

Central Coast Council

Ordinary Council Meeting

Attachments Provided Under Separate Cover

Monday 11 May 2020

Central Coast Council

Attachments Provided Under Separate Cover to the

Ordinary Council Meeting

to be held remotely - online, on Monday 11 May 2020, commencing at 6:30pm

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Draft Conditions of Approval

1. PARAMETERS OF THIS CONSENT

1.1. Approved Plans and Supporting Documents

Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and drawn by Squillace, and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

Architectural Plan

Drawing	Description	Sheets	Issue	Date
DA-002	Existing / Demolition plan	1	-	18.03.2019
DA-097	Basement 2 Plan	1	P2	28.03.2019
DA-098	Basement 1-2 Plan	1	P3	Date 4
DA-099	Basement 1 Plan	1	P2	28.03.2019
DA-100	Ground Floor Plan	1	P4	Date 4
DA-101	Level 1 plan	1	P3	01.04.2019
DA-102	Level 2-3 Plan	1	Р3	01.04.2019
DA-104	Level 4 Plan		P3	01.04.2019
DA-105	Roof Top Plan	1	P4	Date 4
DA-200	Elevations Sheet 1	1	P1	28.03.2019
DA-201	Elevations Sheet 2	1	P2	01.04.2019
DA-500	GFA Calcs	1		18.03.2019
LPDA 19- 193	Landscape Plan Ground Floor	1	А	11.04.2019
LPDA 19- 193	Landscape Plan Levels 1-4	2	А	11.04.2019
LPDA 19- 193	Landscape Plan (Roof)	3	А	11.04.2019
4410-18	Detail Survey	1 of 8	05	10.04.2019

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Supporting Documentation

ECM No.	Title	Date
26835329	Statement of Environmental Effects	10.05.2019
26835330	External Schedule of Finishes (DA-150 Issue A)	01.05.2019
26835371	Section J Report	10.05.2019
26835360	Erosion and Sediment Control Plan	12.04.2019
26835134	Water Sensitive Urban Design Strategy Report	12.04.2019
26835370	Acid Sulfate Soil Investigation	29.03.2019
26835353	Acoustic Report	04.04.2019
26835352	Traffic and Parking Report	09.04.2019
26835332	Geotechnical Report	09.04.2019
26835363	Waste Management Plan	08.04.2019
26835350	Disabled Access Report	18.04.2019

- 1.2 Obtain all relevant approvals from the New South Wales Department of Primary Industries Water in accordance with the *Water Management Act 2000*.
- 1.3 Carry out all building works in accordance with the Building Code of Australia.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1 All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2 No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
 - a. Site investigation for the preparation of the construction; and / or
 - b. Implementation of environmental protection measures, such as erosion control and the like that are required by this consent; and
 - c. Demolition.
- 2.3 Submit an application to Council under section 305 of the *Water Management Act 2000* to obtain a section 307 Certificate of Compliance. The *Application for a 307 Certificate under section 305 Water Management Act 2000* form can be found on Council's website: www.centralcoast.nsw.gov.au. Early application is recommended.

A section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

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- 2.4 Submit a trade waste application for approval to Council as the Water and Sewer Authority in order to discharge liquid trade waste into the sewerage system. This form can be found on Council's website: www.centralcoast.nsw.gov.au
- 2.5 Pay a security deposit of \$25,000 into council's trust fund. The payment of the security deposit is required to cover the cost of repairing damage to council's assets that may be caused as a result of the development. The security deposit will be refunded upon the completion of the project if no damage was caused to council's assets as a result of the development.
- 2.6 Submit an application to Council under section 138 of the Roads Act 1993 for the approval of required works to be carried out within the road reserve.

Submit to Council Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Chapter 6.3 Erosion Sedimentation Control of the Gosford Development Control Plan 2013. The Engineering plans must be included with the Roads Act application for approval by Council.

Design the required works as follows:

- a. Replacement of the existing kerb & gutter and pavement within the frontage of the site of the eastwest laneway that is likely to be removed and/or damaged as a result of the proposed works within the site, to the same level of finish that exists presently.
- b. Replacement of the redundant layback within the frontage of the eastwest laneway with new kerb and gutter, to the same level of finish that exists presently.
- c. the piping of stormwater from within the site to Council's piped drainage system located in on the western side of Memorial Avenue. This will require a pipe connection of stormwater from the site to a new kerb inlet pit within the site frontage on the eastern side of Memorial Avenue, and then piping across Memorial Avenue to a new kerb inlet pit on the western side of Memorial Avenue located over and connected to the existing stormwater pipe on the western side of Memorial Avenue.

The Roads Act application must be approved by Council prior to commencing works in the road reserve.

A fee for the approval of engineering plans under the Roads Act 1993 applies. The amount of this fee can be obtained by contacting Council's Customer Service Centre on (02) 4325 8222.

2.7 Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street

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signs or any other Council assets in the vicinity of the development. The dilapidation report may be updated with the approval of the Principal Certifying Authority prior to the commencement of works.

- 2.8 Submit design details of the following engineering works within private property:
 - a. driveways / ramps and car parking areas must be designed according to the requirements of Australian Standard AS 2890: *Parking Facilities* for the geometric designs, and industry Standards for pavement designs.
 - b. A roll over is to be provided in the design of the access ramp to prevent stormwater from the northsouth laneway from entering the basement car park.
 - c. a stormwater detention system must be designed in accordance with Chapter 6.7 Water Cycle Management of the Gosford Development Control Plan 2013 and Council's Civil Works Specification. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% Annual Exceedance Probability (AEP) storm event. A runoff routing method must be used. An onsite stormwater detention report including an operation and maintenance plan must accompany the design.
 - d. nutrient/pollution control measures must be designed in accordance with Chapter 6.7 Water Cycle Management of the Gosford Development Control Plan 2013. A nutrient / pollution control report including an operation and maintenance plan must accompany the design.
 - e. Onsite stormwater retention measures must be designed in accordance with Chapter 6.7 Water Cycle Management of the Gosford Development Control Plan 2013. A report detailing the method of stormwater harvesting, sizing of retention tanks for reuse on the site and an operation and maintenance plan must accompany the design.
 - f. piping of all stormwater from impervious areas within the site via an onsite stormwater detention structure to Council's piped drainage system located in Memorial Avenue.
 - g. waterproofing (tanking) of the basement excavations to prevent the ingress of groundwater into the basement car parking areas. This must be designed through the recommendations of a practicing geotechnical engineer.
 - h. A barrier that can withstand vehicular impact located within the south eastern corner of the site adjacent to the eastwest laneway. The location of the barrier is not to obstruct the swept turning paths of vehicles utilizing the laneway.

These design details and any associated reports must be included in the Construction Certificate.

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- 2.9 Any proposal for anchors within the road reserves to stabilize excavations during works must be approved by Council as the Roads Authority prior to the issue of any Construction Certificate.
- 2.10 Submit a Geotechnical report prepared by a practicing Geotechnical Engineer to support the Construction Certificate for all proposed earthworks, excavations, retaining walls, stabilisation works, dewatering, and waterproofing works.
- 2.11 Pay to Council a contribution of **\$244,745.00** (Account Key 715), that may require adjustment at the time of payment, in lieu of the provision of **31** car parking spaces generated by the proposed development, in accordance with Contribution Plan No 72 Car Parking Ettalong Beach.

The total amount must be indexed each quarter in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician as outlined in the contributions plan.

Contact Council's Contributions Planner on Tel 1300 463 954 for an up-to-date contribution payment amount.

Any Construction Certificate must not be issued until the developer has provided the Accredited Certifier with a copy of a receipt issued by Council that verifies that the contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104/Clause 160(2) of the *Environmental Planning and Assessment Regulation 2000*.

A copy of the Contribution Plan may be inspected at the office of Central Coast Council, 49 Mann Street Gosford or on Council's website:

Development Contributions - former Gosford LGA

2.12 Modification of details of the development

The *approved plans* and *construction certificate plans* and specification must detail the following amendments:

a. Screening as indicated along the southern and eastern edges of the terrace to room 405, shown on plan DA-104 are to be detailed in a manner that ensures no direct line of sight can be achieved from any part of the terrace or room 405 toward any part of the Atlantis building, located at 47-49 The Esplanade, Ettalong Beach. The screening is to achieve a minimum height of 1.8m and be consistent with materials and theme of the approved building.

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- b. Screening as indicated along the northern boundary of the development separating the hotel to the adjoining commercial premises, shown on plan DA-100 and elevation DA-200 is to be detailed in a manner that ensures the amenity of the commercial premises is enhanced and benefits from the ground floor planting approved under this application. The screening is to be consistent with materials and theme of the approved building, and to avoid slats or bars that bring an institutional feel to the commercial premises.
- c. Basement plans DA-097, DA-098, and DA-099 are to show reversed directional arrows in accordance with AS 2890.1-2004 Off Street Parking.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifying Authority for the building work:
 - a. The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b. Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.3. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - a. The name, address and telephone number of the Principal Certifying Authority for the work; and
 - b. The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c. That unauthorised entry to the work site is prohibited.
 - d. Remove the sign when the work has been completed.
- 3.4. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au

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Contact Council prior to submitting these forms to confirm the relevant fees.

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage)

- 3.5. Obtain a Construction Certificate for the construction works within the private property.
- 3.6 Submit to the Principal Certifying Authority a Traffic and Pedestrian Management Plan prepared by a suitably qualified professional.

The Plan must be prepared in consultation with Council, and where required, the approval of Council's Traffic Committee obtained.

The Plan must address, but not be limited to, the following matters:

- ingress and egress of vehicles to the Subject Site
- loading and unloading, including construction zones
- predicted traffic volumes, types and routes
- pedestrian and traffic management methods, and
- other relevant matters

The Applicant must submit a copy of the final Plan to Council, prior to the commencement of work.

3.7 Submit a dilapidation report to Council, the Accredited Certifier and relevant adjoining property owners. The report is to be prepared by a suitably qualified person detailing the structural characteristics of all buildings located on properties immediately adjoining the site boundaries and any council asset in the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the improvements erected upon allotments immediately adjoining the development site and to the road, kerb, footpath, driveways, water supply and sewer infrastructure, street trees and street signs or any other Council asset in the vicinity of the development.

In the event that access to an adjoining property(s) for the purpose of undertaking the dilapidation report is denied, submit evidence in writing demonstrating that all steps were taken to obtain access to the adjoining property(s).

3.8 Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.

