

Re: DA19/1841, 44 Duncan Street, proposal for a 17 unit block of apartments. This block is zoned R3, Medium Density.

The Huskisson Woollamia Community Voice has concerns regarding DA19/1841 and **requests that the application be rejected.**

In summary our concerns are:

- Does not meet R3 zoning requirements
- Does not match community expectations
- Does not address runoff and impact on endangered Bangalay Sand Forest adjacent
- Proposal has no regard for impact on traffic and amenity
- Is grossly unfair to immediate neighbours and R2 residents on the opposite side of the road
- Justification for the proposal is based on inaccuracies

1. Does not meet R3 zoning requirements

Clearly the proposal is in excess of what is permissible under the current DCP and LEP.

The land is zoned R3, Medium Density. Based on simple definitions the proposal does not meet zoning requirements. According to the SCC Development Control Plan 'medium density is generally considered to be development between (*NOT equal to*) the scale of a dwelling house and a residential flat building'. A block of 17 units must be considered a residential flat building and is therefore not 'medium density' but 'high density' development. One of the objectives of the R3 zone is:

To provide opportunities for development for the purposes of tourist and visitor accommodation where this does not conflict with the residential environment.

As existing medium density consists of 3 or 4 townhouse developments, which may be one or two stories the proposed development clearly conflicts with the residential environment and therefore does not meet the purposes of R3 zoning.

The maximum height limit for developments in R3 is 11 m. Whilst the plans do not clearly indicate the final height, a maximum height level of 11m would allow at best a three storey property – not 4. We note that in the pre-lodgement meeting the proponents were advised to comply with the development standard of 11m.

Unfortunately the proponents do not seem to have been advised that the proposal goes against other DCP criteria.

In *DCP 14 Chap G13.1 Medium Density* the floor space ratio (FSR) must be no more than 0.7:1. This proposal goes well over that as the block of land is 1011.6 sq m and the gross floor area of the 17 units is 1581.71 sq m. The resultant FSR is 1.56:1 – 200% of the required limit.

The DCP also requires communal open space on ground level to be 25% of the block, and yet the proposal indicates that only 20% will be communal open space¹.

The DCP also outlines required area for soft landscaping is 182.08 sq m but the proposal indicates that only 92.88 sq m will be soft landscaped²; half of what is required.

The Shoalhaven DCP requires that a proposed development must ‘**enhance and make a positive contribution to the character of existing buildings and streetscapes and reinforces the built form and environmental conditions of the locality**’. The proposal is totally at odds and would detract from the single dwellings, and existing medium density dwellings in that area if built. In no direction is there a high density dwelling to be seen – the character of the existing buildings and streetscapes is low form and sympathetic to the natural landscape and environment as seen in the figures below.

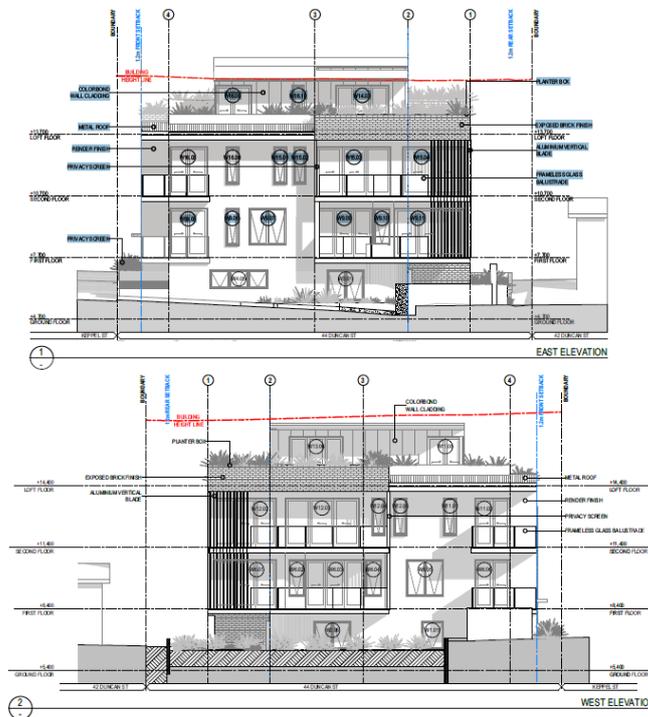


Figure 1: Street view of Proposed development – not a positive contribution to existing character and streetscape

¹ Community and Private space diagram

² Landscape calculation



Figure 2: Current Duncan St – note character of existing buildings and streetscape



Figure 3: example of similar scale development –not in sympathy with surrounding street scape

The proponent argues that residential flats are permitted in R3³ – but only with consent, and one would expect only where the proposed development meets the criteria in the LEP and DCP – which it clearly does not.

