

Presentation to Eurobodalla Council

About Me

My name is Peter Thornton, and I am a co-owner of a property at Broulee, having inherited a share of a house at 18 Smith Street from my mother. She bought the land from Mr Smith himself. My family have been ratepayers in the Shire since 1960. You can read a bit about us here: <https://brouleebayfolklore.weebly.com/thornton.html>

I am graduate of Sydney University with first class honours in Civil Engineering and with Masters degrees in Environmental Planning and Business Administration from Macquarie University. My last very big assignment was to lead the airport master planning, engineering and environmental team which proved Badgerys Creek was the best site for another airport in the Sydney Basin. I was also a community representative of Ku-ring-gai Council Local Planning Panel for three years.

What do I want to speak about?

- Mainly urban development in Broulee.

And, if I have time, briefly on:

- Dogs on the beach at Broulee; and
- Surfboard Riding at Broulee Beach.

Urban development in Broulee

Normally, we are not the kind of people who actively oppose development but where things we hold to be important and are likely to be adversely affected, we are spurred into action.¹ Our land, our modest beach house and its environment is something our family do hold dear and seek to enhance and preserve.



18 Smith St circa 1969 – not very pretty!



18 Smith St 2023 – Hopefully much better!

¹ Albeit that we did write an objection to the proposed apartment development at the corner of Smith and Clarke St

The reason I have come to address you today is driven by a proposed redevelopment of the land and property adjoining to us at No. 16 Smith Street and what, if approved, that means for us, for our neighbours in Smith Street, and Broulee generally. The houses at No. 18 and No. 16 both date from the late 1960s and are of the then contemporary “*box on stilts*” architecture ², owned by families that bought the land and built them. Both have maintained significant and major trees, we rather more so and, in our case, we have increased the green cover greatly especially along common boundaries. We have upgraded our house and have approval to undertake some further additions – it nevertheless will remain a modest beach house with a footprint well under 30% of the land and retaining extensive tree cover and other vegetation.³

No. 16 was sold recently and is proposed to be demolished - a pity as it ought to have a heritage order on it, having been maintained internally in a very 1960s retro style!

From our experience in Sydney, where we have also lived for 40+ years in very green suburb, by talking to new owners before they submit plans to Council, we have been able to help them design a house which, while not necessarily of our taste but meeting their needs, still had impacts on us but with which we could live. Equally we have had a development next door where the developer refused to speak with us and gave us a house with eleven windows looking directly into our house – Council wrung their hands and said, “*It’s complying development - we have no powers act.*” That was one reason I applied to and served on the Local Planning Panel.

In this case, we approached the new owners at 16 Smith St and offered to meet with them to explain what we and our neighbours valued in Smith Street generally and in regard to our property and the way it interacted with theirs. Very sadly they did not take us up on that offer and that meeting never occurred. It is ironic that one of the proponents has, so I believe, spoken on National Radio about preservation and/or creation of the green spaces in urban areas – despite their proposed Broulee development removing aged trees on the boundaries and thus preventing such preservation.⁴

² Of which La Mer 41 Coronation Drive Broulee was the original and very best example predating both 16 & 18 Smith St

³ So much so I have joked that we might be in danger of Council declaring us a nature reserve!

⁴ <https://www.abc.net.au/listen/programs/blueprintforliving/greening-cities/6552364>

	
<p>Existing street impact of 16 Smith St showing low street impact of building and retention of major trees – Note also the contribution of trees at 18 Smith St to the general ambiance of the site.</p>	<p>Proposed development at 16 Smith St having massive adverse visual presence and street impact.</p>

Fortunately for us, Council’s Planning Department advised us that a DA had been received, was on display and that we could comment on it. While they may simply have been following standard practice to advise neighbours, we are nevertheless very grateful that Council’s officers did do that and gave us the opportunity to explain our very significant concerns.

The DA for No.16 Smith Street is currently being assessed by Council’s Officers and, accordingly, it is probably not appropriate to go into great detail about it. However, for Council’s information, we can advise that we made two major submissions objecting – one on our behalf by a professional planning firm, addressing the many failures to meet specific requirements of various planning legislation and regulations and – and one written by myself and my co – owner. I understand there are many more objections.

Both outline very strong cases as to why what is proposed at number 16 Smith Street, and possibly at several other locations around Broulee do not comply with planning regulations, on a great number of grounds; in particular with the environmental aims outlined in Council’s LEP and DCP’s. The proposed development is completely unsuitable in the overall environment of Broulee, particularly the northern end of Smith Street where it makes no attempt to respond to the values of its location, has major adverse impacts on the natural environment and has many adverse impacts upon us and our enjoyment of our property.

Smith St and Elizabeth Drive are unique in that they have a great diversity of house types which do not cover most of their land in concrete and being of modest size relative to their land, have sufficient land, like ours, to be able to retain their large trees. We do not have the water views that houses on Coronation Drive have so what we value is our outlook onto green spaces. Broulee beyond Elizabeth Drive to the west is similarly modest, as befits a coastal village.

We, as do the residents we know, treasure the atmosphere of the place. Some could well afford to build a McMansion as proposed but choose not to. They like it as it is, evident from their investment (significant effort and money) over many years.they like the “vibe”, the space, the trees and the birds and animals that rely on them. The vibe isn’t just evident in the built environment, it turns up in the community in so many places, ...the Surf Club, Art on the Path, our brewery, our annual sand castle competition, and the small commercial operations (coffee from the Single Fin or Killibinbin, Bliss and Trove, and others). Part of why I’m here is to say that we have watched parts of NSW be taken over by McMansions, and the people who live in them don’t come out....really...except during COVID. Otherwise they stay inside, or drive somewhere else; in our observance they don’t really become part of the community.

Our Planning Consultant has advised us that a proposal of this scale is able to be determined by Council’s Planning Staff without it having to come before Council but more importantly that Council’s staff are extremely competent and fair in ensuring compliance to the “*letter of the law*” and, accordingly, we all must put our trust in them.(In this regard, I want to say we have been dealt with extremely well by Council’s officers.)

Nevertheless, I want to bring this to the attention of Councillors as you might care to look at the proposal and submissions made, because of what they portend for the future of Broulee and, possibly your own local areas in the Shire, should No 16 be redeveloped as proposed.

As Council would know, the en globo developments in Broulee between Elizabeth Drive and George Bass Drive resulted in wholesale clearing of the hitherto intact Bangalay Sand Forest association. Not even a few isolated major trees have been retained. The forest trees cut down can never be replaced in this area because the house block sizes are too small to accommodate them. The converse is also true for bigger land but where house footprint sizes that are permitted to be 70-80 % of the land size and especially where the site is proposed to be filled by metres depth of imported fill. That will simply kill any remaining major trees. This appears to be an attempt to comply with Council’s mandated FFL in the flood affected zones and is causing significant adverse effects on neighbouring properties.

Finally, one only has to think of the charm of Noosa compared to the crassness of the Gold Coast to get the picture. The latter is the sad future for Broulee unless Council finds ways to prevent it.⁵

⁵ I note that Council has made recommendations against certain types of development under the DCP eg “*Metal clad sheds, such as ‘old American barns’ and ‘Quakers barns’, are not suited to the urban areas of Eurobodalla Shire as either garages or dwellings.*” and perhaps that might be extended to other forms of over development.

Conclusion

Thank you for the opportunity to address you – we will continue, for generations to come, to be Eurobodalla ratepayers, and we wish Council well in its endeavours to preserve the intrinsic values of places like Broulee while also making the Shire an interesting and exciting place in which to live and visit.