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- 3.9 Provide certification to the Principal Certifying Authority that the structural engineer's details have been prepared in accordance with the recommendations of the geotechnical report(s) listed as supporting documentation in this development consent.
- 3.10 Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
 - a. could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - b. could cause damage to adjoining lands by falling objects, or
 - c. involve the enclosure of a public place or part of a public place

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Note 2: The *Work Health and Safety Act 2011* and **Error! Hyperlink reference not valid.** contain provisions relating to scaffolds, hoardings and other temporary structures.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:

7.00am and 5.00pm Monday to Saturday

No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.

- 4.3. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains), is discovered during the course of the work:
 - a. All excavation or disturbance of the area must stop immediately in that area, and
 - b. The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

Note: If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.

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- 4.4 It is an offence under the *National Parks and Wildlife Act 1974* to disturb an Aboriginal artefact without a Permit. If during works suspected Aboriginal heritage items (stone tool artefacts, shell middens, axe grinding groves, pigment or engraved rock art, burials or scar trees) are identified, works will cease and OEH (131555) will be contacted.
- 4.5 Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by MRA Consulting Group, dated 8 April 2019.
- 4.6 Waterproofing (tanking) of the basement excavations is to be undertaken to prevent the ingress of groundwater into the basement car parking areas.
- 4.7 Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.
- 4.8 Erect or install prior to the swimming pool being filled with water all the required swimming pool safety barriers and gates in accordance with the approved plans and specifications and the provisions of the Swimming Pools Act 1992, Swimming Pools Regulations 2018 and Australian Standard AS 1926.12012 including the display of an approved sign regarding pool safety and resuscitation techniques that contains all the following information:
 - (i) "Young children should be actively supervised when using this swimming pool";
 - (ii) "Pool gates must be kept closed at all times"; and
 - (iii) "Keep articles, objects and structures clear of the pool fence at all times"
 - A simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation

Guideline) containing details of resuscitation techniques (for infants, children and adults)

- 4.9 All excavated material removed from the site must be classified in accordance with NSW EPA (1999) Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes prior to disposal. All excavated material must be disposed of to an approved waste management facility and receipts of the disposal must be kept on site.
- 4.10 Implement dust suppression measures on-site during works to suppress dust generated by vehicles and equipment. Dust must also be suppressed at all other stages of construction in order to comply with the *Protection of the Environment Operations Act 1997*.
- 4.11 Immediately notify Council of any new information which comes to light during works which has the potential to alter previous conclusions about site contamination.

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4.12 Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2 Complete works within the road reserve in accordance with the approval under the *Roads Act 1993*. The works must be completed in accordance with Council's *Civil Design Guide, Construction Specifications and Standard Drawings* and Chapter 6.3 *Erosion Sedimentation Control* of the Gosford Development Control Plan 2013. Documentary evidence for the acceptance of such works must be obtained from the Roads Authority.
- 5.3 Rectify to the satisfaction of the Council any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the developer's expense.
- 5.4 Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.
- 5.5 Amend the Deposited Plan (DP) to:
 - include an Instrument under the Conveyancing Act 1919 for the following restrictive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan
 - a. create a Restriction as to use of land over all lots containing an onsite stormwater detention system and/or a nutrient/pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility

And,

- include an instrument under the Conveyancing Act 1919 for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s)
 - a. to ensure on any lot containing onsite stormwater detention system and/or a nutrient/pollution facility that

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- (i) the facility will remain in place and fully operational
- (ii) the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner
- (iii) Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost
- (iv) Council is indemnified against all claims of compensation caused by the facility

Submit to the Principal Certifying Authority copies of registered title documents showing the restrictive and positive covenants.

- 5.6 Construct the works within the road reserve that required approval under the Roads Act. The works must be constructed in accordance with *Council's Civil Works Specification* and Gosford DCP 2013 Chapter 6.3 *Erosion Sedimentation Control*.
- 5.7 Provide certification from a geotechnical engineer to the Principal Certifying Authority that all works have been carried out in accordance with the recommendations contained within the geotechnical report(s) listed as supporting documentation in this development consent.
- 5.8 Install floor waste bucket traps in food preparation and handling areas.
- 5.9 Install insink strainers within the kitchen sink waste outlet(s).
- 5.10 Install an approved commercial grease arrestor (1000 Ltr minimum capacity) in association with the food premises. (1500 Ltr capacity is recommended)
- 5.11 The following is to be implemented:
 - Install floor waste screens or basket arrestors in waste bin wash areas.
 - Connect waste bin wash waste water to sewer in accordance with Australian Standards AS/NZ 3500.2.2018 Plumbing & Drainage – Sanitary Plumbing & Drainage.
 - Waste bin wash waste water should discharge to sewer via a grease arrestor (if practical).

6. ONGOING OPERATION

6.1 Store all waste generated on the premises in a manner so that it does not pollute the environment

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- 6.2 Transport all waste generated on the premises to a facility which is licensed to receive that material.
- 6.3 No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
- 6.4 Comply with all commitments generally as detailed in the Waste Management Plan by MRA Consulting Group dated 8 April 2019. Note: No organics or treated organics permitted to be disposed of to Central Coast Council sewer.
- 6.5 Locate the approved waste storage enclosure / area as indicated on Project / Drawing Number DA100, Issue P4, dated Date 4, prepared by squillace.
- 6.6 Do not place or store waste material, waste product or waste packaging outside the approved waste storage enclosure.
- 6.7 Construct and manage the waste storage enclosure in accordance with the provisions of Gosford Development Control Plan 2013, Part 7: *Chapter 7.2 Waste Management*, Appendix D and Appendix G, as applicable.
- 6.8 All waste vehicle manoeuvring to be in accordance with the Traffic and Parking Assessment Report dated 9 April 2019, Ref 19129 by Varga Traffic Planning Pty Ltd utilizing a maximum 6.4m long Small Rigid Vehicle (SRV). Reverse entry/forward exit only.
- 6.9 Food waste to be stored in a designated Food Waste Refrigerator prior to disposal alternatively food waste to be separately stored for disposal of maximum 2-3 day intervals.
- 6.10 All waste to be serviced at a suitable frequency to ensure available waste storage at all times.
- 6.11 Lodge a new Liquid Trade Waste application when there is a change of ownership / occupancy or change to the activities licenced under this approval. As part of this process, Council will reassess the Liquid Trade Waste requirements for the site and update the Liquid Trade Waste approval document as appropriate. This form can be found on Council's website: www.centralcoast.nsw.gov.au
- 6.12 Maintain the on-site nutrient / pollution control facilities in accordance with the operation and maintenance plan.
- 6.13 Maintain all works associated with the approved Landscape Plans on all levels of the development for a period of thirty-six (36) months from the date of the issue of any Occupation Certificate to ensure the survival and establishment of the landscaping.
- 6.14 Restrict the hours of operation of the hotel and ancillary facilities to those times listed below:
 - Hotel to operate
- 24 hours per day, 7 days per week

Att	achm	ent 1	Draft Conditions of Approval
	•	Roof Terrace Bar	08:00 am to 09:00 pm 7 days per week
	•	Ground floor Restaurant	06:30 am to 11:00 pm 7 days per week
	Any	and Conference Facilities variation to these hours is sub	(outdoor dining restricted to 07:00 am to 10:00 pm) pject to the prior consent of Council.

6.15 Ensure appropriate signage and staff training is in place to limit the use of the rooftop bar/lounge/pool area to guests of the hotel. No access to the rooftop bar/lounge/pool area by members of the general public not accompanied by guests of the hotel is permitted.

PENALTIES

Failure to comply with this development consent and any condition of this consent may be a *criminal offence*. Failure to comply with other environmental laws may also be a *criminal offence*.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- The inspection fee for works associated with approvals under the *Roads Act 1977* is calculated in accordance with Council's current fees and charges policy.
- Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with Council's fees and charges.
- It is an offence under the *National Parks and Wildlife Act 1974* to disturb an Aboriginal artefact without a Permit.

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- Discharge of sediment from a site may be determined to be a pollution event under provisions of the Protection of the Environment Operations Act 1997. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
 - a. Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
 - b. Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c. Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d. Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e. Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the Workplace Health and Safety Act 2011 No 10 and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig
 - Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- Telecommunications Act 1997 (Commonwealth)

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 - Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

ETTALONG BEACH HOTEL DEVELOPMENT APPLICATION

216 - 220 MEMORIAL AVENUE, ETTALONG BEACH

NUMBER	NAME	CURRENT REVISION	DRAWN	CHECKED	ISSUED
DA-000	COVER SHEET, DRAWING LIST, SITE LOCATION PLAN	P1	FS	SC	25.03.2019
DA-001	SITE ANALYSIS PLAN				
DA-002	EXISTING / DEMOLITION PLAN				
DA-097	BASEMENT 2 PLAN	P2	FS	SC	28.03.2019
DA-098	BASEMENT 1-2 PLAN	P3	FS	SC	Date 4
DA-099	BASEMENT 1 PLAN	P2	FS	SC	28.03.2019
DA-100	GROUND FLOOR PLAN	P4	FS	SC	Date 4
DA-101	LEVEL 1 PLAN	P3	FS	SC	01.04.2019
DA-102	LEVEL 2-3 PLAN	P3	FS	SC	01.04.2019
DA-104	LEVEL 4 PLAN	P3	FS	SC	01.04.2019
DA-105	ROOF TOP PLAN	P4	FS	SC	Date 4
DA-150	EXTERNAL FINISHES SCHEDULE				
DA-200	ELEVATIONS SHEET 1	P1	FS	SC	28.03.2019
DA-201	ELEVATIONS SHEET 2	P2	FS	SC	01.04.2019
DA-300	SECTION - SHEET 1	P2	FS	SC	01.04.2019
DA-302	SECTION - SHEET 2	P2	FS	SC	01.04.2019
DA-401	FACADE SHADOW STUDY SHEET 1				
DA-402	FACADE SHADOW STUDY SHEET 2				
DA-500	GFA CALCS				
DA-501	WINDOW SCHEDULE	P2	FS	SC	01.04.2019
DA-600	PHOTOMONTAGE				





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NOTES

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NOMINATED ARCHITECT
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PROJECT ETTALONG HOTEL

