification to Project Approval at 47-50 The Esplanade, Ettalong (MP 09_0121 MOD 1)

I refer to the Department's letter received on 18 March 2016 referring the above modification application to the Planning Assessment Commission for determination under Ministerial delegation of 14 September 2011, due to political donations. The modification application seeks to reconfigure the residential component of Stage 1 of the Project Approval for a mixed used building, as well as alter the external design and materials, and change conditions relating to groundwater and on-site stormwater retention.

Ms Lynelle Briggs AO, Chair of the Commission overall, nominated me to constitute the Commission for the project.

The Commission has considered the Secretary's Environmental Assessment Report and notes that Gosford City Council (Council) provided detailed comments for consideration but did not object to the proposed modification. The Department requested amendments by the Proponent in response to Council comments. These amendments were made, including changes to landscaping; reconfiguration of the floor plan on levels 1 and 2; and amendments to balcony structures on Levels 4 and 5 to reduce their visual prominence.

Having carefully considered the Secretary's Environmental Assessment Report and draft instrument, the Commission finds that the proposed modification is appropriate on the basis that:

- changes to the overall built form are minor and contained within the building envelope of the approved development;
- adequate on-site facilities, including recreational facilities and parking, have been provided;
- matters relating to groundwater and climate change have been addressed through draft conditions;

- questions regarding the validity of the approval, raised in submissions, have been addressed.

Consequently, the Commission has determined to approve the modification application, subject to the Department's recommended conditions with minor administrative changes for accuracy. The signed instrument of approval is returned herewith.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Abigail Goldberg', with a stylized, cursive script.

Abigail Goldberg
Chairperson
Planning Assessment Commission

cc. The Hon. Rob Stokes, MP
 Minister for Planning
 GPO Box 5341
 SYDNEY NSW 2001