

## CHAPTER 5.55 ETTALONG BEACH -43-46 THE ESPLANADE

### 5.55.1 INTRODUCTION

#### 5.55.1.1 Application of this Plan

This Chapter applies to land identified as Lots 117 – 122 in DP10650 No. 43 – 46 The Esplanade, Ettalong Beach; subject to lot consolidation (see **Figure 1**).

#### 5.55.1.2 Aims and Objectives

##### OBJECTIVES

- To promote quality development that accommodates a mix of residential, commercial, and retail use and achieves a balance between economic, social, environmental and service functions
- To ensure that the development shall have an appropriate scale, texture and materiality that is sympathetic to the character of Ettalong Beach
- To allow for higher density development in a manner which minimises impacts on the locality and surrounding development
- To ensure the development of the site improves the public domain function and local amenity and connectivity
- To ensure that the development provide a strong entry /arrival node for the Ettalong Beach foreshore
- To ensure that the development exhibits design excellence, including a high standard of architectural design, materials, façade treatment and landscape design

#### 5.55.1.3 Land to which this Chapter Applies

This Chapter applies to land as shown on **Figure 1** as follows:



**Figure 1 Land to which Chapter 5.55 applies**

### 5.55.1.4 Relationship to other Plans

Central Coast Local Environmental Plan (CCLEP) 2022 applies to the site.

In the event of an inconsistency between this development control plan chapter and the provisions of the CCLEP 2022, the latter shall apply.

This development control plan chapter should be read in conjunction with other chapters of Central Coast Development Control Plan (CCDCP) 2022 and policies (including relevant Section 7.11 and 7.12 plans) which may apply to the site, including but not limited to:

- Chapter 2.3 – Residential Flat Buildings
- Chapter 2.7 – Tourism Development
- Chapter 2.13 – Transport and Parking

- Chapter 2.14 – Site Waste Management
- Chapter 2.15 – Signage and Advertising
- Chapter 2.17 – Character and Scenic Quality
- Chapter 3.1 - Floodplain Management and Water Cycle Management
- Chapter 3.2 - Coastal Hazard Management
- Chapter 3.7 – Geotechnical Requirements
- Chapter 4.2 – Peninsula Centres

The provisions of this development control plan chapter shall prevail where there is any inconsistency between this development control plan chapter and other development control plan chapters.

## 5.55.2 LOT CONSOLIDATION

This Chapter applies only where Lots 117 – 122 in DP10650 No. 43 – 46 The Esplanade, Ettalong Beach are consolidated into a single lot and the development applies to the whole of the consolidated lot.

### OBJECTIVES

- To encourage lot consolidation and the efficient use of land
- To ensure that the development site has sufficient frontage and site area to accommodate a development with the permitted heights and floor space ratios

### REQUIREMENTS

- a. The consolidation of Lots 117 – 122 in DP10650 must be achieved as part of the development application in order to apply the building height and floor space ratio bonus provisions identified under the DCP Chapter and CCLEP 2022
- b. The development application shall be accompanied by a Plan showing the consolidation of the lots (see **Figure 2**)



Figure 2 Diagram showing consolidation of all lots into one single lot

### 5.55.3 BUILDING FORM

#### OBJECTIVES

- To provide for a quality building, displaying architectural design excellence and innovative green building solutions
- To minimise impacts upon the amenity of nearby residential properties with regard to bulk and scale, access to sunlight, privacy and views
- To minimise overshadowing of the beach and public open space

#### REQUIREMENTS

- a. The building form is to provide an appropriate relationship with the public domain and streetscape. Street front elements are to respond to the character of existing beachfront street development, with ground level shopfronts protected by awnings and accessible from the street frontage and western connecting laneway, and with residential uses above
- b. Incorporate a design aesthetic that responds to the character of the area and its beach front location

- c. Provide a building form that minimises overshadowing of the foreshore and public open space
- d. The building is to transition in height between the higher density development to the west and lower density residential areas to the east

### **5.55.3.1 Building Height and Density**

#### **OBJECTIVES**

- To limit the visual impact of multi-storey buildings upon the scenic quality of the coastal setting, and allow for view sharing
- To provide for a transition in height to existing low density residential areas
- To minimise overshadowing of the beach and public open space
- To recognise the prominence of the development when viewed from the foreshore area and ensure that the development steps away the foreshore to reflect the natural terrain
- To maintain the established pedestrian-friendly scale of two storey facades facing streets

