



# OUR FUTURE SHOALHAVEN

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Thank you for the opportunity to comment no DA2024/1282.

Our Future Shoalhaven (OFS) is an organisation concerned with the future of the Shoalhaven and aims to promote a future that is environmentally, economically and socially sustainable; with an economy that offers long-term and diverse jobs, promotes Indigenous rights to land and resources, and where each decision considers future generations.

We recognise that the site chosen for these residential units and serviced apartments is zoned R3, and currently urban blocks and in many ways suited to the proposed purpose.

We support their definition of the desired future character as 'coastal village charm'.

Their location of the entry / exit appears to be the most feasible given it is currently a driveway and seems to be as far-away from the bend as possible.

We outline our concerns below, and hope that the developer will be able to make amendments so that this development truly does fit with the 'desired future character' of Huskisson and will be genuinely sustainable.

We have multiple concerns that include the likely uncontrolled noise from the proposed rooftop area, inadequate parking, inadequate information provided, and the development of what will essentially be holiday accommodation removing 3 permanent homes and changing the character of this part of Huskisson.

It's a large complex at the edge of Huskisson – bordering on the National park – which would be better suited to the very centre of Huskisson. Whatever the style is the height is not acceptable and the communal roof top will detract not enhance the build.

The 2021 census showed 880 people live in Huskisson up from 750 in 2016, we could estimate close to 1000 in 2024. Vincentia has a population of 3780 people in 2021. Residents are vital to sustaining the areas as sustainable communities – for the full range of businesses that exist here. But urban development has to ensure that the villages and towns don't become unliveable.

This is an application that we will remain interested in and look forward to seeing the outstanding reports.

Warm regards

Bruce McKenzie

President, Our Future Shoalhaven

## Lack of information

OFS is unable to comment on quite a few aspects as the information hasn't been provided or made public:

- No detail has been provided on the 20 serviced apartments re design, floor space, energy efficiency etc
- A Floor Space Ratio hasn't been published – the community would like to know what the FSR is for the 17 residential apartments.
- Landscape plan hasn't been published
- Council note there is inadequate information in the landscape plan
- Inadequate information in the BCA report
- Inadequate information regarding the façade and overall design
- There is considerable reference to tourism plans, urban planning but no reference to community-led plans such as the Bay and Basin Community-led Strategic Plan, and the Huskisson Woollamia Speaks
- The business model is not explained. Other questions include:
  - What regulations will control the management?
  - What contribution will it pay towards local services?
  - Will it be it of economic benefit to the community/council?

## Not automatically approved

Whilst serviced apartments are allowable in the R3 zone, they are only permissible with Council consent. We therefore urge Council to carefully consider the context of this site and whether the matters raised in this and other submissions are enough to recommend such a proposal should be located more centrally in Huskisson.

## Height

The proposal states:

There is a height non-compliance, this is to add valuable amenity to the development in the form of a rooftop communal space. This area and the necessary circulation elements in the form of a lift and stair egress exceed the current building height. However, this added height won't create a negative outcome to the surrounding neighbours as it is setback from the northern edge of the building. The roof top area is setback from the street frontages to reduce the visual bulk which maintaining privacy

The proposed building (Building A) contravenes the height limit of 11m. The roof, which includes a rooftop communal space, plus the lift egress all exceed the 11m limit. We urge council not to approve this additional height request for the following reasons:

1. Every permission over height just erodes this condition, and encourages more over height, proposals and requests for even greater levels over height. There is nothing stopping the architect to design WITHIN the conditions.

2. Contrary to their statement – the roof top terrace – will act as floor space and is over the 11m height limit.
3. There is a high risk that this rooftop area would be used at night for parties. This is highly inappropriate for an urban area as it will create an unacceptable noise level. It is important that Huskisson is not just a ‘resort’ with dwellings only for visitors, but that Huskisson also has a vibrant and stable resident population. Allowing development components that create an unliveable environment will not be to the long term benefit of the region.
4. We would like to see more evidence that the roof top communal space will not infringe on the privacy of neighbours.
5. The application itself refers to the building being 4 storeys – see P 42 of Lee Carmichaels statement of environmental effects.

## Overshadowing

The proposal argues that the over shadowing will be ‘reasonable’. However, the apartments will totally overshadow the eastern neighbours after midday in winter. This certainly won’t be ‘reasonable’ for the people impacted. Lowering the height will lessen this impact. Will the developer be required to pay compensation?

## Noise

We are concerned the noise from the communal spaces such as courtyards, balconies, and roof top areas will cause a nuisance to neighbours and requires strict sound reducing measures. Rules or curfews would be too difficult to enforce or monitor particularly at weekends and during tourists peak times. The proposed communal roof top area should be removed. We note Council also has concerns regarding noise.

