



Theatre Proposal receives **mixed reviews**



The proposed redevelopment of the Avoca Beach Picture Theatre which includes the addition of four extra cinemas, a café and function area and five residential units has received a mixed reception from locals and people outside the area alike.

The proposal has been submitted as a Development Application that is currently being considered by Gosford Council and follows on from a re-zoning of the land that occurred in 2007. Technically the land retains its existing 2f category (which restricted development to low density single dwellings) however an “enabling clause” (LEP 456) was included in the local planning ordinance at that time allowing the additional uses but with many restrictions relating to the height, bulk, heritage treatment of the old theatre building and car parking imposed.

The new zoning included specific requirements in some areas however it was quite generic in others and this has led to much argument as to whether the proposal actually complies with the zoning. An example of this is the requirement to provide “adequate car parking” without any specific ratios of car spaces per occupant or similar measure which is the normal procedure.

An action group opposing the DA has been formed (the “Say No to the Overdevelopment of Avoca Theatre” group) and they have

engaged a variety of consultants to help them in detailing the problems they see with the proposal in its current form. The group says that over 900 objections to the proposal have been submitted with the main objections being that the building is too high and bulky and does not comply with the LEP requirements.

They also argue that there are inadequate setbacks to public land with the building occupying the site up to the boundary with Hunter Park visually dominating the area with up to four storeys of height. Other issues mentioned are the inadequacy of car parking provision with spaces being provided for the residential units only and the inappropriate treatment of the old building as a heritage item. (This is specifically mentioned in the LEP).

The ABCA invited both this group and the theatre owners to submit articles outlining the pros and cons of the project. The article from the action group is included on page 4 however the theatre owners declined to submit an article.



President's Message

IAN ESPLIN

Welcome to our final Newsletter for 2012. We hope you are enjoying the festive season in the beautiful and relaxing environment of Avoca Beach.

There are two main items included in this issue, one of which has received a lot of publicity with the other perhaps being overshadowed by the first but which is equally if not more important. I'm referring to firstly the controversy regarding the redevelopment proposal for the Avoca Theatre and the adjoining site. The other item, which is "below the radar", is the formal adoption of the Southern Foreshore Masterplan by the Council.

The Avoca Theatre has become a distinctive and unique feature of the area over many years. During the period where the current management has been in place, the theatre has blossomed with a wide variety of film presentations, live events and also functions. I don't think there would be many local people who had either not attended one of these events or at least be aware of them. The ABCA played its role in supporting the theatre through sponsorship of the Coasties Film Festival.

A large part of the attraction of the theatre is its old world charm, the reminder of an earlier, simpler time before multiplexes and I think many people would be happy to see it remain in this state indefinitely as if in a time warp. The theatre is however a private business with substantial investments in the land and it is unreasonable to expect the owners to continue on forever without looking to maximise the potential that exists.

This fact was recognised in the re-zoning that occurred in 2007. The planners aimed to strike some sort of a balance between the need for expansion and also the need to preserve the heritage elements and the existing urban design qualities. Whether or not the old building has any actual heritage value is debatable however the decision came down on the basis that it did and that it therefore needed to be preserved by itself and also any new structures needed to relate to it appropriately.

One of the major problems with the current proposal is that it seems to want to have it both ways. It is not possible to "save" the old building whilst simultaneously engulfing it within a new structure such that only a remnant is left and that is itself changed irreversibly. That goes against all current heritage guidelines as has been pointed out by both the National Trust and Heritage NSW.

One of the other major bones of contention is the complete absence of any on site car parking for theatre goers, gallery/café customers, staff, service vehicles, deliveries or disabled access with the only the

minimum requirement of spaces being provided for the residential units. The fact that the beachfront area is frequently at maximum capacity in terms of public parking availability makes this situation even worse.

This brings me onto the second item which is the Southern Foreshore Masterplan which has now become a permanent part of the Council's future planning strategy. This plan has taken around 12 years in development and has been through an extensive public consultation process including information days, presentations, surveys, consultations with all stakeholders and multiple draft plans with exhibition periods and submissions accepted before the current plan was finally adopted.

One of the key findings of the research was that there was no overall willingness to accept net increases in paved parking in the area. Thus the plan essentially relocates existing parking spaces to free up open space at the foreshore. It also organises the parking in a safer and more logical way. There is a small net increase in spaces however this is mostly to compensate for the new disabled, emergency vehicle and drop off spaces. The number of standard spaces is largely unchanged.

As such there is now no plan to accommodate any future increase in demand with new permanent spaces. This demand will have to be dealt with possibly by demand management measures or other alternative means. Systems that have been used in other areas include timed parking zones, local parking permits and parking fees.

This issue is another major point of contention with the theatre DA as the Masterplan was developed entirely in isolation from any consideration of catering for increased parking demand from the proposed new businesses on the theatre site. Whether or not a financial contribution was made toward to cost of implementing the plan does not really change the fact that the plan was based on catering for the current usage pattern and also on the expressed wish of the public to put a cap on the total area of hard surface in this sensitive green area.