216 - 220 Memorial Avenu

Lttalong Beach NSW 2257

DA-000 P1

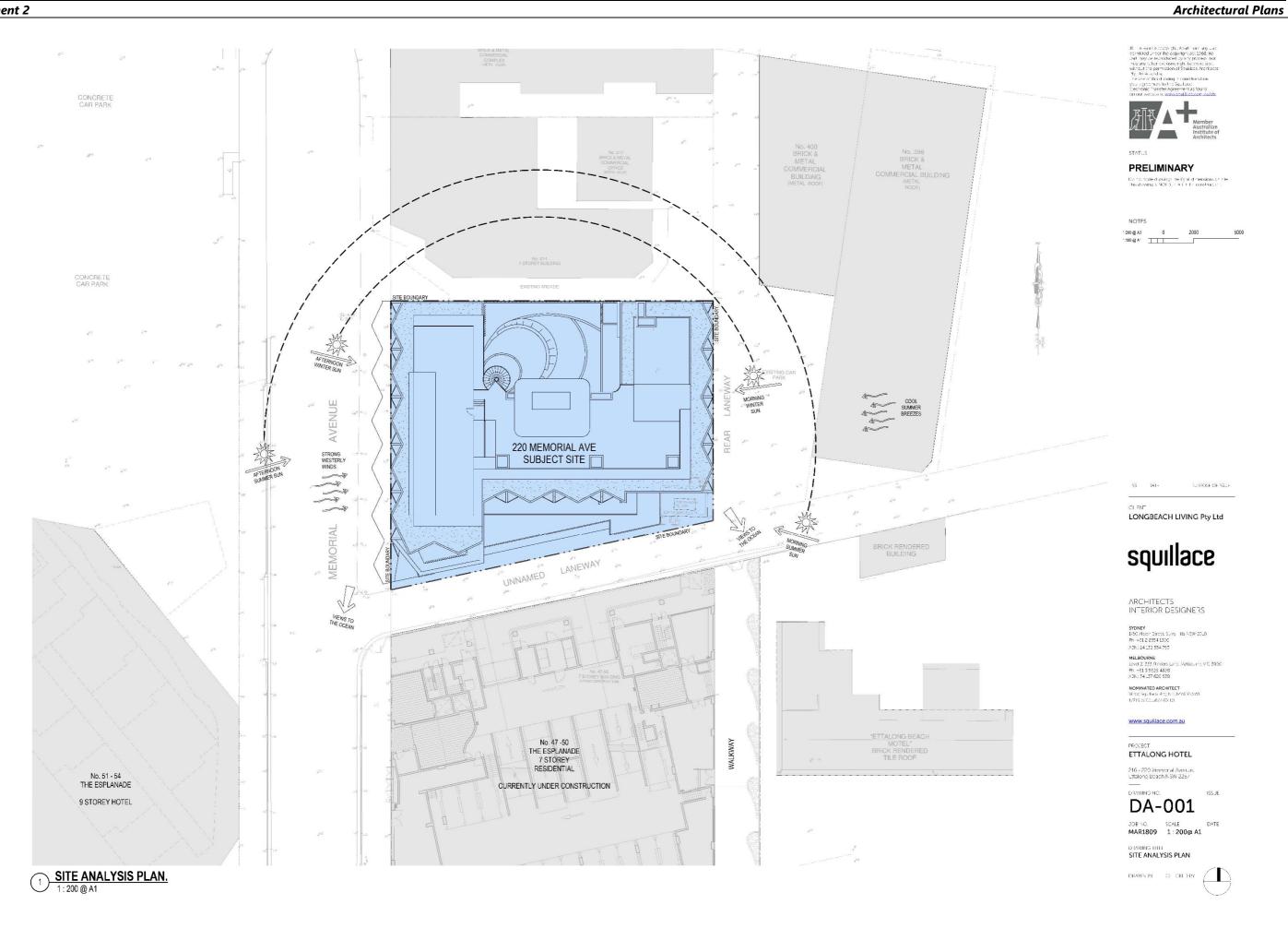
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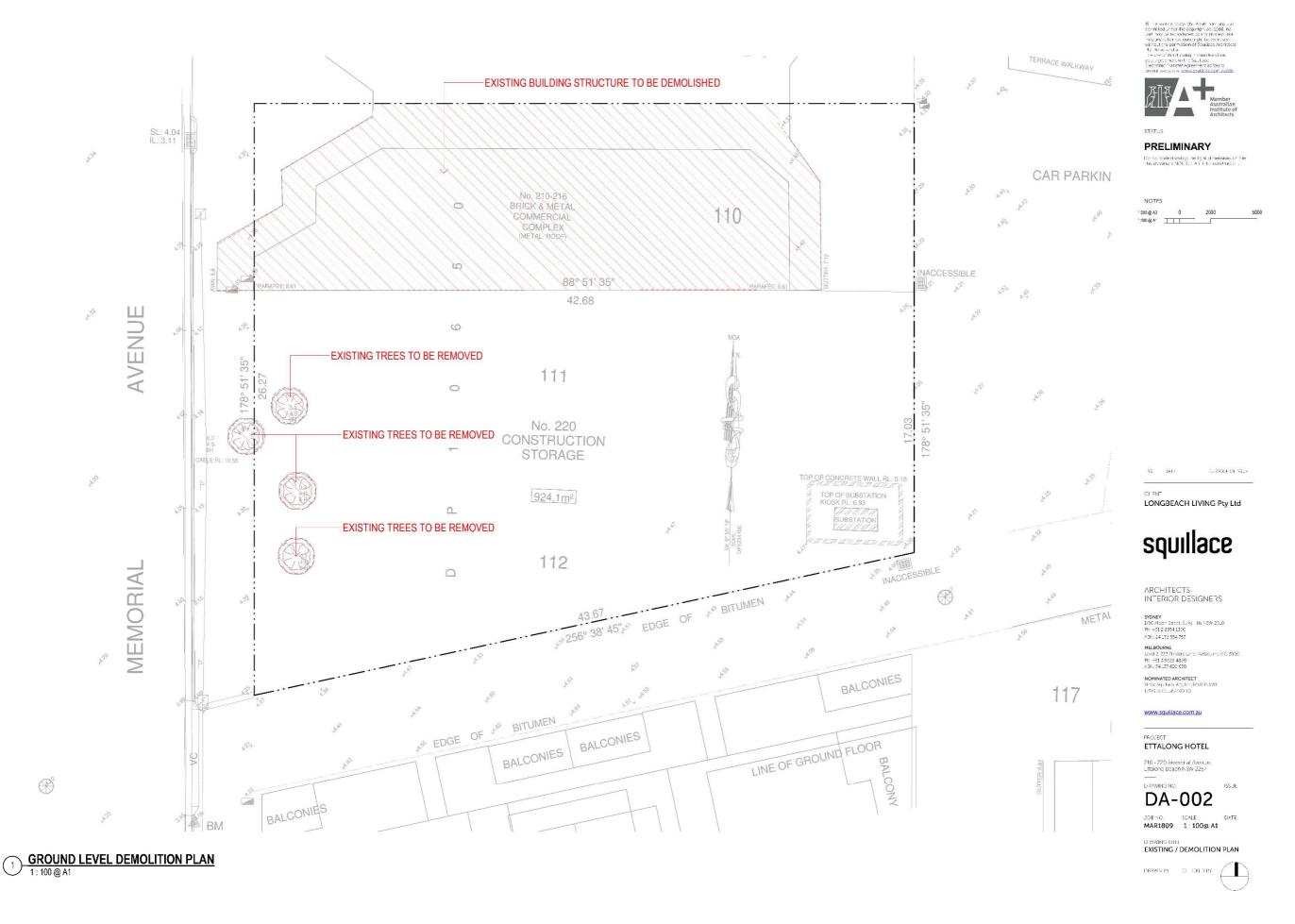
COVER SHEET, DRAWING LIST, SITE LOCATION PLAN