2. Does not match community expectations

Over the past nine months the HWCV has been undertaking community consultation to check in with the community regarding their current issues, concerns and desires for their community and village. The community input compels us to respond to this DA on the community's behalf. One of the most expressed concerns was 'over development', unsympathetic and out of character developments – that is, development that does not make a positive contribution to existing buildings and streetscapes, and results in a loss of character. The proposed high density development in a medium density zone is exactly the type of 'over development' that the community has indicated they do not want.

3. Does not address runoff and impact on adjacent endangered Bangalay Sand Forest

The Shoalhaven prides itself, and relies, on tourism to an 'unspoilt' destination. Visitors have told us that they come back because 'Huskisson is not Sydney; it is quiet and low key'. It behoves the Shoalhaven to therefore protect the natural assets which make up this 'unspoilt' character. Adjacent to the eastern side of 44 Duncan St is a RE1 Public Recreation zone, and represents the endangered ecological community of the Bangalay Sand Forest Complex. 28 Fegen St, 32, 36, 40 Burrill St, are Crown Land managed by CCM. As previously noted the site will have more hard surfaces than allowed, which will increase the run-off and pollution into the forest.

³ Statement of Environmental Effects

4. Proposal has no regard for impact on traffic and amenity

Keppel St/ Burrill St is the main arterial road between Huskisson and Vincentia. It carries a significant volume of traffic and during Christmas and Easter it can be difficult for pedestrians to cross this street. The proposal indicates that the apartment traffic will exit onto Keppel St near the 90 degree bend in the road where it becomes Burrill St. The proposal indicates that there could be 91/day traffic movements entering and exiting the property. We believe this will be an unacceptable hazard near this bend.

Huskisson has infrastructure appropriate for a village, and it is this character, along with the natural beauty which attracts residents and visitors. Some parts of Huskisson are zoned for developments of this nature; it would be detrimental to the long term vision of Huskisson for it to be turned into a mass of residential units.

5. Is grossly **unfair to the immediate neighbours and R2 residents** on the opposite side of the road to propose the development of a high density residential building in an existing medium density zone. The height, bulk and loss of privacy of this building will destroy many of the reasons for choosing to live in Huskisson in the first place. If the DCP conditions (arrived at after extensive, and therefore costly, consultation between Council and the community) can't be expected to be adhered to, why should anyone invest in Huskisson as a place of permanent residency. This is especially the case when the areas set aside for tourist accommodation are not yet fully utilised.

6. Justification for the proposal is based on inaccuracies

The Statement of Environmental Effects justifies the proposal on the following grounds:

- *That residential flat buildings are permitted uses with the R3 zone* – They might be permitted, but only as written in the DCP constraints to make it medium density not high density. Originally, the majority of units in medium density are of 3 two storey adjoining units. Some now have 4 units.
- *There is a drive for urban consolidation in existing urban areas in the Shoalhaven.* Note these documents call for increased medium density housing not high density housing. The proposal oversteps the call for urban consolidation.
- They argue *the land is zoned appropriately for such a development* but they have clearly not abided by the zoning requirements of the DCP, which identifies specific development criteria to exclude developments of this nature in this R3 zone.
- *The site is on an existing public transport route* – urban consolidation only works if there is adequate public transport to remove the pressure on local roads as it is not possible to have high density housing and households owning and using two vehicles without creating urban mayhem (see Sydney as an example of this problem). Yes there is a public transport route, but it falls short of a service that would relieve an occupant of the need to own or use a car, which is part of the urban densification goal.

- *The relevant height, bulk and amenity requirements have been met* – clearly, as pointed out above, the height, bulk and amenity requirements have NOT been met.
- *The units will provide for better housing choice and low maintenance living opportunities* – better in what sense? The proponents keep referring to the goal of meeting the needs of future households, in particular smaller households and an aging population. But given the location of this block of units, it is highly likely, based on current patterns that the units will be purchased to rent out to tourists. Given the current glut of accommodation the units are likely to be empty for the majority of the year. They will be inaccessible to most potential permanent residents and so will not contribute to an improved housing mix.

Huskisson has greatly increased its housing density because the council has deemed it the 'accommodation hub' for Jervis Bay. Huskisson currently has a glut of apartments and tourist accommodation and a lack of permanent accommodation. Most weekends accommodation is not full - 40% were vacant according to the Shoalhaven Tourism website at time of writing on a Friday evening, there were 39 Airbnb vacancies in Huskisson, and rooms available in all the motels. There is a real threat of turning Huskisson into a ghost village, which only visitors or relatively wealthy people can afford. Huskisson currently has accommodation to suit visitor needs for 80 to 90% of year. That is, it is only 10 to 20% of the year that the holiday accommodation is fully booked – the rest of the time there are many vacant holiday rentals.