#### **REQUIREMENTS**

- a. The building heights of the development are to provide for a transition down from west to east, to respond to the heights of existing and proposed adjoining development
- b. A maximum of 8.75 metre high, 2 storey podium applies to all frontages of the site
- c. The building form is to step down toward the foreshore to decrease the bulk and scale and to respect the natural attributes of the locality
- d. The maximum building height of the development is to be in accordance with the Height of Building Map contained within Central Coast LEP 2022 and relevant considerations under the Central Coast Local Environmental Plan 2022
- e. The Floor Space Ratio Map and relevant considerations under the Central Coast Local Environmental Plan 2022 are applicable

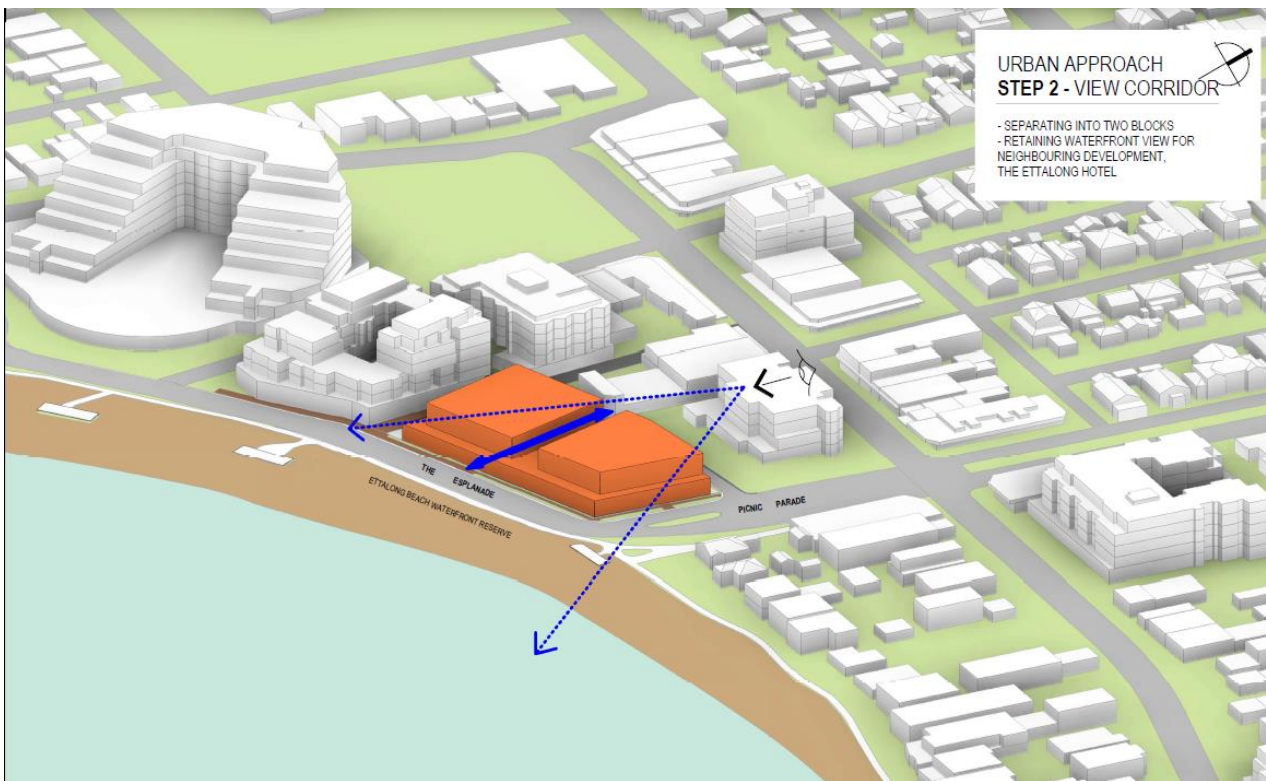
### **5.55.3.2 Views**

#### **OBJECTIVES**

- To facilitate view sharing from other areas within the village centre, including views through the site and across the Esplanade to Ettalong Beach foreshore, whilst not restricting the reasonable development potential of the site
- To have opportunities for public vistas and public views from streets and public places protected and enhanced through building design, location and landscape design