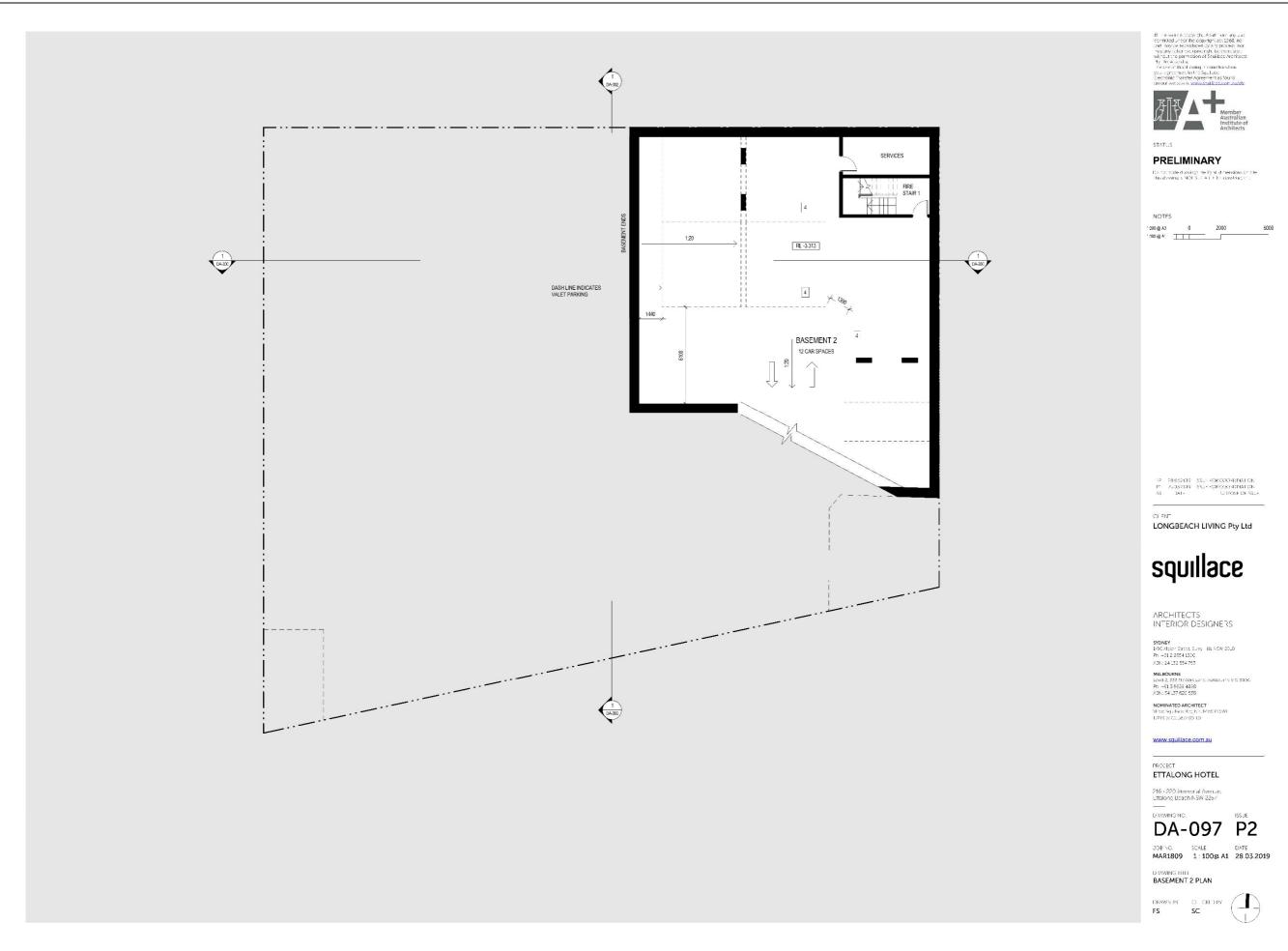
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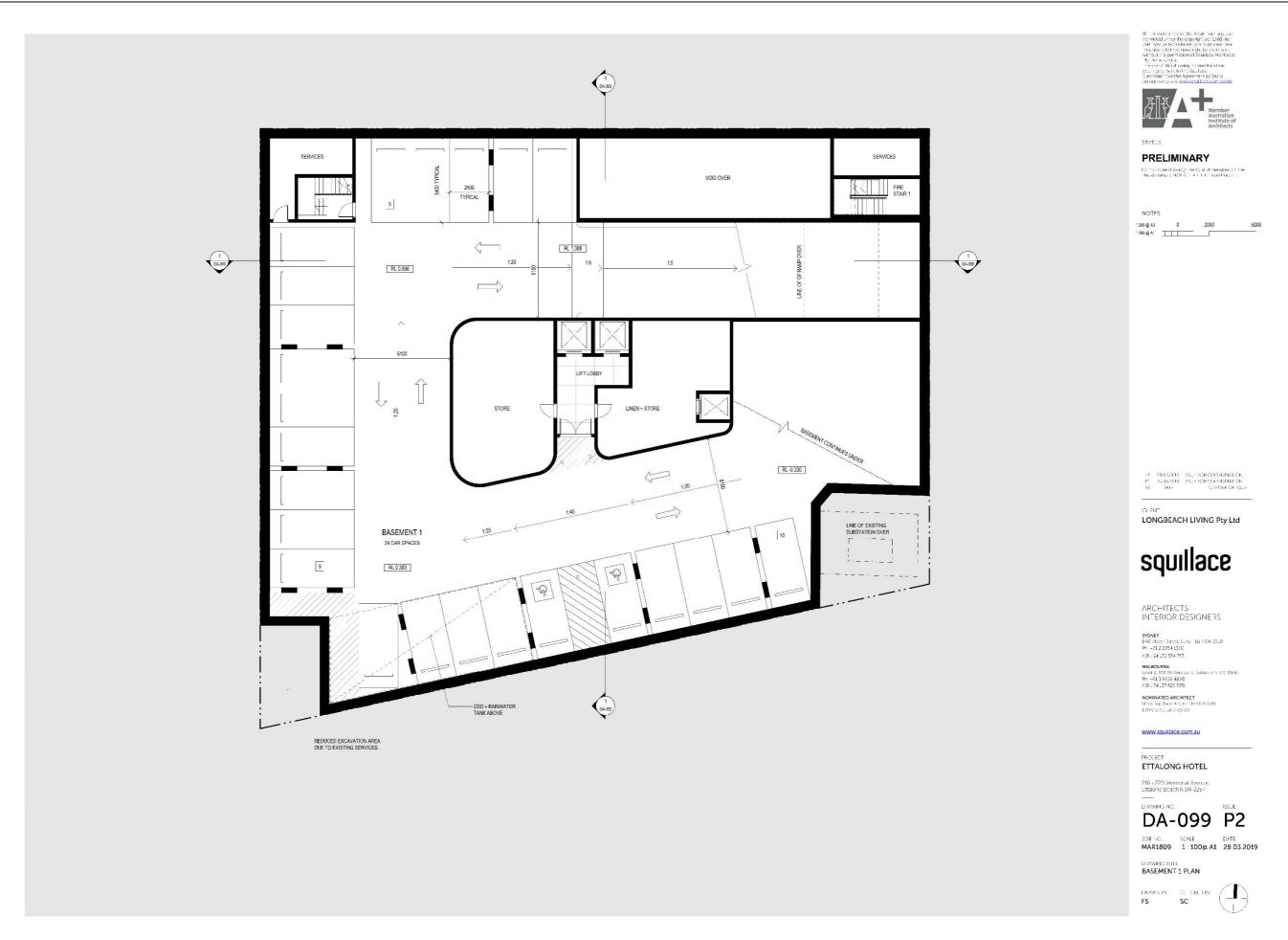