Whilst it is a pity to lose green space in South End Park, the new parking area essentially formalises what is already happening and the surface will be a semi-permeable paving which is much less harmful to the environment. Also new tree planting is planned within and around the new car park to reduce the visual impact.

The fact that an overall agreement has now been reached about the future plan for this area is something which should be celebrated more and hopefully interested parties will come on board with sympathetic development that is in harmony with it over time.

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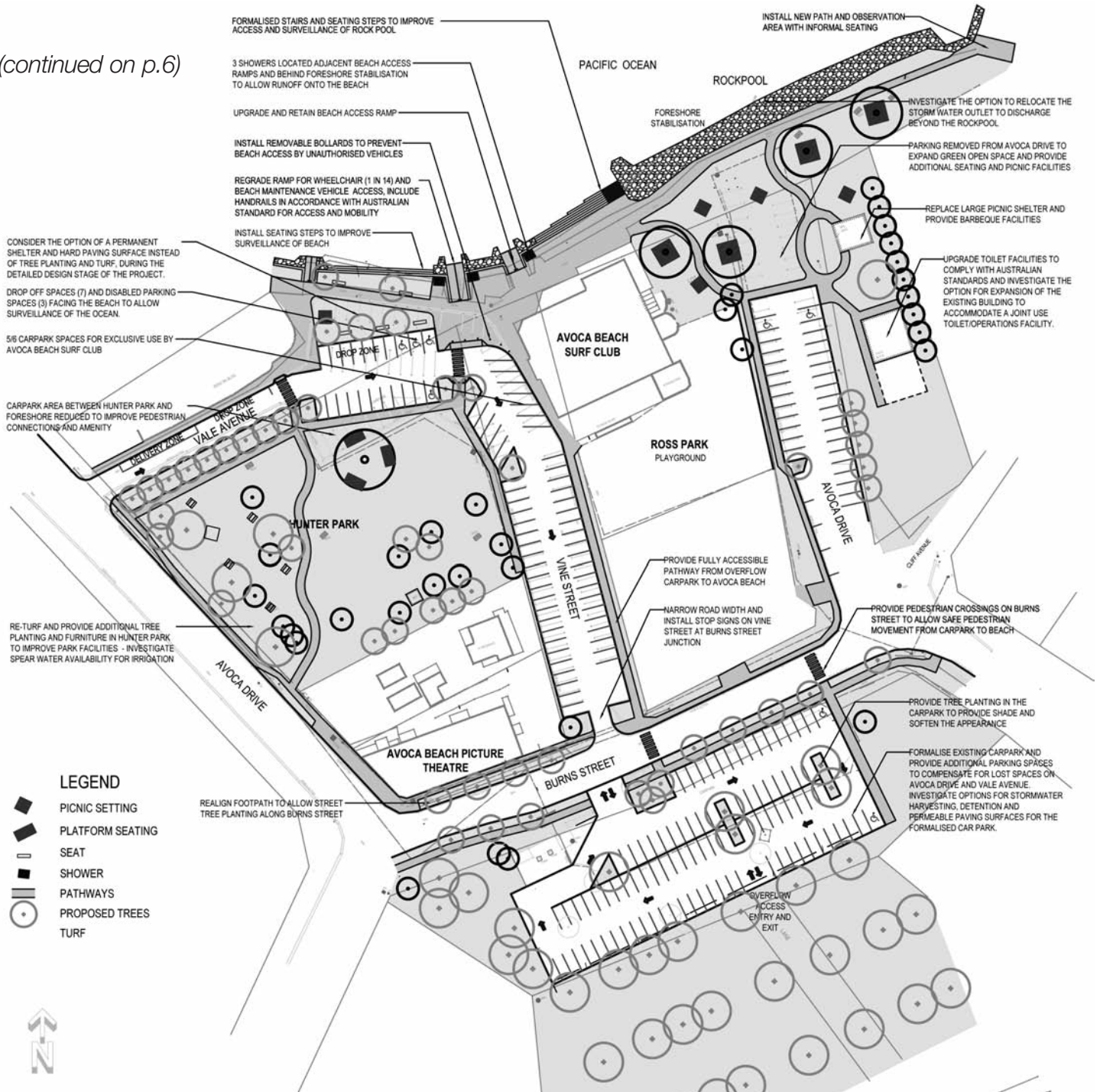
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Southern Foreshore Masterplan

(continued on p.6)



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Pare down the proposal

You have to love the English language!

I thought an “Extension” was when you added a “Parent’s Retreat” in the roof, or a sunroom out the back, but the Hunters have chosen that term to describe their plans for Avoca Theatre, which involves transforming one cinema and their house into a multiplex building with 5 cinemas (seating 631 in total), a cafe and separate function gallery, plus 5 luxurious apartments facing the beach.

Wouldn't you think that might be considered to be pushing the envelope just a wee bit?

No-one would dispute that our “little gem” of a theatre could do with a facelift, and few would object to a proposal for one more (or even two) additional cinemas in conjunction with a 2 storey residential unit building, but the Hunters’ proposal goes beyond this in so many respects.