#### **REQUIREMENTS**

- a. New development shall be designed to minimise loss of views from adjoining and adjacent properties identified in the site analysis process, while still providing opportunities for views from the proposed development
- b. Design solutions shall respond graphically to the site analysis outcomes through the issue of plans, elevations, photographs and photomontages to demonstrate how view sharing is to be achieved (see **Figure 3**)
- c. A visual analysis illustrating the impacts of the proposed development upon views may be required for developments which have the potential to obstruct views. This analysis will be required to outline the impact of the development on the views of all affected properties
- d. Important public views and vistas beyond the site shall be protected and maintained where possible, through responsive building form and treatment including roof design and increased setbacks



**Figure 3 Diagram showing potential view corridors and view sharing**

### 5.55.3.3 Setbacks

#### OBJECTIVES

- To provide for a building form within a landscaped setting that has adequate setbacks from the beach front, the street and adequate separation from adjacent residential and heritage buildings

- To maintain adequate privacy and solar access and allow for view sharing from adjacent properties
- To minimise overshadowing of the beach and public open space
- To ensure a pedestrian scale is retained at street level
- To facilitate a landscaped pedestrian forecourt to Picnic Parade suitable for outdoor dining

## REQUIREMENTS

- a. The building is to have adequate separation to existing and future buildings and the street and ensure that an appropriate degree of solar access is retained for surrounding development, in accordance with the requirements of SEPP 65 – Design Quality of Residential Apartment Development and the related Apartment Design Guide.
- b. In addition to building separations and setbacks in accordance with the Apartment Design Guide, specific building setbacks are indicated below and in **Figure 4**:

### 5.55.3.3.1 Setback to The Esplanade

- a. Setbacks to The Esplanade can range from a minimum of 0 metres and 3 metres, to allow for outdoor seating, landscaping, entryways and building articulation
- b. Development above 2 storeys in height is to be setback an additional minimum of 3 metres
- c. Development above 3 storeys is to be setback in accordance with the pedestrian scale envelope outlined in the Peninsula Centres Chapter of this DCP

### 5.55.3.3.2 Setback to Picnic Parade

- a. Development is to provide a minimum 6 metre setback to Picnic Parade to allow for outdoor dining, landscaping and deep soil zones, and to provide an appropriate transition to the adjacent heritage item and residential development
- b. Development above 2 storeys in height is to be setback an additional minimum of 3 metres
- c. Development above 3 storeys is to be setback in accordance with the solar protection envelope outlined in the Peninsula Centres Chapter of this DCP

### 5.55.3.3.3 Setback to rear vehicular laneway

- a. The development is to be setback a minimum of 3 metres from the rear laneway in accordance with the Peninsula Centres Chapter of this DCP
- b. Development above 2 storeys in height is to be setback an additional minimum of 3 metres

### 5.55.3.3.4 Setback to pedestrian laneway

- a. The development is to be setback a minimum of 3m from the western pedestrian lane way in accordance with the "Active Laneway" requirement in the Peninsula Centres Chapter of this DCP.
- b. Development above 2 storeys in height is to be setback an additional 3metres minimum.
- c. Development above 3 storeys is to be setback in accordance with the pedestrian scale envelope outlined in the Peninsula Centres Chapter of this DCP

### 5.55.3.3.5 Corner Splays

- a. To preserve sight lines at the corners of the site, a splay with minimum dimensions of 1.5 metres x 1.5 metres must be provided. No walls, fences or plantings higher than 0.6 metres are permitted within the splay.



Figure 4 Diagram showing minimum street setbacks at ground level



### 5.55.3.4 Deep Soil Zones

#### OBJECTIVES

- To provide areas on the site that allow for and support healthy plant growth of larger trees with large canopies
- To allow infiltration of rain water to the water table and reduce stormwater runoff
- To provide a visual connection to the foreshore vegetation and continue the coastal theme into the site
- To allow for a transition between the site and the low density residential zone to the east

#### REQUIREMENTS

- a. Provide deep soil zones with a total area of a minimum of 7% of the site area and with a minimum dimension of 6 metres
- b. Deep soil zones are to be free from any buildings or structures. They exclude areas with basement car parks, services, retaining walls, or impervious surfaces
- c. Locations for deep soil zones on the eastern and western boundaries of the site are encouraged to assist with integrating landscaping and the coastal theme from the foreshore