In the 2016 census 58% of dwellings were occupied – 42% were unoccupied and since that time many more units have been built and most likely to have increased this proportion.

Additionally, Huskisson currently has 5 * 3-4 storey high density residential units, two of which are not being used. Another 2 are being built and we believe approval has already been granted for another two. Currently most dwellings are vacant– what will happen when all these units come on line?

- *Vehicular access and manoeuvring arrangements are sound* – see point 4 above, we do not concur on this point.

We realise there was a pre-lodgement meeting. It seems as if this meeting was about an earlier version of the plan; so the proponents have gone away and re-jigged the proposal. Three points appear to have been discussed in this meeting.

A. Car parking and access. Initially their plan showed 'in' off Duncan and 'out' onto Keppel, this has been changed in the submitted plan to all access on Keppel St. Is this considered an improvement? This seems to concentrate the traffic at one particular point, on a road that is the only access to Vincentia, it is very close to a right angle bend, and hosts considerable traffic in busy periods.

B. Setbacks from boundaries. DCP Chapter 13 indicates that setbacks should be:

P5.1 The front **setback** is generally consistent with adjoining **development** and does not undermine the integrity of the prevailing **building lines**.

P5.2 The location and siting of the **building** complements the existing **setbacks** in proximity to the site, foreshore (if applicable) and the streetscape.

P5.3 The proposed **development** is **setback** and of a **scale** that is relative to the street reserve width, in such a way to ensure pedestrians do not feel **buildings** are overbearing.

P5.4 **Setbacks** avoid loss of **view**, undue overshadowing and provide/maintain privacy (visual and acoustic) and traffic safety. P5.5 **Setbacks** are progressively increased to reduce bulk and overshadowing while maintaining adequate daylight and sunlight.

Table 4: Multi dwelling housing, multi dwelling housing (terraces), attached dwellings, semi-detached dwellings, manor houses and integrated housing development

| | Front Setback <i>Primary road frontage</i> | Side Setback <i>Secondary road frontage</i> | Side Setback <i>No road frontage and to public reserve</i> | Rear setback <i>Including to public reserve</i> | Rear/side setback <i>to foreshore reserve</i> |
|---|--|---|--|---|---|
| Multi dwelling housing, multi dwelling housing (terraces), attached dwellings, semi-detached dwellings, manor houses and integrated housing development | Ground level – <ul style="list-style-type: none"> 4.5m to verandahs, awnings and patios. 5.5m to dwellings. First storey - A further 1m from the dwelling setback at the ground level. Refer to Figure 4. | 3m | 1.2m to dwellings for wall lengths less than 50% of side the boundary. 2m to dwellings for wall lengths greater than 50% of side boundary. 900mm to detached non-habitable outbuildings. | 900mm to detached non-habitable outbuildings. | 7.5m to dwellings and detached outbuildings. |
| Note: | 1. The setback to a verandah, awning or patio is measured from the posts, or in the case of a cantilevered structure, the furthest most point. 2. Setbacks to dwellings includes attached outbuildings, garages, carports and the like. 3. Wall length includes the entire length of the wall, regardless of modulation and transitions. | | | | |

It is difficult to read the figures on the ‘site and roof plan’, but it appears that the setback at the front is 4.0m not the required minimum of 4.5m. The setback on the side against the road is less than 3 m. The rear setback is 4.1m; and we would argue that as there is a forest reserve behind the setback should be 7.5m.

C. Suitability with Council regulations. Council’s reply only discusses the height of the buildings; there is no mention of the matters where we find the submitted and second set of plans deficient i.e. the FSR, % of the parcel of land required for soft landscaping, communal open space on the ground and the fact that neither the first nor the second set of plans comply with the requirements for the zoning. We believe that these should have been pointed out by Council staff with regard to the first set of plans.

Huskisson doesn’t have to stop growth – but growth should match the character and charm of Huskisson. Allowing medium density growth does not oblige us to fill the streets with 4 storey apartment blocks. There are many examples of alternative medium density – see 40 Bowen St, 2 Morton St, 36 Currumbene St (although we’re not saying that we can’t do better than these either). We note that HWCV made no objection to these developments.

Page five of the Statement of Environmental Effects indicates that the site ‘is located immediately adjacent to a service station which has been in operation for an extended period’ – this statement is clearly a cut and paste job from another study – what else has been glibly included?

In conclusion, the Huskisson Woollamia Community Voice **requests that the application DA19/1841 be rejected.**

Regards

Sue Smith,
exec@hwcv.org.au
 Chair, Huskisson Woollamia Community Voice