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**Sent:** 11/08/2020 2:51:30 PM  
**Subject:** Submission to NB Local Planning Panel Meeting 12 August  
**Attachments:** Submission to Local Planning Panel.pdf;

Dear Carly,

Please find attached our submission to the meeting of the NB Local Planning Panel on 12 August, in regard to proposed development at 27-29 North Avalon Road, Avalon Beach.

Regards

Barry and Susie Hanstrum

## **Submission to Northern Beaches Local Planning Panel - DA 2019/1260, 27-29 North Avalon Road**

Thank you for the opportunity to provide a submission to the LPP regarding the development proposal for 27-29 North Avalon Road, Avalon Beach. We strongly object to the proposal as presented. The development does not meet the SEPP HSPD requirement that the location provides safe and convenient access to essential services and facilities. It disregards the need for housing developments to retain and integrate existing trees into the building design, and the large number of units and bulk of the development being proposed is incongruous with the character of the local neighbourhood. A summary of areas of non-compliance of the development proposal with regard to SEPP HSPD is provided at Attachment A.

### *Incompatibility with the residential character of North Avalon*

The development is discordant with the surrounding neighbourhood and with the existing character of the area. The proposal is a significant over-development of the site. The development does not contribute to the quality and identity of the area, nor does it maintain 'appropriate residential character' as prescribed in SEPP HSPD.

Contrary to the stated objectives of Clause 33, the proposed development:

- plans to build 10 units on the 2 sites, a five-fold increase on the existing number of two freestanding dwellings;
- adopts building heights of 8m at the street frontage that are incompatible in scale with the neighbouring houses;
- has a building line well in front of the average setbacks of the neighbouring houses (excluding the carports and garages), which is not in sympathy with the setback of these houses (Attachment B);
- has an obtrusive raised walkway some 4 metres above the ground spanning the 5 bulky, 2 storey buildings; and has
- a wide concrete entrance driveway and a 15-bay concrete parking lot adjacent to neighbouring houses.

### *Destruction of existing trees*

SEPP Clause 33 states that '...wherever reasonable, major existing trees' should be retained in new developments. The Avalon Beach Development Control Plan states that "existing and new vegetation, including canopy trees, will be integrated with the development". Further, it says that a key principle behind new development is that there should be "houses amongst the trees and not trees amongst the houses". The proposal removes almost all of the major existing trees on the site rather than preserving these where possible. Consequently, the new buildings will dominate the natural setting rather than vice versa.

As well as the significant visual and privacy impacts of removing the trees, the destruction of almost 50 trees on the site will decimate habitat for native birds and animals. Any new trees planted on the perimeter of the site will take years to become established and by this time the wildlife will be gone.

### *Adverse impact on neighbours visual and acoustic privacy*

SEPP HSPD Clause 34 requires that new developments should consider the visual and acoustic privacy of neighbours in the vicinity and residents by appropriate site planning.

The wholesale removal of trees and shrubs will have detrimental impacts on the neighbouring residents' privacy. In addition, the raised pedestrian walkways spanning the buildings will provide elevated platforms from which residents will be able to view adjacent properties. Given the hard surface of the car park beneath the walkways, landscaping cannot adequately screen these views or the structures.

It is inevitable that noise levels resulting from the 25 or so residents and from vehicles using the 15-bay car park will be greatly increased compared to current levels. The car park is open air and there has been no consideration of the acoustic privacy of the neighbours, whose bedrooms are immediately adjacent.

### Unsafe and non-compliant access to essential facilities and services

The location of the development does not provide either safe or convenient access to bank services and the practice of a medical practitioner as required by the SEPP HSPD Clause 26. The journey to the medical centre in Avalon Village and back to the site is a significant excursion for elderly people and people with a disability, requiring around 1.6 kilometres travel by foot, wheelchair or motorized cart, in addition to the bus trip.

A “suitable access pathway” as defined by Clause 26 is a “sealed footpath” and other travel path which can be used **safely** by “an electric wheelchair, motorised cart or the like”. In a similar vein, Clause 38 states that there should be “obvious and safe” pedestrian access from the location to public transport or local services.

For the return journey, the bus stop on the western side of Barrenjoey Road is located 435 metres from the entrance pathway on the development site, more than the upper limit of 400 metres as specified in the SEPP HSPD. The designated return bus route from Avalon Village does not provide a “suitable access footpath” that is safe for use by a pedestrian or electric wheelchair, motorised cart or similar.

Further, SEPP HSPD Clause 26 does not allow for any gradient along the pathway to exceed 1:8. There are three sections of the path to the bus stops which are non-compliant with Clause 26. The kerb ramp on the western side of Barrenjoey Road has a section steeper than the 1:8 gradient, as does the kerb ramp on the corner of North Avalon Road and Catalina Crescent. The transition to the footpaths either side of Tasman Road are also non-compliant. In addition, the pathway on the western side of Barrenjoey Road from the bus stop to the crossing is narrower in parts than the required 1200mm width, and drops abruptly to ground level almost a metre below (Attachment C).