## 5.55.4 BUILDING DESIGN

#### OBJECTIVES

- The building design is to exemplify design excellence, incorporating a high standard of architectural design, appropriate and durable materials, detailed façade treatments, green building solutions and landscaping that recognises the site's prominent coastal location and climate, in particular streetscape presentation to The Esplanade and the Ettalong Beach foreshore reserve
- To ensure that façade articulation and elements within the building setback areas facilitate an active street environment and modern attractive and interesting building design
- To ensure that the elevations and roof treatment of the building(s) have a high quality appearance and have regard to the character of the surrounding area.
- To ensure a positive relationship to the landscaped street setting, foreshore reserve and beachfront interface

#### REQUIREMENTS

- a. Development is to be designed having regard to the urban coastal context and the desired future character of the area

- b. Building and landscape elements, including balconies, entries, rooflines and screening are to contribute to the character of the streetscape through distinctive and attractive façade treatments and detailing

### 5.55.4.1 Materials and Finishes

#### OBJECTIVES

- To ensure that the materials and finishes are of high quality and have regard to the coastal context

#### REQUIREMENTS

- a. Building and landscape materials are to be fit for purpose and reflect the desired urban and beachside character of the area, be appropriate for climatic conditions and the marine environment and be able to ensure long term quality and sustainability of the development (see **Figure 5**)
- b. Considerations of materials and finishes include:
  - I. heavy materials for the base structure: durable materials with “self cleaning” attributes such as concrete, masonry render, stone, face brickwork
  - II. Lightweight materials for the top of the building to allow flexibility in roof form: steel, aluminium and other metallic materials
  - III. Lightweight screening elements to provide enhanced privacy to the occupants of the development as well as to adjoining residential properties
  - IV. Materials that minimise reflective glare and provide a modern appearance
  - V. Large expanses of any single material on the building façade are to be avoided