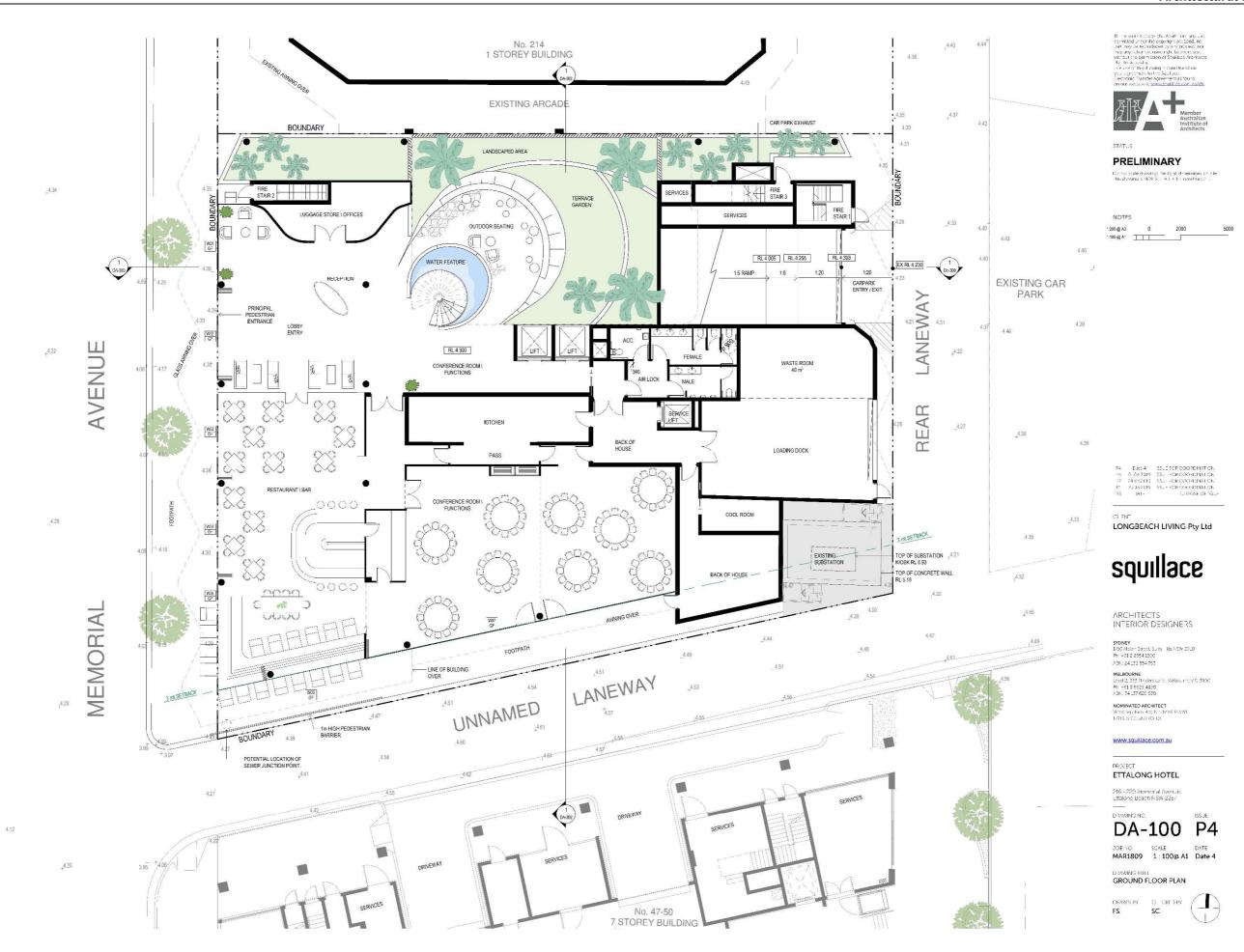


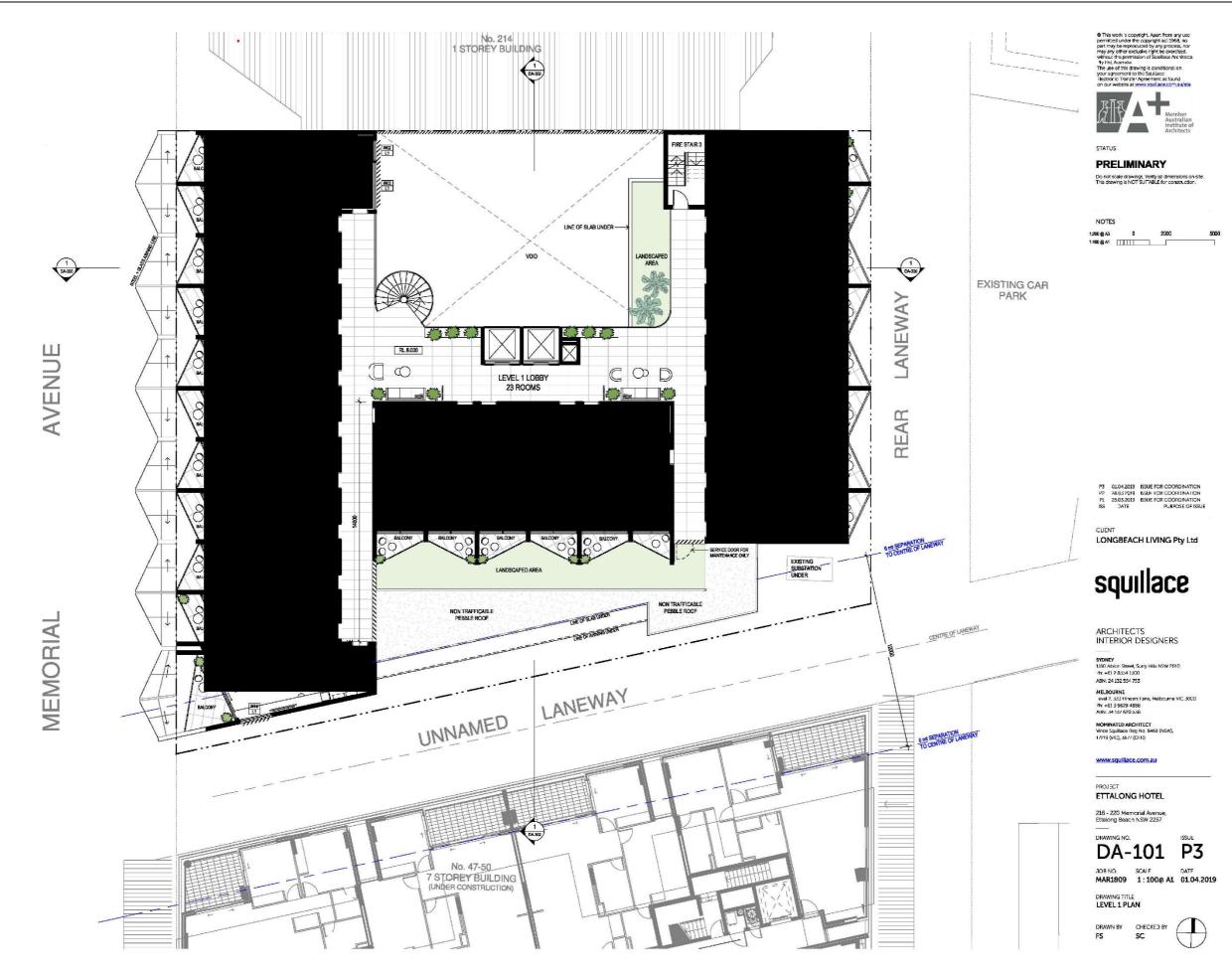


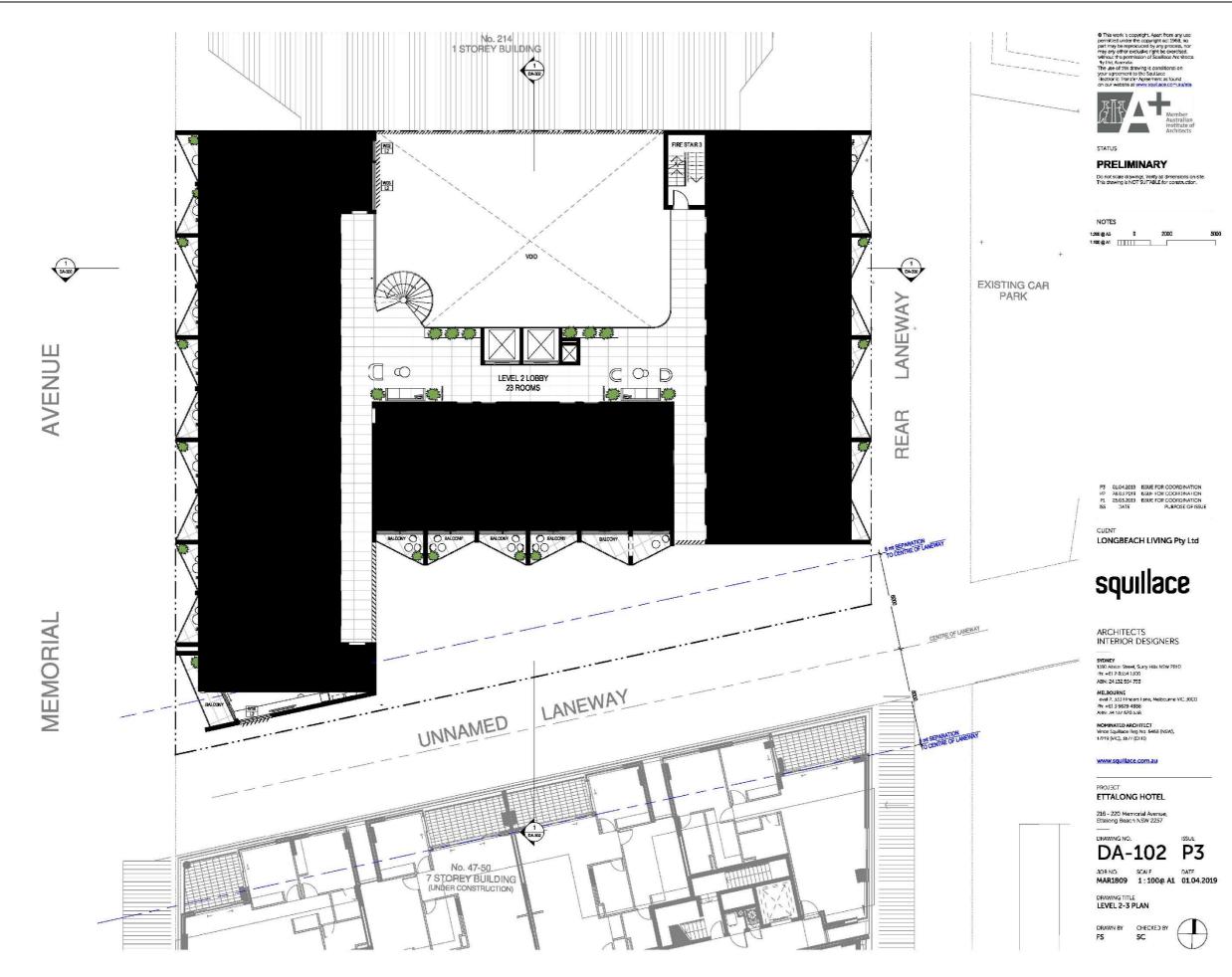


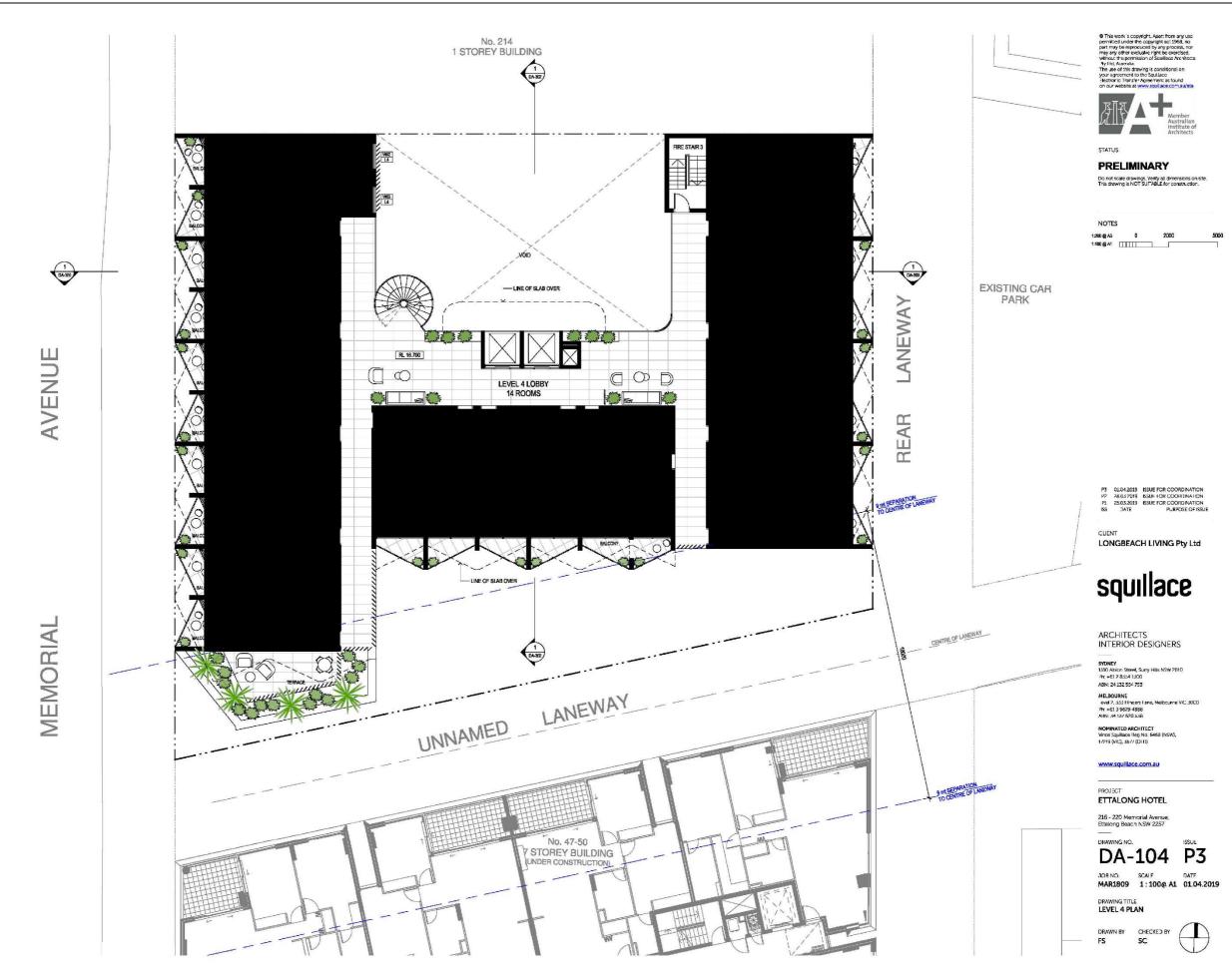




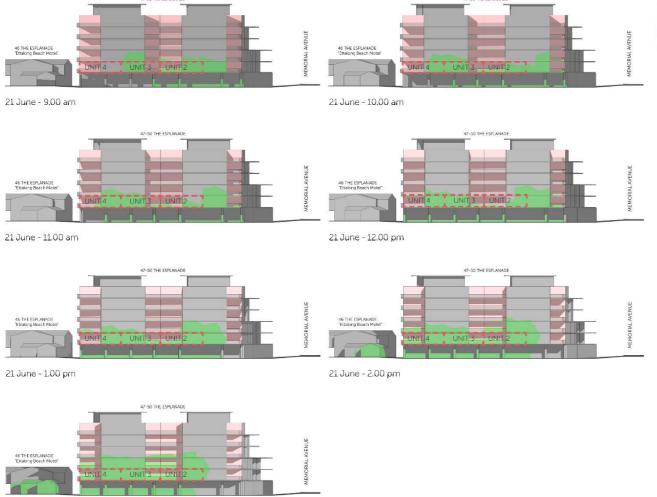












21 June - 3.00 pm



The images show the overshadowing study at midwinter over 47-50 The Esplanade.

As per table below, the proposal does not impact on the adjacent building reducing the solar access of its living and balcony areas of more than 20%.

The analysis demonstrates that the proposal meets the ADG solar access requirements.

47-50 The Esplanade

Number of existing units with min 3h solar access:	21
Number of existing units with min 3h solar access with new development:	18
Reduction in % of solar access due to new development*:	14.3%
Ability to comply:	YES

(*) as per ADG Objective 3B-2 "Overshadowing of nighbouring properties is minimised during mid winter"

Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.

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Architectural Plans

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PROJECT
ETTALONG HOTEL

ETTALONG HOTEL

Ettalong Beach NSW 2257

DRAWING NO.