Council referral:

“The Noise report does not address noise impacts from the proposed development to sensitive or nearest receivers surrounding the proposed development. A noise report or amendment to the current noise report will be required to address this oversight.

Some considerations from a review of the architectural plans that should be addressed in a future noise report should include but not be limited to:

- Communal open space / courtyard at northern end of development – how noise from the communal open space / courtyards be managed – especially as they are located nearest to residents.
- Balconies – noise and overlooking residential adjacent spaces
- Roof Terrace communal open space – noise and exclusion times from use of the roof terrace”

In addition the building process is going to be incredibly disruptive on this corner block. The build will be noisy and will create considerable traffic congestion.

## Biodiversity and trees

We note that Council has asked for a new report regarding biodiversity, particularly to cover street trees. Huskisson is in a phase of losing most of its mature habitat trees as large houses are built, multiple houses on single blocks and apartment blocks. The street trees therefore become a critical part of ensuring that Huskisson provides some level of habitat and feed trees (for Kookaburras, possums, cockatoos, and far more); a green aesthetic quality to the urban area; vital cooling and water management effect.

As these blocks are opposite a national park we request the planting be natives and also consider impact on biodiversity ie provide feed trees where possible for Yellow tailed black cockatoos and Glossy Black cockatoos, for gang gangs, honey eaters, sugar gliders etc

In addition – the amenity and character depend on the streetscape planting – will they be planting mature trees (as is done in Cornwall, UK and Sydney / Melbourne)?

Council also note:

### **“Revised Arborist Report Required - Further Assessment Required**

The applicant has submitted a “*Aboricultural Assessment and Tree Protection Plan*” by Vertical Tree Management and Consultancy, version 1.0, 2 February 2024. However, it appears that critical documents required for a full assessment of the impacts of the development to the trees within the council road reserve were not provided, and hence not factored into the arborists impact assessment. Further discussions with councils tree management staff have confirmed that the civil engineering plans have not been considered.

A revised Aboricultural Impact Assessment is required and must:

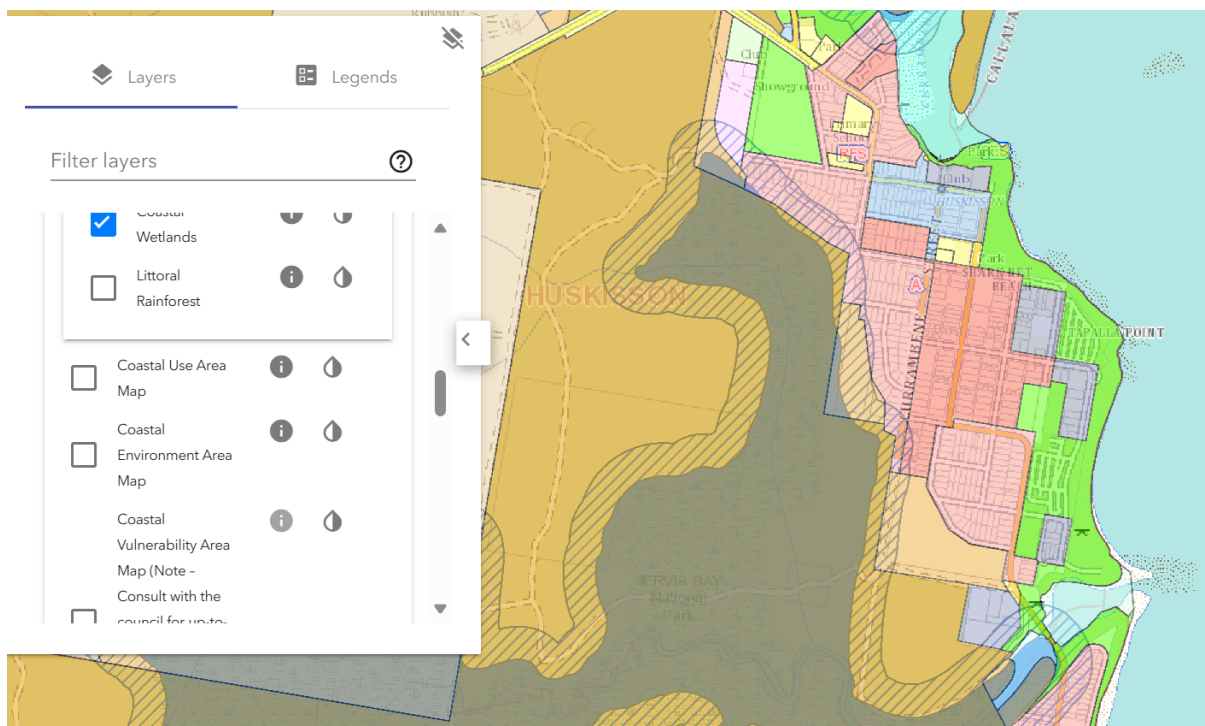
- Complete a new impact assessment of the proposed development considering the full set of plans and reports, as provided to council:
  - Architectural Plans (Ozta Architects, all drawings, Rev L, 2/4/24, March 2024)
  - Demolition Plans (Ozta Architects, drawing no. DA001, Rev K, March 2024)
  - Bushfire Report (Advanced Bushfire Performance Solutions, March 2024)
  - Civil Engineering Plans (Ozta Architects, Civil Engineering Drawings, Rev. B 20/02/24)
  - Notification Plans (Ozta Architects, Rev L, March 2024)
  - Survey Plans (Maker Eng, Detail & Contour Survey, date of survey 14/12/22, 17/03/23 & 24/11/23)
  - Landscape Plans (dbs Landscape Architects, Landscape Concept Design Set, February 2024)
  - And any other plans or information that the arborist deems necessary to make a full and complete assessment of impact to the trees within the council road reserve.
- Revise species identification – for example, Tree No. 16 is identified as *Eucalyptus microcorys* which is not a species found naturally in the Shoalhaven. Identify if it is a planted or remnant specimen.
- Trees for priority retention, are local mature native canopy trees, such as Trees no. 1, 15 and 16.
- Trees that should be included for removal include introduced and toxic weed species such as *Schinus terebinthifolia*.