**Figure 5 – Indicative use of materials and design to produce high quality development of urban coastal character**

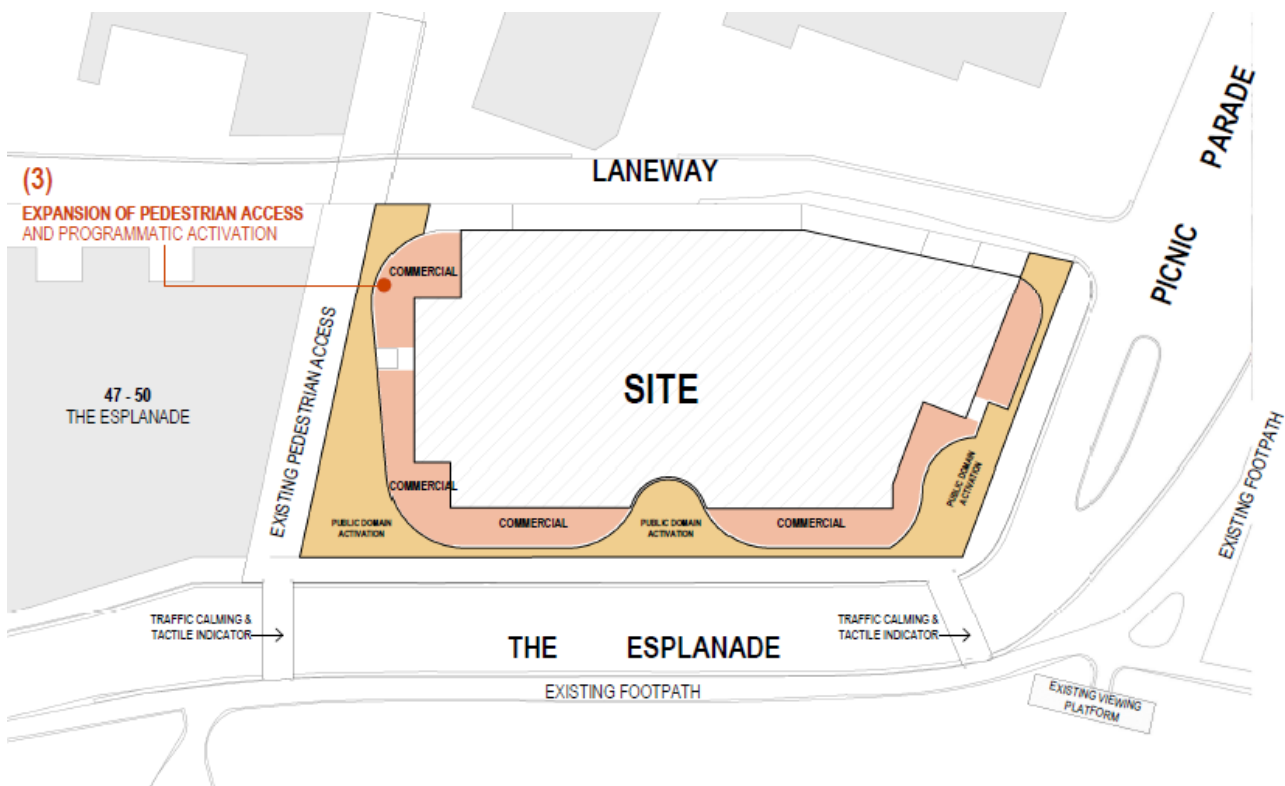
### 5.55.4.2 Active Frontages

#### OBJECTIVES

- To achieve a well-designed streetscape that engages and activates the Ettalong Beach centre and contributes to its economic viability
- To encourage active uses and pedestrian orientated development at ground level
- To ensure that uses and frontages of buildings adjacent to The Esplanade, Picnic Parade and western laneway link contribute to the activation of the public domain, to serve the local community and tourists alike

#### REQUIREMENTS

- a. The ground floor to The Esplanade, Picnic Parade and the western pedestrian laneway link is to accommodate active uses including retail, cafes and restaurants, with appropriately defined access to residential uses above (see **Figure 6**)
- b. Maximise operable and glazed retail frontages, entries for all uses, active office uses such as reception and any other activities which provide pedestrian interest and activation
- c. Minimise blank walls (with no windows or doors), fire escapes, service doors, plant and equipment hatches



**Figure 6 – Plan showing primary active street frontages along The Esplanade, Picnic Parade and the existing pedestrian laneway to the west**

### 5.55.4.3 Entries and Circulation

#### OBJECTIVES

- To ensure that residential levels of buildings are integrated within the development, and safety and amenity is maximised for residents
- To minimise conflicts between residential and non-residential uses

#### REQUIREMENTS

- a. Any tourist accommodation and non-residential uses are to have separate pedestrian entries to the residential component and be designed to ensure that an appropriate level of safety and amenity (particularly acoustic amenity) is provided to residents
- b. Residential entries are to be directly accessible from the street via a safe pedestrian route
- c. Concealment opportunities are to be avoided
- d. Residential circulation areas are to be clearly defined

## 5.55.5 COMMERCIAL DEVELOPMENT

### 5.55.5.1 Size and depth of tenancies

#### OBJECTIVES

- To encourage appropriate commercial development that is developed as a result of understanding the local context
- To allow for commercial development of sufficient size to support a wide range of uses
- To provide new commercial development that creates well-defined streets, street corners and public spaces

#### REQUIREMENTS

- a. Commercial floor space should address the street frontages and pedestrian laneway creating opportunities for passive surveillance
- b. Commercial floor areas on the ground floor should have a minimum area of 80 square metres and minimum depth of 6 metres

### 5.55.5.2 Ceiling heights

#### OBJECTIVES

- To ensure appropriate floor to ceiling heights within commercial buildings, and to enable flexibility of uses through higher floor to ceiling heights for ground floor development.

## REQUIREMENTS

- a. Ground floor ceiling heights in commercial development are to be a minimum of 4 metres to allow for servicing and permit flexibility of use (see **Figure 7**)
- b. First floor level ceiling heights in commercial development are to be a minimum of 3.3 metres to ensure longer term adaptability for other uses