In seeking to maximise the commercial gain to be made from their property, the Hunters have failed to take into account the following:

- Parking – unless you're a purchaser of the glamorous beachfront apartments, there is no car parking provided. Worse still, the driveway to the residential unit parking removes 2 valuable spaces from Vine St, an important public parking area and thoroughfare.
- Traffic congestion – Kids love beaches, but kids and cars don't mix. This is a no-through traffic enclave, with one street handling all traffic flow.
- Height restrictions – The Hunters’ development will be higher than the commercial buildings either side of it; 4 storeys at the beachfront end. Compare this with the apartments to the west and the south of the theatre, which have all been restricted by Council to a 2 storey height limit.

- Footprint – in some sections the building will go right up to the boundary; virtually no set backs at all. It will tower over people seeking to enjoy the BBQ areas in the adjacent public Park. Would you enjoy a sausage with someone peering down at you from 3 floors above?
- Whereas many other apartment buildings in Avoca are stepped back into the hill, the facade of these apartments will rise vertically to their full height from their base – nothing to soften the impact.
- Heritage value of existing cinema – the facade and the foyer are perhaps the most treasured aspects of the existing cinema. The Hunters’ plan converts part of the current foyer into toilets and dwarfs the current facade without due regard to heritage architect principles of design.

Many of us thought the proposal for a cinema complex had died a natural death in 2007. At that time, the land had a 2(f) zoning which ensured that the low key village character of Avoca beachfront would be protected. However, in October 2007, Frank Sartor passed a motion to amend the Gosford Planning Ordinance to overcome the land’s residential zoning, thus paving the way for this DA.

And yet, this DA seeks approval for a development that goes beyond even the very generous boundaries set by the Minister in 2007, especially in its height and in the FSR (a technical term which basically seems to mean, what you can cram into one block of land, layer upon layer). So here we all are, again.

The Hunters say they have to plan for the future, but do our children’s children really need 5 cinemas? Will our children’s children even go to the cinema?

In July this year Apple patented 5D TV! Who knows how this and the influx of other weird and wonderful technologies will affect the viewing habits of the future?



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Back to the present: **PARKING**

The Council's Avoca Beach Southern Foreshore Masterplan purports to deal with parking but it merely shifts car parking places from the beachfront to South End Park. This is not adequate to address the influx of patrons that the Hunters' multiplex cinema and function centre would attract and we have to wonder at the viability of the Council's Foreshore Masterplan when, apparently, it is financially dependent on receipt of the Hunters' money.

The Hunters say that, instead of providing car parking on their property, they will pay Gosford Council to attend to that. Indeed, they have entered into a Deed (called a Voluntary Planning Agreement) under which they have agreed to pay Council \$500,000 (conditional on the success of their DA) so the Council can lay bitumen for car parks in a nearby recreational park and so Council can "beautify" the park

adjoining the Hunters' own land. With potentially 1300 maximum concurrent users of the building on site at any one time, this cannot be considered "adequate" parking, a prerequisite of DA approval under Sartor's 2007 zoning amendment.

The question now remains, what will the new Councillors so recently appointed to Gosford Council make of this history and this new application? If you don't have a view yet, take a look at our Facebook page or, better still, why not pop down to the theatre and take a look around? Just don't expect to find a car park!

Written on behalf of the local residents group "Say No to the Overdevelopment of the Avoca Beach Theatre". For more information, contact Katrina on 0408 848 826



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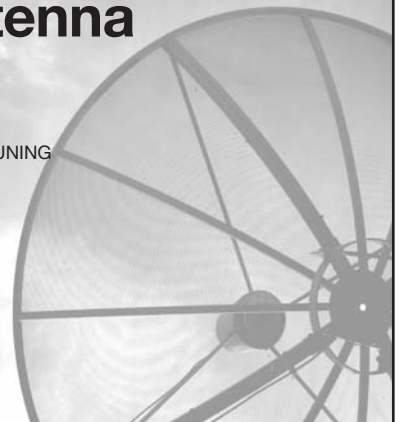
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Southern Foreshore Masterplan *(continued from p3.)*

The final adopted plan is largely unchanged from the draft plan exhibited in the second exhibition period. Unresolved issues include the provision of shelter and the choice of ground surface material in the foreshore area adjacent to the drop off zone.

Grass and trees require maintenance and could be difficult to establish in this area due to the heavy use and the exposed location. Trees also could be subject to vandalism due to having some impact on views.

Permanent shelters and hard surfaces are noted as alternative options instead of trees and grass. Any structure would need to have a minimal visual impact.

Examples of waterside shade structures at Toronto, Lake Macquarie.

Artist impression of foreshore area



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ABCA is a community group for residents and non-resident property owners which tries to protect the relatively relaxed lifestyle that Avoca's village character and natural beauty offers. We support and initiate plans which promote this lifestyle and work to oppose proposals that threaten it.

ABCA meets at 7.30pm on the first Monday of every second month.

The Association's newsletter The Avoca Beach Review is published three times per year.

It is financed by advertisements from local businesses who can show their support for the community and promote themselves to the community through the advertising. Rates \$40 for 6cm x 6cm.

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