

Subject: Formal Objection to Residential Flat Development - Sanderling Avenue Hawks Nest

Project: Residential Flat Development

Address: Sanderling Ave Hawks Nest NSW 2324

Reference: SSD-82066472

To the Assessing Officer,

As a resident of Tea Gardens and a registered architect, I wish to formally object to the proposed Residential Flat Building development at Sanderling Avenue, Hawks Nest.

While there is a recognised need for additional housing supply and diversity within the region, this proposal represents an excessive and inappropriate scale of development for this location. The proposal raises significant concerns relating to built form scale, local character, traffic and infrastructure impacts, environmental impacts, and the requested variation to exceed the applicable Height of Buildings development standard.

The scale and intensity of the proposed development appear inconsistent with the established and desired future character of Hawks Nest and should not proceed in its current form for the reasons outlined below.

Failure to Adequately Justify the Clause 4.6 Height Variation

The proposal comprises three four-storey residential flat buildings containing 104 dwellings, with proposed building heights ranging from approximately 14.4m to 15.25m, exceeding the applicable 12m height limit by approximately 20–27%.

The applicant seeks a Clause 4.6 variation to exceed the mapped maximum building height control. However, the variation appears primarily driven by development yield and apartment numbers rather than genuine site constraints or exceptional planning circumstances.

While Clause 4.6 allows flexibility in certain circumstances, it requires sufficient environmental planning grounds to justify the contravention and demonstrate why compliance with the standard is unreasonable or unnecessary.

The proposal has not adequately demonstrated why a compliant 12m scheme could not achieve an appropriate residential outcome on the site. A desire to maximise development yield should not outweigh the intent and integrity of the planning controls.

The proposal reflects a yield-driven design response rather than a context-led built form outcome.

Inconsistency with the Existing Character of Hawks Nest

Hawks Nest is characterised by:

- Low-rise development
- Generous landscape setting
- Significant vegetation
- Visual openness
- Modest built form and coastal village character

The proposed development materially departs from this established character.

The scale, height and overall bulk of three large residential flat buildings introduces an urban built form outcome more characteristic of metropolitan coastal centres than a sensitive regional coastal settlement.

The proposal would substantially alter the visual identity of the locality and erode the coastal and village character that defines Hawks Nest.

Excessive Bulk and Overdevelopment

Beyond the numerical height exceedance, the cumulative impact of:

- Three large residential flat buildings
- Basement parking
- Internal circulation infrastructure
- Communal built elements
- Hardstand and paved areas

creates an overdeveloped outcome for the site.

The proposal represents an excessive concentration of built form that is inconsistent with the scale and environmental context of the locality.

There is concern that the development prioritises dwelling yield over appropriate urban design outcomes, landscape integration and contextual response.

Traffic and Infrastructure Impacts

A development comprising 104 dwellings will generate a substantial increase in vehicle movements and place additional pressure on local infrastructure and services.

Key concerns include:

- Increased traffic volumes on Sanderling Avenue and surrounding local roads
- Increased visitor parking demand
- Additional congestion during holiday and peak tourism periods
- Increased pressure on intersections and local access roads
- Potential safety issues for pedestrians and cyclists

- Increased demand on commercial and retail outlets
- Increased demand on water, sewer and stormwater infrastructure
- Additional pressure on community, medical and emergency services

The Tea Gardens and Hawks Nest locality is heavily reliant on a limited road network, effectively functioning with a single primary access route in and out of the area. Continued residential intensification without corresponding infrastructure upgrades raises concerns regarding congestion, emergency access and long-term network resilience.

Environmental and Landscape Impacts

The site forms part of a sensitive coastal environment and the proposal raises concerns regarding:

- Vegetation loss
- Stormwater runoff and water quality impacts
- Biodiversity impacts
- Landscape character degradation
- Increased hardstand and reduction in permeable surfaces

The environmental consequences of introducing development of this scale within a coastal settlement context have not been sufficiently justified.

Undesirable Planning Precedent

Approval of a height variation and development scale of this magnitude would establish an undesirable planning precedent for future developments seeking similar departures from the planning controls.

This would progressively undermine the integrity of the planning framework intended to manage built form outcomes and protect the established character of Hawks Nest.

Development standards retain value only when applied consistently and where departures are genuinely justified by planning merit.

Availability of a Compliant Alternative

Importantly, additional housing delivery does not require non-compliance with the applicable development standards.

A reduced-height and more appropriately scaled development could provide additional housing while:

- Respecting the 12m height control
- Reducing visual bulk and scale
- Improving landscape integration
- Reducing infrastructure impacts
- Providing a more appropriate response to the established coastal character of Hawks Nest

The current proposal represents overdevelopment rather than a balanced and contextually appropriate housing outcome.

Conclusion

Hawks Nest and Tea Gardens are already experiencing increasing development pressure, and this proposal should not be assessed in isolation. The cumulative impact of ongoing large-scale residential development on local infrastructure, traffic networks, environmental systems and the established coastal village character of the locality must be carefully considered before further intensification is approved.

Given the scale of the proposal, the excessive bulk and height, the limited infrastructure capacity of the area, and the sensitive coastal context of the site, a precautionary planning approach should be adopted.

For these reasons, I respectfully request that the Department refuse the application in its current form, refuse the Clause 4.6 variation request, or require substantial redesign to achieve a more contextually appropriate and compliant development outcome.

Regards,

Shellee Venaglia (Thoroughgood)

NSW Registered Architect 11309

Tea Gardens, NSW 2324

20/05/2026