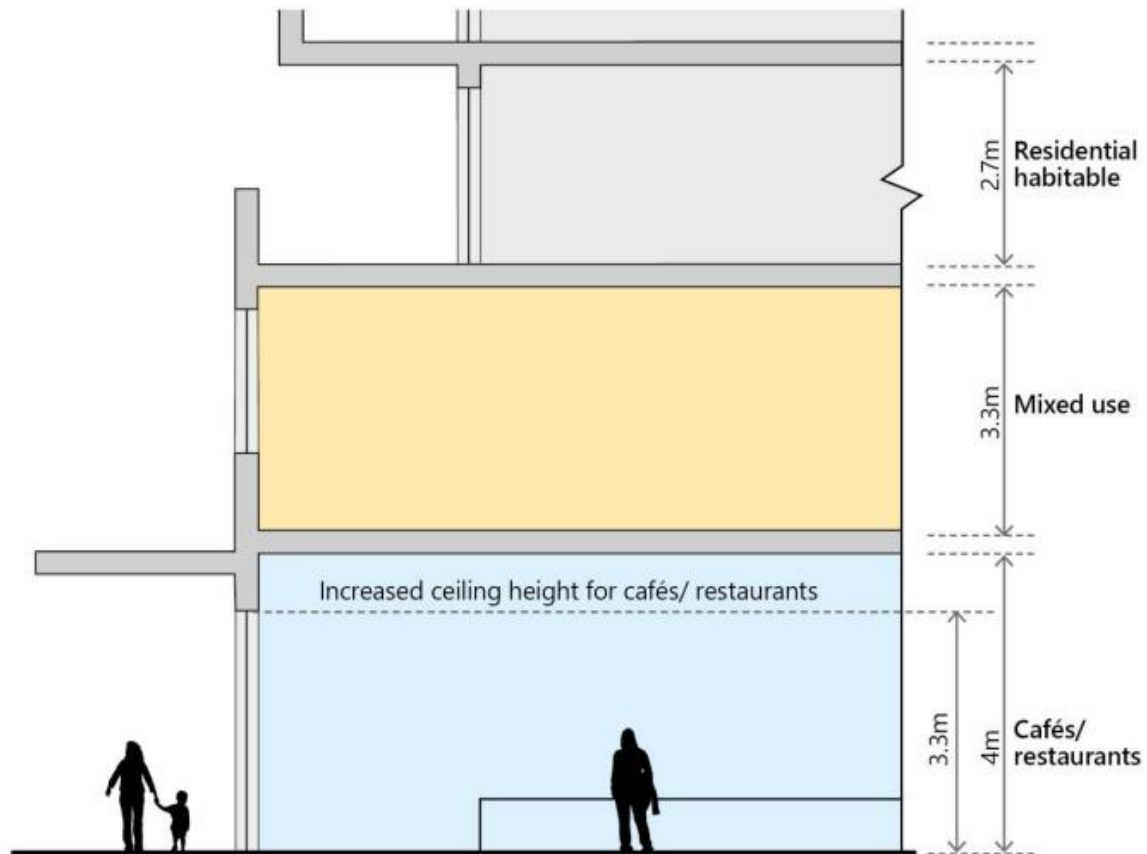


Figure 7 – Minimum ceiling heights for commercial development

### 5.55.5.3 Awnings

#### OBJECTIVES

- To improve pedestrian amenity by the provision of awnings for weather protection
- To ensure that awnings are in keeping with the desired streetscape character and with the scale and design of the development

#### REQUIREMENTS

- a. Awnings should be provided on The Esplanade street frontage and in other areas where practicable
- b. Generally, awnings are to be a minimum of 3 metres deep and setback a minimum of 0.6 metres from the kerb, to allow for street signage, lighting and street tree planting

- c. Awning heights are to be between 3m and 3.5m except where integration with adjoining properties requires variation; in this case awning height must not be greater than 4.2m

## 5.55.6 PUBLIC DOMAIN AND LANDSCAPE

The public domain includes public areas such as streets and footpaths, and also privately owned areas accessible to the public like building forecourts, landscaped setbacks, retail premises, and car parks. New development must create gathering places that enhance and connect with those already existing. Shared public areas should be accessible to all community members and visitors. As a setting for community life they need to be attractive, safe, interesting, comfortable, well defined and easily accessible.