### Revised Landscape Plan Required

The applicant has submitted a Landscape Plan by db's Landscape Architects, Landscape Concept Design Set, February 2024. However, the plans do not include a planting schedule as per Shoalhaven DCP Chapter G3, section 6.1. Several species identified within the concept planting palette, are considered weed species in NSW and are not to be included in any landscape plantings. A revised Landscape Plan must integrate the development into the landscape and incorporate the mature native canopy trees identified for retention in the forthcoming revised Arborist Report. Replacement plantings of local native tree species (such as *Eucalyptus robusta*) within the road reserve will be required where the new arborist impact assessment identifies that existing mature native tree species will need to be removed. “

The public are unable to comment on the Landscape plans as they are not available on DA Tracker. But we endorse Council's concerns about weeds, prioritising mature native trees for retention, and planting with advanced growth native trees. We note that the arborist makes recommendations, but it is unclear as to what the developer actually plans to do.

We point out that the site is within the Coastal Use area, and Coastal Environment area, and adjacent to Coastal Wetlands. We request that consideration is given to the goals described in the NSW Coastal Design Guidelines 2023.



Mapped Coastal Wetlands – NSW Planning Portal Spatial Viewer, accessed 9 August 2024



Mapped Coastal Use area - NSW Planning Portal Spatial Viewer, accessed 9 August 2024



Mapped Coastal Environment Area - NSW Planning Portal Spatial Viewer, accessed 9 August 2024

## Landscape

The Statement of Environmental effects states:

... development and native surroundings, promoting biodiversity and stormwater management *through the introduction of mature trees where possible and deep soil coverage*. These elements collectively contribute to a holistic approach to sustainable urban development, aligning with principles of environmental stewardship and community well-being.

The public has not been given access to the landscape plan so there is no way to assess the validity of this comment.

OFS looks forward to being able to comment.

## Parking

The proposal states:

The proposed development comprises a total of 17 residential units and 20 visitor / tourist accommodation units across two buildings. There is a mix of studio, one, two and three-bedroom units. A high level of amenity is provided for all residents and each apartment by offering secure on-site car parking spaces, onsite bike storage, and vibrant communal spaces. The proposed design ensures all car parking is on-site, removing the need for off street parking and ultimately reducing potential road side congestion. The density is appropriate to the site location and context.

The Council needs to be realistic about how the units will be used, and the number of parking spaces required to prevent off street parking. The residential units are highly likely to be used as holiday rentals which means at times that the 3 bedroom units will have 3 cars, and the two bedroom units will have two cars. The visitors will frequently be bringing a boat to add to the parking congestion.

There is no indication of the number of beds in the studio apartments – indeed what will be in the so called studio apartments. The internet states

In the case of serviced apartments, **guests usually have access to a living room, a bedroom and a bathroom**. While some hotels might have a small kitchenette, serviced apartments usually have a fully equipped kitchen so guests can prepare their meals and store ingredients and drinks.

[8 differences between hotels and serviced apartments \(mews.com\)](https://www.mews.com)

It is possible that the studio apartments will have one bedroom and a sofa bed in the lounge room? This adds the potential for 2 cars for the serviced apartments.

We are greatly concerned that the parking spaces will be inadequate.

## Design and character

There is inadequate information provided publicly to comment on the design, style, materials and colours. In reality, most buildings are greatly improved by the planting around them – and the detail on this is also missing.