DA-401

JOB NO. SCALE MAR1809 @ A1

FACADE SHADOW STUDY SHEET 1

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Architectural Plans



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47-50 The Esplanade - Level 2



47-50 The Esplanade - Level 3



47-50 The Esplanade - Level 4



47-50 The Esplanade - Level 5



47-50 The Esplanade - Level 6

Total number of Units	59
Units that currently receive 3h of solar access	22
Units affected by the proposed development	3
Units reduced %	13%



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PROJECT ETTALONG HOTEL

DRAWING NO. DA-402

JOB NO. SCALE MAR1809 @ A1

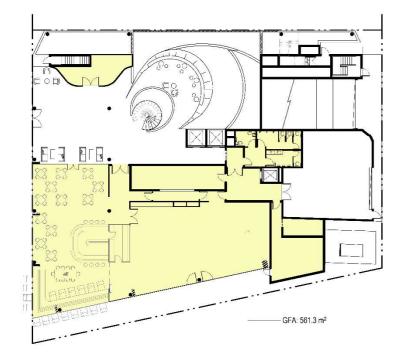
FACADE SHADOW STUDY SHEET 2

DRAWN BY CLICKLOBY

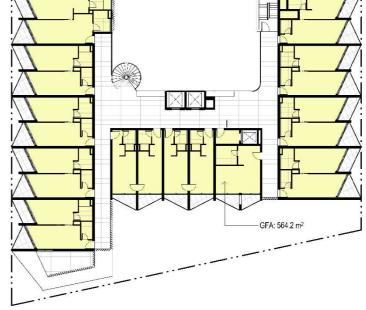
Architectural Plans

PRELIMINARY

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-GFA: 599.8 m²



LONGBEACH LIVING Pty Ltd

GROUND FLOOR PLAN GFA
1:200 @ A1

2 <u>LEVEL 1-3 PLAN GFA</u> 1:200@A1

3 <u>LEVEL 4 PLAN GFA</u> 1:200@A1

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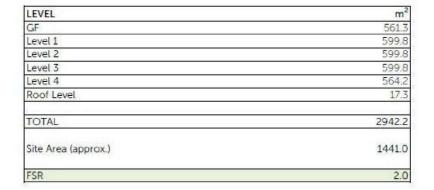
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PROCECT
ETTALONG HOTEL

DA-500

GFA CALCS

DRAWN BY CLICKLOBY



Window Level	Window Number	Height	Length	Window Level	Window Number	Height	Length	Window Level	Window Number	Height	Length	Window Level	Window Number	Height	Length
GF	01	3200.000	5360	L1	01	2700	3220	L2	01	2700	3080	L4	01	2700	3080
GF	02	3200.000	5850	L1	02	2700	1250	L2	02	2700	1250	L4	02	2700	4850
GF	03	3200.000	5900	L1	03	2700	3080	L2	03	2700	2900	L4	03	2700	1600
GF	03	3500.000	5900	L1	04	2700	3280	L2	04	2700	3280	L4	04	2700	3340
GF	04	3200.000	5900	LT	05	2700	3140	L2	05	2700	3140	L4	05	2700	3080
GF	05	3200.000	6660	L1	06	2700	3280	L2	06	2700	3280	L4	06	2700	3230
GF	06	3200.000	9500	L1	07	2700	3280	L2	07	2700	3280	L4	07	2700	3080
GF	07	3200.000	20000	L1	08	2700	3280	L2	08	2700	3280	L4	08	2700	3230
				L1	09	2700	3280	L2	09	2700	3280	L4	09	2700	3080
				L1	10	2700	3280	L2	10	2700	3280	L4	10	2700	3230
				L1	11	2700	3280	L2	11	2700	3280	L4	11	2700	3080
				L1	12	2700	3280	L2	12	2700	3140	L4	12	2700	3230
				L1	13	2700	4140	L2	13	2700	4140	L4	13	2700	1940
				L1	14	2700	2130	L2	14	2700	2130	L4	14	2700	3030
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				L1	21	2700	3280	L2	21	2700	3280	L4	21	2700	3080
				L1	22	2700	3280	L2	22	2700	3280	L4	22	2700	3230
				L1	23	2700	3280	L2	23	2700	3280	L4	23	2700	3080
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				L1	26	2700	3280	L2	26	2700	3280	L4	26	2700	3230
				L1	27	2700	3090	L2	27	2700	3230	L4	27	2700	3080
				11	28	2700	3080	12	28	2700	3080				

Architectural Plans



PRELIMINARY

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1:100 @ A1			

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PROCECT ETTALONG HOTEL

DA-501 P2

JOB NO. SCALE MAR1809 @ A1

D DAWING HILL WINDOW SCHEDULE

DRAWN BY CLICKLOBY
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PROJECT ETTALONG HOTEL

DA-600

DRAWING HILL PHOTOMONTAGE



Attachment 3 GDCP Compliance Table

GDCP 2013 Compliance Table

Development Control	Required	Proposed	Compliance
Development Control 2.1 Character	Desired Character The development site sits within the Ettalong Beach: Mainstreet Centre character area as defined within Chapter 2.1 of GDCP 2013. The main elements of the sites desired character are identified below: • The Mainstreet area should remain a mixed-use centre that provides a range of services and accommodation for local residents as well as visitors, where scenic potential of a prominent backdrop to Brisbane Water and the Hawkesbury is enhanced by new developments that encourage high levels of street activity and also achieve improved standards of amenity plus urban-and-civic design quality. • Protect and enhance existing levels of "main-street" activity with building forms that maintain the pedestrian-friendly scale of existing one and two storey shop-front developments, and also the current level of midday sunlight along all footpaths. Promote high levels of onstreet activity by maximising the number of retailers or businesses and the continuity of shop-windows along all street or future laneway	 Having regard to the desired character for this area, no objection is made for the following reasons: The project comprises a 5-storey 83 room hotel development with ancillary restaurant/café and function centre, and rooftop bar and pool. The restaurant/café will be open to members of the public, thus providing additional services for local residents. The hotel is sited so as to minimise any loss of view toward the Hawkesbury River and key headlands. The building is well articulated and includes multiple areas of vegetation both on and within the ground floor of the structure. Further, the extensive ground floor glazing and restaurant/café contribute positively to the activity of the main street area. Whilst the building does not strictly comply with the building envelope controls, it is consistent with the adjacent Atlantis development in terms of setting and bulk. Extensive glazing and angular balconies have been proposed on all visible facades, with the exception of the norther façade which benefits from a substantial 	Yes
	 frontages. Ensure that new developments Disguise the 	void and angular concrete panels. It is reasonable to expect that adjoining northern lots would be developed in the future	

Attachment 3 GDCP Compliance Table

Attachment 3 GDCP Compliance Table			
Development Control	Required	Proposed	Compliance
	scale and bulk of new buildings. All visible facades should employ extensive windows that are shaded by lightly-framed balconies, verandahs or exterior sunshades, plus painted finishes and some board or sheet cladding rather than expanses of plain masonry. • Conceal off-street parking behind shops or apartments and provide unobtrusive vehicle entrances from laneways or secondary streets to minimise the disruption of shopfronts and associated pedestrian activity.	 that would effectively cover the angular concrete panels. Parking is provided with access from the rear, eastern unnamed laneway. This location will reduce disruption to the main street pedestrian friendly elevation. 	
2.2 Scenic Quality	The subject site falls within the "Peninsula" geographic unit which comprises the Woy Woy Bay Land unit and the Woy Woy/Umina Land Unit. The Scenic Quality statement for the area makes no reference to development in the Ettalong	The subject site sits within the aforementioned Scenic Quality land unit; however, no development objectives are relevant to the Ettalong Beach centre. As such no objection is raised in regard to the development.	N/A
4.2 Peninsula Centres (general controls)	Beach centre. 4.3.4.1 Objectives	It is considered the proposed development is generally consistent with the objectives of the Ettalong Beach Village Centre for the following reasons: • The proposal requires the amalgamation of two lots to create a redevelopment site of 1442m² with a frontage to Memorial Avenue of 38.46m, a frontage to unnamed southern laneway of 43.67m, a rear boundary to the eastern unnamed laneway of 29.22m. • The proposed development does not dominate the coastal setting	Yes

Development	Required	Proposed	Compliance
Control	Required	nor unreasonably intrude onto coastal ocean views available from surrounding residential areas. • A proposed awing over the Memorial Avenue frontage and part of the southern unnamed laneway frontage will ensure weather protection for locals and guests of the hotel. • The proposed development will enhance the existing pedestrian activity along two of the three street frontages of the site. • The proposed development has been designed so as to maximise privacy of residents in the adjacent Atlantis development. • The proposed development does not involve the discharge of any contaminated stormwater to	Compliance
4.2.4 Future Development within Peninsula Centres	Ettalong Beach Village Centre should continue as a mixed-use centre that provides a range of retail/commercial activities and residential accommodation for local residents as well as visitors. Its provision of specialised niche retailing and recreational activities that serve a wider population should be encouraged, and particular to build on the strengths offered by major tourist resort development. All new buildings are to be satisfactorily integrated into the existing urban fabric with its predominately "Australiana heritage" style theme to provide	It is considered the proposed development is generally consistent with the vision for Ettalong Beach Village Centre for the following reasons: • The proposed development would deliver 83 hotel rooms and provide a modern restaurant/café at ground level that would cater for residents and visitors alike. The hotel itself is considered a major tourist development. • This section of Memorial Avenue does not exhibit the "Australian Heritage" style as described within the controls. It is considered that the highly modelled white façade is distinctive, provides a "dynamic"	Yes

Attachment 3	GDCP Compliance Table

Development			_
Control	Required	Proposed	Compliance
	cohesion and continuity to the streetscape. Developments are to be designed to integrate the foreshore area to the village centre and residential development within the town centre should be able to enjoy view lines to the waterway, including Lion Island, and not be obscured by inappropriate bulky buildings.	 active atmosphere" as required, is appropriate for a beachside hotel and is consistent with the existing Mantra hotel opposite. The built form is acceptable in this location. It is acknowledged that the application exceeds the 17 metre height control, but this is for a small area of the rooftop bar and plant room. Facing Memorial Avenue and the laneways it is below the height plane, appears as 5 storeys and is below the height of the RFB to the south and the Mantra hotel to the west. It is acknowledged that it does not comply with building envelope controls on the south laneway however it is consistent with the adjoining RFB that is similarly non-complying. 	
4.2.5.1 Street Frontage	 Encourage consolidation of existing properties that have narrow street frontages in order to facilitate efficient use of land. Incorporate best-practice urban design by ensuring that street frontages are wide enough to conceal carparking and delivery areas behind street level shopfronts. Ensure that street frontages are sufficient to accommodate building services and corridor access for above-ground storeys. Ensure that street frontages are sufficient to accommodate residential 	 The proposed development covers two existing properties, being No. 216 and 220 Memorial Avenue. The amalgamated sites allow for a building frontage that exceeds 20m, thus enabling the design to locate building services and car park entries to the rear, behind the primary street frontage, and for the primary frontage to be designed in a manner that enhances the existing streetscape. The amalgamated sites, being wider than 20m, result in the development achieving the additional building height of 17m as per cl 4.3 of GLEP 2014. The proposed development comprises the consolidation of 	Yes