### OBJECTIVES

- To provide a safe walkable environment around the development, with visual interest, pedestrian amenity, and opportunities for social interaction
- To ensure that the public domain is accessible to all members of the community
- To integrate with Council's public domain improvements within Ettalong Beach Centre and the Ettalong Beach Foreshore Reserve
- To improve and enhance the existing laneway to the west of the site by integrating it into the design for the public domain around the site

### REQUIREMENTS

#### 5.55.6.1 Public Domain

- a. The development shall be accompanied by a Public Domain Plan, detailing public domain improvements agreed with Council
- b. The design of apartments and balconies shall maximise passive surveillance of the public domain and reinforce the activation of the street environment
- c. Pedestrian routes are to be clear, safe, well-lit and legible to all. Particular attention should be given to linking areas of the public domain and to improve safety at potential conflict points between different transport modes
- d. Pedestrian and vehicle access ways are to be separated and clearly distinguishable
- e. Pedestrian areas should minimise any changes in levels where possible
- f. Pedestrian areas are to allow for wheelchair, scooter or pram access from public areas and car parking to any retail areas, including at the threshold of shops

#### 5.55.6.2 Landscape Design

- a. The development shall use landscaping that will assist in the integration of buildings and related structures into the streetscape at street level, including the western laneway link and the foreshore to the south

- b. A suitably qualified landscape design consultant is to undertake the design and construction of landscaping for the development, details to be lodged as part of any Development Application for the site
- c. The landscape design for the development is to:
  - i. Provide appropriate shade to promote use of passive space using trees or structures
  - ii. Provide accessible routes within the site and between buildings, and links to the public domain
  - iii. Contribute to streetscape character and the amenity of the locality by using planting, fencing, lighting and other landscape elements appropriate to the scale of the development
  - iv. Visually soften the bulk of the development for the person on the street and from the foreshore area

### 5.55.6.3 Street Trees

- a. Provide street tree plantings at a rate of at least two semi-advanced trees per 15 metres of frontage
- b. Street tree selection should make use of native, locally endemic species where possible, that are well suited to coastal conditions and provide canopy cover and shade to the streetscape.
- c. All landscaping and maintenance must be in accordance with relevant Council technical specifications
- d. A street tree planting plan shall be included as part of the landscape design report and is to include the location of any services within the footpath area
- e. All tree supply and procurement is to be in accordance with AS 2303. Minimum tree installation size is to be 100ltr for trees on private land, and 200ltr for all street trees on public land.

### 5.55.6.4 Outdoor Dining

- a. Outdoor dining areas associated with restaurants may be provided within the public domain subject to Council's requirements (see **Figure 8**)



**Figure 8 - Indicative outdoor dining areas**

### **5.55.6.5 Paving and Street Furniture**

- a. Benches and other forms of seating should be provided both inside and outside buildings to provide places for passive enjoyment of the space
- b. Street furniture and paving shall take into account the needs of people with a disability or decreased mobility (e.g. seats to have arms and not be too low, slip resistant paving should be utilised)
- c. Paving shall be predominantly concrete with a high quality exposed aggregate finish. Approximately 10% brick or stone edging or banding should be used to visually break up the concrete and improve the aesthetics of the site
- d. High quality natural stone paving should be considered at key points within the site
- e. Furniture and fixings are to all be of the same brand or palette and selected for their quality and longevity in a coastal area. Hard-wood materials and galvanised steel are to be used for benches and tables, and a combination of timber and galvanised steel used for bollards or other fittings.

### **5.55.6.6 Pedestrian Laneway**

- a. Incorporate the pedestrian laneway on the west of the site into the design for public domain, by widening the lane and enhancing it with landscaping, shelter from the weather, street furniture and opportunities for recreation (see **Figure 9**)





**Figure 9 - Indicative design of western pedestrian laneway**

## 5.55.7 SERVICES

### OBJECTIVES

- To ensure adequate and appropriate servicing of the site
- To minimise conflicts between residential and non-residential uses on the site
- To prevent adverse impacts on the amenity of the surrounding area in relation to, excessive noise, odour or light spill, visual impacts and disturbance from servicing requirements and staff and visitor movements

### REQUIREMENTS

#### 5.55.7.1 Building Services

- a. Site services (such as electrical substations, water hydrants, and telecommunications) should be located off the rear vehicular laneway where possible
- b. Site services and facilities (such as letterboxes and clothes drying areas) should be designed:
  - i. To enable safe and convenient access
  - ii. To be visually integrated with the development

- III. To have regard to the amenity of adjoining developments and streetscape
  - IV. To meet service authority requirements
- c. All external attachments to the building should be fully integrated with the façade design e.g. stormwater downpipes, air-conditioning units, meter boxes and other services