The application states it ‘embraces and respects the character of Huskisson’ but fails to explain how it actually does this. It tries to justify the inclusion of serviced apartments by referring to the Shoalhaven Destination Plan – which in actual fact does not recommend serviced apartments.

The proposal states with regard to context and neighbourhood character:

Consideration was given to the surrounding context. *Given no new development has occurred for some time within close proximity, the proposed development seeks to reflect an emerging character for future residential developments within the urban framework.* It also helps establish a design framework for high quality residential development with the context. Architectural themes and colours should include lightweight elements, extensive glazed areas often protected by screening, natural timber finishes, bonded sheet metal cladding, off form concrete, natural stone,

It is an error to say ‘no new development has occurred for some time within close proximity’, or suggest that this proposal will ‘set a standard’ that is somehow currently missing.

- Indeed right next door (36 Sydney St) the house is being renovated to reflect its original style.
- Twenty-six Calala St has been renovated, and an architectural extension added to match the existing character of the house.
- Thirty-three Sydney St has been renovated, with holiday accommodation in a modern style and materials (corrugated iron, pastel colours, careful landscaping).
- Thirty-one Sydney St has also been renovated with careful attention to façade and detail.
- Two Morton St has been developed into 3 holiday units paying particular attention to a modern aesthetic.
- Thirty-four Owen St is currently being renovated to reflect the façade and aesthetic of its original style
- Forty-six Owen St (heart of the shopping area) is being rebuilt as a two storey timber clad, pitched roof retail space.

The ‘development’ in this area has been more discreet (than a 3 storey apartment block), and the attention to detail, size and building materials indicate a standard and style that is opposite to that being proposed by this current DA. These buildings do present a ‘coastal village charm’; they are attractive and clearly reflect the ‘desired future character’ of the occupants – ie residents of Huskisson. The proposed 3 storey apartment block is a change of direction and one that is not something that everyone else is going to follow and disadvantages these other people’s efforts. It doesn’t suit the developer to acknowledge that some of the recent work is to maintain the timber façade and small urban house style.

There is nothing for the community to see yet regarding what the development will look like but from our searches on line we find the Kia concept used in multiple places and they are very expensive and a very particular style. This build will be the 2<sup>nd</sup> one in Husky if the Murdoch St development goes ahead. The Bowen St development is using the same promotion pictures that are



being used in Murdoch St. The design proposed, as far as we can tell, will not provide a diversity of dwellings rather it appears to be elite apartments which will not provide affordable places to live in Husky.

## Sustainability

The proposal boasts sustainability elements – but no effort is going into recycling materials from the buildings that will be demolished. The current proposal has all the waste going to either the quarry or the waste facility.

Ongoing waste management refers to guidelines for a hotel/motel. The waste produced in serviced apartments is clearly an unknown. These apartments may well be occupied by people cooking and eating in the apartment, in which case the waste levels will be higher than in a motel room. In addition in the ‘residential apartments’ the estimate using average garbage use may well be an underestimate as we have seen garbage bins (both red lid and yellow lid) completely filled after a single weekend of visitors (In a 4 bedroom house). How will these bin allowances cope over holiday periods where the apartments will be occupied 24/7?

We recommend that the waste management be revised, or a mechanism be developed to cope with additional need that is at the occupants expense, and not Councils (ie other rate payers).

The proposal also states:

Demonstrating compliance with solar access requirements during the winter solstice for the majority of residential units, with 70.5% of apartments benefitting, showcases a commitment to sustainable design principles. Similarly, a significant proportion of apartments, totalling 64.7%, benefit from natural cross ventilation, contributing to reduced reliance on mechanical ventilation systems

The proposal can hardly boast ‘sustainability’ when access to winter sun and cross ventilation is what makes a dwelling truly ‘sustainable’. It is disappointing that they haven’t achieved 100% access to winter sun, and cross ventilation.

## Storm water

Council note:

With regard to the proposed basement for car parking has water quality / ground water been addressed? Hard stand areas can accumulate nutrients, rubbish oil and grease which could result in impacts on water quality. Nutrients entering the water body can lead to increased algal growth – this can occur when increased water from storm water enter through the stormwater system. Treatment of hard stand runoff (settling, SPEL) will reduce impact on water bodies both above and below ground. The development should ensure that stormwater runoff is of suitable quality to protect the recreational amenity of water bodies and coastlines, aquatic ecosystems and downstream receiving waters.

Our Future Shoalhaven is very concerned that pollutants from the car park will not enter the stormwater system. The stormwater runs into the catchment for Moona Moona Creek and it is vital that it doesn’t carry pollutants with it.

## BCA report (Building Code of Australia)

We note also that the Building Code of Australia report indicates that many issues need addressing.