



Nelson Bay Town Centre and Foreshore Strategy

TRRA/EcoNetwork position, 18 April 2012

Strategy 'nearly there' but last minute bid for high buildings prevents full community endorsement

After many years work, agreement on a planning strategy for Nelson Bay Town Centre and Foreshore is within reach, but the current draft fails to respect both a clear community consensus and Council's May 2011 instructions to limit building height and bulk.

- **TRRA and EcoNetwork call on Councillors and planning staff to honour previous commitments at the meeting on 24 April.**

Plan is generally welcome

The final Strategy is now in most respects a sound basis for future development and improvement of the town centre and foreshore.

We particularly welcome:

- Acknowledgement of the community's and visitors' vision to maintain the relaxed, informal 'seaside town' character of Nelson Bay, confirmed by the HVRF survey research
- Recognition of the importance of the town's relationship to the natural environment and attractive setting
- Stated objectives to protect views both to the bay and towards the wooded hills backdrop
- Identification of different 'zones' within the study area (pp48-49) to have different controls tailored to the needs of different land uses, and
- Identification of a range of relatively low- or no-cost improvements – in traffic management, signage, landscaping, street furniture and design controls.

Last minute bid for additional height unacceptable to the community

Councillors in Committee on 10 April made welcome amendments to the draft to:

- limit the height on most of the marina area to 3 storeys, and
- reduce the maximum height of a storey to 3 metres (3.5 m for ground floor only)

However, the proposed Variation policy would still allow for 7 storeys across the entire town centre; 9 stories south of Dowling Street and 6 storeys on the Fishermens' Co-op site, in exchange for 'outstanding design excellence' and 'strategic public benefit'.

TRRA's General meeting on 16 April strongly objected to the Variation policy applying to all areas except the marina/foreshore, which would open the way for higher buildings across the whole town centre. EcoNetwork is similarly opposed.

TRRA and Econetwork propose amendments to the Council Committee resolution of 10 April

We propose the following modifications to return to the height and floor space ratio (FSR) controls which we thought had been accepted at the last stakeholder forum:

- **Extra height (up to 2 storeys) and floorspace (up to 3:1 FSR) would be allowed only on the four already identified 'opportunity sites'.**
- **The four 'Opportunity sites' should be clearly and precisely defined by lot numbers and reasons given for their selection.**
- **For the Fishermens' Co-op site, the 'baseline' should be the 3 storey foreshore limit and the 'outstanding design excellence' required for an extra 2 storeys on this site should include a commitment not to obstruct views from the bridle path on the escarpment.**

TRRA and EcoNetwork accept the additional flexibility proposed for the 'Opportunity Sites' subject to there being clear and substantive guidelines as to what constitutes 'outstanding design excellence and strategic community benefit', and a credible process for the proposed independent assessment panel.

The attached table compares these changes to the existing controls and other proposals.

If these amendments are made our organisations would be prepared to support the strategy.

High Priority for Through Traffic By-pass

There is significant support in the community for the 'Fingal Bay' bypass route in the long term subject to funding being secured, but this seems unlikely for many years.

- **TRRA and EcoNetwork support the proposed promotion of the Dowling and Trafalgar Streets route as a high priority alternative town centre bypass in the short to medium term.**

We submit, however, that this alternative route needs to be better explained and justified in terms of the suitability of these wide roads over alternatives.

We are disappointed that the Strategy does not recognise predicted sea level rise as a significant issue for both existing and any new development on the Foreshore, and require appropriate mitigation and design criteria.

The Improvement Program at Attachment 2, including a list of works and an APEX Park design brief, is a useful document that will facilitate early infrastructure works as and when funds become available.

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TRRA POSITION - ATTACHMENT: NELSON BAY TOWN CENTRE AND FORESHORE BUILDING HEIGHTS & FSR				
	Current rules	Strategy, early April 2012	After 10 April Committee	TRRA proposal
Maximum height per storey	3m	3.5	3.5m ground flr 3m other flrs	3.5m ground floor 3m other floors
Foreshore & Marina	3 storey = 9m FSR 1.8:1	3 storey = 10.5m FSR 2:1	3 storey = 9.5m FSR 2:1	3 storey = 9.5m FSR 2:1
Foreshore & Marina with variation	N/A*	5 storey = 17.5m FSR 2.5:1	Variation policy not to apply	Variation policy not to apply
Fishermen's Co-op site (default)	3 storeys = 9m FSR 1.8:1	4 storey = 14m FSR 2:1	4 storey =12.5m FSR 2:1	3 storey =9.5m FSR 2:1
Co-op site with variation	N/A*	6 storey = 21m FSR 2.5:1	6 storey = 18.5m FSR 2.5:1	5 storey = 15.5m FSR 3:1
Town centre (default)	5 storeys = 15m FSR 1.8:1	5 storey =17.5m FSR 2:1	5 storey =15.5m FSR 2:1	5 storey =15.5m FSR 2:1
Town Centre with variation	N/A*	7 storey =24.5m FSR 2.5:1	7 storey =21.5m FSR 2.5:1	Variation only for 3 opportunity sites
Clubs site (S of Dowling St) (default)	5 storey = 15m FSR 1.8:1	7 storey =24.5m FSR 2:1	7 storey =21.5m FSR 2:1	7 storey =21.5m FSR 2:1
Clubs site with variation	N/A*	9 storey = 31.5m FSR 2.5:1	9 storey =27.5m FSR 2.5:1	Variation policy not to apply
Opportunity sites (4 specified)	N/A	No change in height but FSR up to 3:1	No change in height but FSR up to 3:1	Variation policy only
Variation Policy	*No formal policy but Council has allowed up to 16.5 m and 6 storeys in town centre and 7 storeys at Landmark	Up to 2 extra storeys + FSR 2.5:1 Would apply throughout town centre and foreshore	Up to 2 extra storeys + FSR 2.5:1 Foreshore and marina excluded	Up to 2 extra storeys + FSR 3:1 Would apply only to 4 identified Opportunity sites