### **5.55.7.2 Delivery Services**

- a. Commercial service areas are to be from the rear laneway and separated from residential components

### **5.55.7.3 Waste Services**

- a. Waste management systems for the development are to be provided consistent with Council's Waste Control Guidelines.
- b. Waste servicing is to be via the rear laneway only, with waste collection occurring within the building from designated waste rooms, to minimise noise and odour
- c. Residential waste areas are to be separate and secure from waste areas servicing other uses in the development
- d. Elevators for residential development must not be used for retail loading or waste removal
- e. Details of waste recycling arrangements must be included in the Waste Management Plan submitted with the Development Application

## **5.55.8 PARKING AND ACCESS**

### **OBJECTIVES**

- To provide adequate on-site parking that relates to the environmental and physical constraints of the site
- To minimise the visual dominance of parking to the street and other public areas
- To have car parking areas that minimise the potential for pedestrian and vehicle conflict
- To design connections to alternative transport modes such as walking, cycling and public transport

### **REQUIREMENTS**

- a. A Traffic Impact Study is to be submitted with the Development Application (DA) and is to address the matters identified in the Central Coast DCP 2022: Chapter 2.13 – Transport and Parking, including traffic, parking demand, operation and impacts, as well as access requirements.

- b. A Transport Management Plan identifying how people from the proposed development will be encouraged to use methods of transport other than the motor car, is to be submitted with the DA in accordance with the requirements contained in Chapter 2.13 Transport and Parking

### **5.55.8.1 Car Parking**

- a. Car parking is to be provided in accordance with the parking rates identified in Chapter 2.13 Transport and Parking
- b. The design of car parking and access is to be in accordance with Chapter 2.13 Transport and Parking, and the relevant Australian Standards.
- c. Residential car parking is to be separated or secured from other user groups

### **5.55.8.2 Bicycle and other Parking**

- a. Parking for bicycles, motorcycles and motor scooters are to be provided in accordance with the minimum rates identified in Chapter 2.13 Transport and Parking

### **5.55.8.3 Location of Parking**

#### **5.55.8.3.1 Basement Parking**

- a. Preference is to be given to underground parking where possible. Design considerations include:
  - I. Retaining and optimising consolidated areas and deep soil zones on the site
  - II. Facilitating natural ventilation to basement car parking areas off the rear vehicular laneway
  - III. Integrating ventilation grills or screening devices of car park openings into the façade design and landscape design
- b. Basement parking shall not project above finished ground level along primary street frontages or the frontage to the pedestrian laneway to the west of the site
- c. Access driveways to the basement are to be located off the rear vehicular laneway
- d. Basement car parking is to be suitably set back from the site boundaries so as not to interfere with the provision of deep soil planting zones at ground level

#### **5.55.8.3.2 Ground Level or Podium Parking**

Where parking at ground or podium level is provided it is subject to the following:

- a. Ground level parking is to be sleeved by commercial uses on The Esplanade, Picnic Parade and the pedestrian laneway to the west of the site
- b. Any parking above ground level is to be sleeved by commercial or residential uses where possible, or concealed by screening devices that are integrated into the façade and landscape

design, especially on frontages facing The Esplanade, Picnic Parade, and the pedestrian laneway to the west of the site

- c. Access driveways are to be located off the rear vehicular laneway

#### **5.55.8.4 Vehicular Access Design**

- a. Car park entry and access must be from the rear vehicular laneway
- b. Adequate separation distances is to be provided between vehicle entries and street intersections
- c. Clear sight lines are to be provided at pedestrian and vehicle crossings
- d. Traffic calming devices such as changes in paving material or textures should be used where appropriate
- e. Pedestrian and vehicle access must be separated and distinguishable. Design solutions may include:
  - i. Changes in surface materials
  - ii. Level changes
  - iii. The use of landscaping for separation
- f. Improve the appearance of car parking and service vehicle entries by:
  - i. Screening garbage collection, loading and servicing areas visually away from the street
  - ii. Setback or recess car park entries from the main façade line
  - iii. Avoid 'black holes' in the façade by providing security doors to car park entries
  - iv. Where doors are not provided, ensure that the visible interior of the car park is incorporated into the façade design, and that building services, pipes and ducts are concealed
  - v. Return the façade material into the car park entry recess for the extent visible from the street