Development			
Control	Required	Proposed	Compliance
	floorplans which provide a reasonable level of amenity.	two sites that have narrow frontages in order to facilitate the efficient use of land.	
4.2.5.2 Building Height	Controls - Maximum Heights (RL on Height Map): • Max. height in metres: 17m	The development proposes the following:	No, however
	Max. height in metres: 1/mMax height in storeys: 5	 A maximum height of 18.7m is sought, where a maximum 17m is specified 	the variation is supported.
	Max. External Wall height: 15.5m	• Five storey development, where a maximum 5 is specified.	Yes
	Max. street/ lane wall height: 2 storeys/ 8.75m	 An external wall height of 15.3m is proposed, where a maximum 15.5m is specified. 	Yes
		 An 8.75m height/ 2 storey façade applies to the northern, southern and eastern site boundaries in that they interface with a street. A 5 storey façade is proposed to Memorial Avenue and the eastern unnamed laneway. 	
		• A 5 storey façade variation is proposed to the southern unnamed laneway, however with the exception of a single unit fronting Memorial Avenue, this elevation complies.	
		It is considered the proposed development is not without merit despite the above variations, for the following reasons:	
		• It is considered the visual impact of the development upon the scenic quality of this coastal	

Development Control	Required	Proposed	Compliance
		setting is limited as a result of the variations identified above. The established scale of new development facades' facing Memorial Avenue and the southern unnamed laneway are referenced and maintained. The proposed variations do not adversely impact the amount of sunlight to the public domain surrounding the site. Whilst exterior walling and balconies extend beyond the abovementioned building envelope, no objection is made given the limited amenity implications associated with these encroachments.	
4.2.5.3 Building Setbacks and Building Envelopes	Control – Street Setbacks: a. Setbacks to directly adjoining properties.	Memorial Avenue setback Nil, Southern and eastern unnamed laneways setback of 3m recommended. Zero setback is proposed, to the entire eastern unnamed laneway and for a portion of the southern unnamed laneway, resulting in a 100% variation. This variation is supported. The provision of high quality tourist accommodation with restaurant/café, along with the provision of zero setbacks at the principal street frontages requiring commercial activation at a pedestrian scale is consistent with similar setbacks existing in the locale.	No, however the variation is supported.
	b. Existing levels of midwinter sun along public footpaths between the hours of at least 10am and 2pm.	Shadows cast by the proposal between 10am and midday will impact the foot path directly opposite the site on Memorial Avenue, however, it is noted this loss of solar access would remain with a height compliant development.	No, however the variation is supported.

Development 3	Poguirod	Dranacad Dranacad	-
Control	Required	Proposed	Compliance
		The overshadowing to the directly adjacent footpath on Memorial Avenue is reasonable having regard to the built form proposed.	
	c. Any part of a building that is above 7m is to be set back in accordance with a pedestrian envelope that is projected at 45° from the façade that has a frontage to a public right of way such as a street or lane.	The proposal results in the following variations (highlighted in purple and in full size on Plan Sheets DA-300 and DA-302): Section 1 East/West	No, however the variation is supported.
		COD SOCIETY OF SOCIETY	
		A maximum variation of approximately 5.5m is proposed to the Memorial Avenue and eastern unnamed laneway setbacks, and for a small portion of the southern unnamed laneway setback a variation of approximately 9m is proposed. The intent of this provision is to maintain the pedestrian friendly scale of existing low-rise buildings in the Ettalong Beach Village Centre. It is considered the proposed development achieves this intent of this provision for the following reasons:	

Development Control	Required	Proposed	Compliance
		The effective nil setback to the Memorial Avenue and eastern unnamed laneway frontages is architecturally designed to provide relief in terms of massing. The varied angles of the balconies, materiality of balustrades, and landscaped planting boxes provide a visual interest to the development.	
		• The massing proposed is similar to, though lower in height than setbacks and massing of the Atlantis development, located directly south of the subject site. A design meeting all specified setbacks would look somewhat out of place considered against the existing context.	
		• The setback to the southern unnamed laneway is, for all but the south western most room, setback in a near complying envelope that ensures the amenity of the residents of the Atlantis development and provides a highquality built form when viewed from the laneway or new pedestrian links to the east of the Atlantis development.	
		As per cl.4.2.5.3, minor variations of building envelopes are desirable in certain situations in order to avoid the appearance of a continuous horizontal built form. One of these is at street corners where a vertical emphasis or landmark location is appropriate, and to allow reasonable potential for the redevelopment of corner properties.	
		The subject site is in a unique position adjacent to both the Mantra development and the Atlantis development, at the heart of the	

Attachment 3 GDCP Compliance Table

Development Required Compliance

Compliance Table

Development Control	Required	Proposed	Compliance
		newer portion of the Ettalong Beach Village Centre. It is considered the proposed development, and the variations noted above, are acceptable when considering this now landmark location, the continuity of setbacks and building mass as considered against the Atlantis development, and the desired future character of the Ettalong Village Centre.	
4.2.5.4 Building Separation	The minimum separation between windows and balconies of a residential building and any neighbouring building either on site or adjoining sites.	The relevant Objective, 2F of the ADG holds that for buildings up to four storeys, a minimum of 12m separation is required and for the 5 th storey up, a separation distance of 18m is required. The ADG states that: "Where applying separation to buildings on adjoining sites, apply half the minimum separation distance measured to the boundary. This distributes the building separation equally between sites." The proposal would achieve the intent of the separation objective, being generally setback from the centre of the unnamed lane that divides the subject site from the Atlantis development by at least 6m below 4 storeys and by 9m on the 5th storey	Yes
4.2.6.1 Building Facades	Objectives: To ensure that buildings are of a high architectural quality that contributes to the desired character of the centre. To ensure that building facades are of an appropriate scale, rhythm and proportion that respond to the desired character of the centre. To ensure building elements are integrated into the	The controls within this provision are discussed below: a. Modulation and articulation at varying levels of the development. Rooftop structures at the upper level are well within the rooftop footprint and help give a transitionary form, particularly when considered against the adjoining Atlantis development.	Yes
	overall building form and design.	b. Whilst flat roofs are proposed, it is considered the bulk and scale	Yes

Attachment 3 GDCP Com			pitance rubte
Development Control	Required	Proposed	Compliance
	To employ a variety of architectural design techniques that disguises the scale and bulk of multi storey buildings.	generally associated with cubic forms and flat roofs is addressed by the architectural façade treatments of all elevations. c. Street level facades are divided	Yes
		into a series of vertical panels with angular treatment to all balconies that effectively break the façade into rows.	
		d. The Memorial Avenue and eastern unnamed lane frontages both exceed 30m in length., however given the scale of the development, particularly in context of the adjoining Atlantis and Mantra developments, the exceedance is appropriate to the site.	Yes
		e. The building bulk and mass is visually minimised by an articulated façade and the terrace from the south westernmost room (405) on level 5. The façade on all street or laneway frontages is active with varying sizes of vertical panels ensuring that it does not create the impression of single large frontage	Yes
		The reminder of the controls in this provision relating to the width of balconies, passive surveillance, awnings, and location of plant and equipment are adequately addressed and compliant.	

Attachment 3	•	GDCP Com	pliance Table
Development Control	Required	Proposed	Compliance
4.2.6.2 Top Floor Design and Roof Forms	 Ensure that roof design responds to the desired character and contributes to the overall design and environmental performance of buildings. Ensure that the design of the top storey of buildings minimises visual bulk, provides articulation and prevents any increased overshadowing. 	The proposed development demonstrates compliance with the requirements of this section by allowing adequate setbacks to the rooftop structures in order to disguise the bulk and scale of the building, and conforming to the required 5 storey building height limit.	Yes
4.2.6.3 Corner Building Articulation	Objective: To reinforce the built form of the street block and enhance the public domain and the meeting of streets.	The proposed development is compliant with the requirements of this provision in that the proposed development is located on a corner site and addresses both street frontages with variations in building articulation and materials (planter beds, balustrades) proposed.	Yes
4.2.6.4 Active Street & Active Laneway Frontages	 Objectives: To have ground floor facades that enhance the public domain, amenity and safety. Co-ordinate the design of shopfronts, business signs and the landscaping of public areas according to "main street" principles. To have street frontages suitable for active business uses. To promote pedestrian activity in the public domain. Conceal on-site parking and services from street frontages. 	It is considered the application demonstrates compliance with the envisaged "main street" retail environment by concentrating pedestrian activity along the existing retail frontage of Memorial Avenue. The proposed development includes the provision of awnings on both Memorial Avenue and the southern unnamed laneway as required by this provision. Where no active laneway frontage is proposed to the eastern unnamed laneway, this has been designed so as to enable the provision of services and carparking to be located in this frontage. This is considered an appropriate outcome for the site as it reinforces the importance of the Memorial Avenue frontage.	Yes

Attachment 3	·	GDCP Com	pliance Table
Development Control	Required	Proposed	Compliance
4.2.6.5 Building Entries	Objectives: Ensure that building entries contribute positively to the streetscape and building façade design. To create building entrances that are a clear and identifiable element of the building in the street and are accessible to all.	The proposed development demonstrates compliance with the requirements of this section in that the main entrance to the hotel and restaurant/cafe is appropriately designed, is clearly identifiable, and offers a positive contribution to the streetscape.	Yes
4.2.6.6 Awnings	Prescriptive requirements.	The proposed development demonstrates compliance with the requirements of this section. Glass awnings that compliment the overall design of the hotel are included on the Memorial Avenue frontage, with recessed concrete covered areas to the southern unnamed laneway frontage for the useable potion of the development.	Yes
4.2.6.7 Materials and Finishes	Buildings that are consistent with the palette of materials and finishes within the area to achieve a coherent streetscape. Use of materials and finishes that contribute to the articulation of overall façade design.	The proposed development demonstrates compliance with the requirements of this section. Compliance with the submitted External Finishes Schedule is conditioned through the schedule being included in the supporting Documentation as per Condition 1.1	Yes, via the imposition of Condition 1.1.
4.2.7 Internal and External Amenity	Prescriptive requirements.	The development generally meets the requirements of this control, with a minor (100mm) variance to the ground floor height more than offset by the expansive courtyard open space included at the ground floor.	No, however the variation is supported.