There are serious safety concerns associated with crossing Barrenjoey Road. This is a very busy road and a potentially dangerous crossing at the best of times. The so-called ‘island refuge’ can be a precarious stopping point when confronted with buses and other large vehicles traversing the roadway at speed. Vision is limited for vehicles approaching from the north due to the sharp bend in the road, and vehicles turning right onto Barrenjoey Road from North Avalon Road also have to be watched carefully. The development proposal does not provide convenient and safe access to and from public transport. Instead it will expose vulnerable members of our community to a dangerous crossing of a very busy main road.

### Increased traffic congestion

The intersection of North Avalon Road and Barrenjoey Road is already overloaded with cars at peak periods, as evidenced by the long queues of vehicles extending back along North Avalon Road as far as Tasman Road (Attachment C). This build up in traffic is mainly caused by drop offs at Barrenjoey High School, the Montessori School and two daycare centres in North Avalon, converging with local traffic heading into Avalon Village along Barrenjoey Road. The regional road infrastructure is also beyond capacity as evidenced by the traffic congestion experienced every morning from 8.30am to 9.30am between Whale Beach Road and the Bilgola Bends. The roads are struggling to cope with the existing residential traffic, not only during the morning peak but at other times such as peak weekend and holiday season traffic. Increasing the number residents will only serve to exacerbate this situation.

### Summary

The development does not connect with the identity of Avalon Beach or its people. It is an inappropriate proposal for this site and it will destroy the charm and character of the area. It is located within the heart of North Avalon in a well-established, low density residential zone that is distant from essential facilities and services for senior residents. The removal of 50 or so established trees is in stark contradiction with environmental policy objectives that aim to preserve and integrate trees into new building design. The bulk and scale of the development is incongruous with the character of the local neighbourhood.

Barry and Susie Hanstrum  
31 North Avalon Road

**Attachment A - List of items that are non-compliant with SEPP HSPD.**

| <b>SEPP HSPD requirement</b>   | <b>Apparent non-compliance</b>   |
|--|--|
| <i>Distance to bank and medical services no more than 400 metres. (Clause 26)</i>  | Travel distance to nearest bank and medical services in Avalon Village is around 1.8 kilometres.   |
| <i>If more than 400 metres to banking and medical services, then distance to public transport services no more than 400 metres (Clause 26)</i> | Distance from return bus services on western side of Barrenjoey Road to entrance pathway is 435 metres.  |
| <i>Travel pathway to bus services is safe. (Clause 23 and 38)</i>  | <ul style="list-style-type: none"> <li>- Barrenjoey Road is a potentially dangerous road crossing.</li> <li>- Travel pathway from Bus Stop on western side of Barrenjoey Road to kerbside entrance to Barrenjoey Road is less than the regulation 1200 mm width in sections.</li> </ul>  |
| <i>Travel pathway gradient to bus stops is no more than 1:8 Clause (26)</i>  | The pathway is non-compliant in several places as described in the 'Assessment of Distance and Path of Travel to the Bus Stops' report.  |
| <i>Retain wherever possible major existing trees (Clause 33)</i>   | Almost all 48 trees on the block are destroyed. Only one major tree at the rear of the site is retained in landscape plans.  |
| <i>Maintain reasonable and appropriate residential character (Clause 33)</i>   | <ul style="list-style-type: none"> <li>- oversized development of 10 units in 5 bulky buildings does not maintain appropriate residential character.</li> <li>- Elevated walkways are not in character with neighbourhood.</li> <li>- Wide 'gun barrel' concrete driveway and concrete 15-bay carport are not compatible with existing character.</li> <li>- 8 m height buildings setback only 6.5m are not compatible with adjacent houses</li> </ul> |
| <i>Front building line is setback in sympathy with the existing building line. (Clause 33)</i>   | De-facto building line should be drawn across the front of the adjacent <b>houses</b> , not across the outhouses or carports.  |
| <i>Building must be less than 2 storeys on rear 15% of the block. (Clause 33)</i>  | 2 storey buildings encroach 1.4 metres into the rear 15% of the block.   |
| <i>Appropriate site planning to reduce acoustic and visual impacts on neighbours. (Clause 34)</i>  | <ul style="list-style-type: none"> <li>- Design of elevated walkways are invasive to neighbours privacy.</li> <li>-Design of central car park will cause noise impacts to neighbours.</li> </ul>   |

**Attachment B – Illustration of inappropriate bulk and scale of the development**



*Plan view from Shadow Diagrams report showing bulk and scale of the development in comparison to neighbouring properties (north is towards the top of the diagram). The black line shows the front building line to maintain appropriate setback with the adjacent houses (not carports or outbuildings).*



*3D image from the Shadow Diagrams report looking south, illustrating the inappropriate bulk and scale of the development.*

**Attachment C** – Images showing morning traffic congestion on North Avalon Road (top) and narrow pathway to bus stop on western side of Barrenjoey Road (bottom).



Pathway on the western side of Barrenjoey Road between the return bus stop and the Barrenjoey Road crossing. The path is less than 1200 mm wide in places and there is a steep 1-2 metre drop on the edge of the pathway.