

## **EcoNetwork – Port Stephens Inc.**

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### **Objection to increased building heights - file number 58-2018-24-1-006**

#### **Introduction**

The Revised Implementation and Delivery Program has much to commend it such as the Yacaaba St extension, active street frontages and the Apex Park master plan, to inspire and excite businesses, investors, tourists and the community.

However, EcoNetwork-Port Stephens would like to reiterate our strong objection to the proposed LEP changes in building height and floor space ration (FSR) controls and the argument for justification of these changes.

EcoNetwork-Port Stephens is a grassroots community-based environmental and sustainability network comprising 26 community and environment groups and eco-businesses with a focus on sustainable planning. We are non-party political and do not donate to political parties.

EcoNetwork's position has not changed since we submitted our response to the Progress of the Nelson Bay Town Centre & Foreshore Strategy in March 2017.

In this submission we call on Council to reconsider its building heights recommendations, which if acted on, will destroy the town's coastal village character forever, making it a less attractive destination for visitors and would-be residents.

#### **A uniquely charming precinct**

Nelson Bay has a unique natural amphitheatre profile and every effort should be made to preserve the character and aesthetics that make it an idyllic place to live and work in and attract tourism.

In planning for economic growth, a healthy natural environment informed by the principles of ecologically sustainable development should always be the number one consideration. No economic measure is sustainable if unsupported by an equally sustainable natural environment, including visually appealing aesthetics.

However, Council seems to have abandoned these principles in proposing to allow building heights of 8 storeys and up to 12 storeys in different areas of Nelson Bay, along with an excessive floor space ratio of 3:1. Boiled down Council's argument is: high rise will provide a viable profit margin for developers and attract more permanent residents who will in turn stimulate the local economy through spending.

Council has never considered that this could be a false assumption, as we believe it to be. Is there really an appetite for high-rise residency in Nelson Bay? The business case developed by Council looks at feasibility from the perspective of developers and investors, not from the point of view of likely residents.

Has Council ever seriously considered that Nelson Bay and nearby precincts are popular precisely because of the town's village-like atmosphere, unspoiled by high-rise?

Has Council ever taken notice of the fact that in Nelson Bay existing medium-rise apartments are around 70% to 75% unoccupied other than in peak periods?

Has Council ever taken notice of the views of the local community? In 2018 it received more than 2000 submissions, 90% of which objected to major increases in building heights. Council admits (p. 24) in its summary of feedback received on building heights that the vast majority of submissions were against an increase in height.

In the community guide to the vision for Nelson Bay, Council states (p. 3) that 'The community has told us what they want in a reinvigorated centre and the vision for Nelson Bay'. The community certainly has not asked for high-rise.

Council goes out of its way in the revised implementation and delivery program document (p. 29) to say that in considering the DA for an eight-storey apartment building at 11-13 Church Street in 2017 it received 75 submissions and a petition containing 145 signatures in support of the development. This is an utter misrepresentation given it was organised by the proponent during the 3-D inspections. No mention is made of the 2000-plus submissions in 2018 objecting to high rise.

The two tall buildings approved in Church Street, where an idle crane has stood for 4 years, and Yacaaba Street, both at twice the existing height limit, have failed to proceed, reflecting an obvious lack of investment appetite.

The Hunter Regional Plan 2036 may well identify the need to 'investigate high density development that maintains and enhances the tourist recreational and residential appeal of the centre' for Nelson Bay. But Nelson Bay is not a high-rise resort precinct like the Gold Coast or Honolulu and never will be for obvious reasons.

The revised implementation and delivery program (p. 25) says a town centre is the most appropriate location for density to cater for population growth with the alternative being rezoning, implying encroachment into koala habitat. But is it, given the infill alternatives available? Also, a policy to increase town centre population density via high rise does not necessarily guarantee there will be no more destruction of wildlife habitat.

While high-rise may not necessarily deliver the economic fix claimed, the reverse is true in many coastal towns.

- Ballina, tourism gateway to Byron Bay has a planning height limit of 8.5 metres on the foreshore and up to 5 stories elsewhere (compared with 42 metres proposed in the revised Nelson Bay strategy).
- Byron Bay, which attracts more than two million visitors a year, has a height limit of only 11.5 metres.
- Further north Kingscliff, one of the fastest growing areas of the Tweed, has a building height limit of three storeys.
- Other coastal resort areas such as Kiama, the Sunshine Coast and Sydney's northern beaches have adopted much lower maximum heights of 2-4 storeys.

What these economically successful coastal towns have in common are unique natural characteristics that local communities know are incompatible with high-rise. Their vitality refutes the proposition that higher buildings are the answer to revitalization.

### **Conclusion**

There is no hard evidence that tall buildings will bring in permanent residents to Nelson Bay. The occupancy rate of units is very low except in the high tourist season. Nor is there any hard evidence to suggest that tall buildings will stop residential encroachment of koala habitat.

The suggestion that developers need 10 storeys to make a profit is also dubious. And anyway, why should Nelson Bay's grandeur be sacrificed for developer profits?

Council must reconsider its building heights recommendations. High-rise in Nelson Bay can only result in destruction of the town's coastal village character, which is what makes it uniquely attractive to visitors and the local community.

Kathy Brown  
Secretary