Attachment 3		GDCP Com	pliance Table
Development	Required	Proposed	Compliance
Control	-	•	-
4.2.11 Vehicle Access & Car Parking	Prescriptive requirements.	The development locates car park access and service entries to the eastern unnamed laneway frontage, facilitating the primary active frontage of Memorial Avenue to remain pedestrian focused. Adequate service areas and loading facilities are included within the ground floor plans, however there is a shortfall of some 31 car parking spaces as discussed further under 7.1. This shortfall can be offset by the payment of Contributions under Plan No 72 Car Parking Ettalong Beach. It is considered that the design and location of the carparking is integrated with the design of the site and building design, and with the shortfall of parking offset through contributions, the proposed development meets the objectives of this control.	No, however the variation is supported.
4.2.12 Environment Planning & Natural Hazards	Prescriptive requirements.	The development has been assessed against the prescriptive controls of Section J of the NCC, with a report supplied indicating compliance with the measures required.	Yes
6.1 Acid Sulfate Soils	Prescriptive requirements.	A report, titled Further acid sulfate soil investigation at 47-49 The Esplanade and 218-229 Memorial Avenue, Ettalong Beach, NSW prepared by Parsons Brinkerhoff was provided in relation to the site. The report concludes that Acid Sulfate Soils were not identified at the site and are unlikely to be present.	Yes
6.3 Erosion and Sediment Control	Plans to be provided with application.	Plans were supplied. Complies	Yes
6.4 Geotechnical Requirement	Investigations required.	A Geotechnical Investigation Report, prepared by eiaustralia, dated 9 April	Yes

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Development Control	Required	Proposed	Compliance
		2019 accompanies the development application. Council's Development Engineer has reviewed the supporting documentation and raises no objection to the directions contained within the Geotechnical report.	
6.7 Water Cycle Management	Minimise the impact of the development on the natural predevelopment water cycle.	A Water Sensitive Urban Design Strategy Report prepared by ACOR Consultants (Ref: Document No: SY190242 Issue no: Rev 3 dated 23/05/2019) was submitted in support of application. Council's Engineer has reviewed the report and raises no objection to the development.	Yes
7.1 Car Parking	 Required Car Parking 1 space per accommodation Unit = 83 1 space per 2 persons employed and on duty = (20 staff on duty = 10) 1 space per 30m² of restaurant / 438m² GFA restaurant and function rooms = 14.6 (15) Total required spaces = 108 Note: Where car parking is provided in excess of 5 spaces, the provision of parking for person with a disability must be provided at the rate of 1 per 100 or part thereof = 1 	Proposed Car Parking 77 car spaces in total are proposed for the site, 4 of which are disabled spaces. In total there would be a shortfall of 31 car parking spaces against the controls of GDCP 2013. However, the applicant proposes that the development is anticipated to run at an 80% average occupancy. This figure is in line with the figures reported by Destination NSW and is further supported by the CEO of the Ettalong Beach War Memorial who stated within their public submission on the application that the Mantra "during the cooler months can rarely have an occupancy above 20% on Monday, Tuesday, Wednesday and Thursday". "On Friday and Saturday nights the occupancy reaches anywhere from 50% to 80%". If car parking spaces were to be calculated at the intended and probable occupancy of 80%, the shortfall is reduced to 15 car parking spaces.	No, however the variation is supported provided compliance with Condition 2.11.

Development Control	Required	Proposed	Compliance
		Contributions Plan No. 72 applies to the subject site, providing that contributions can be made in situations where there is a shortfall of parking spaces. The applicable contribution has been calculated as 13 (car spaces shortfall) x \$7,905 = \$102,765.00. As such, with the contributions in leu of car parking spaces considered, the total shortfall of car parking spaces is 2. Further, it is likely that such a development would have a degree of cross-utilisation within the commercial centre (ie those parking at the hotel may utilise other commercial facilities, and vice-versa), however it is noted that there may be additional demands upon the existing on street parking of the Ettalong Village Town Centre, and as such it would be appropriate to levy the development with contributions as per Council's 'Contributions Plan No. 72 Car Parking Ettalong Beach' to cover the shortfall. No objection is made in respect to the shortfall in car parking spaces provided compliance with Condition 2.11.	
7.2 Waste Management	Waste Management Requirements	A Waste Management Plan prepared by MRA Consulting Group and dated 8 April 2019 was lodged with the development application. The report has been reviewed by Council's Waste Officer and found acceptable. Appropriate conditions confirming compliance are recommended for imposition.	Yes





Architectural Elevations

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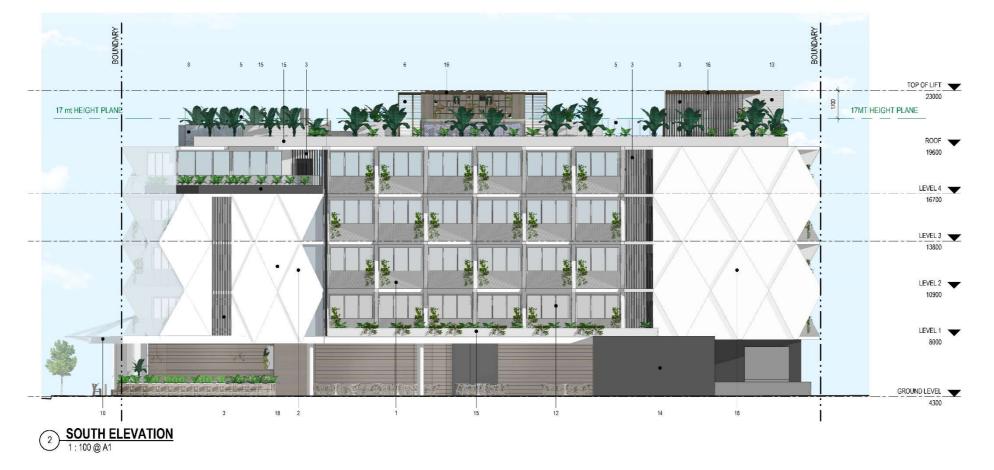
PROJECT
ETTALONG HOTEL

216 - 220 Memorial Averue Ettalong Beach NSW 2257

DA-201 P2

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DIAWING HILL ELEVATIONS SHEET 2







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PROJECT
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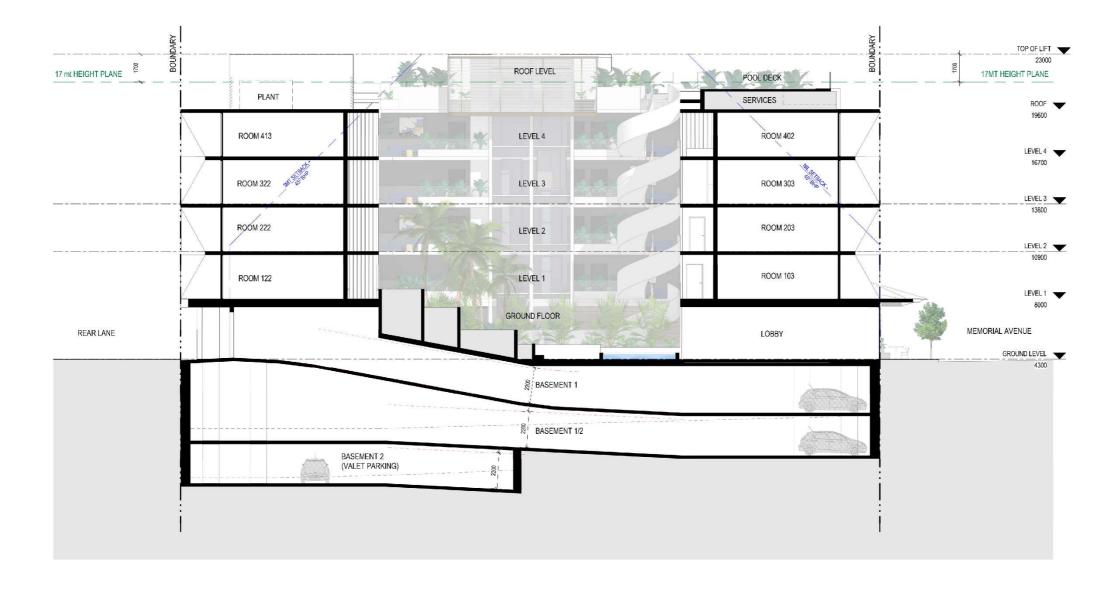
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Architectural Elevations



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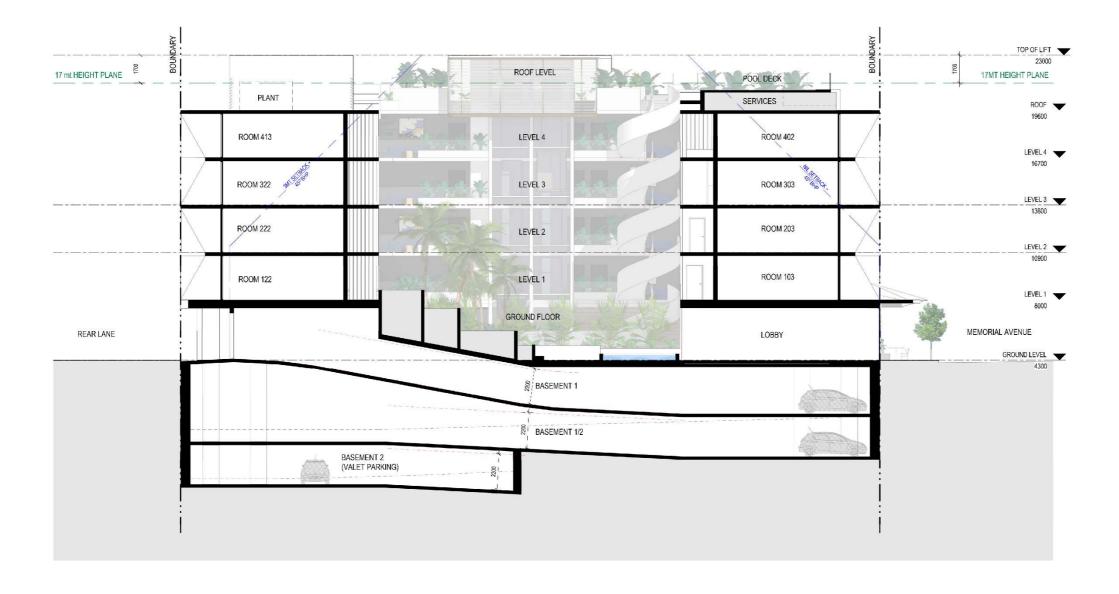
PROJECT
ETTALONG HOTEL

DA-300 P2

D JAWING HILL SECTION - SHEET 1

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Attachment 4 **Architectural Elevations**





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D FAWING TITLE SECTION - SHEET 1

Attachment 4

Architectural Elevations

