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Submission to Independent Review – Draft Sutherland Local Environmental Plan 2013

Thank you for the opportunity to make a submission to the Independent Review of the Draft Sutherland Local Environmental Plan 2013. I am the owner of property in 2 McDonald Street Cronulla, and am directly affected by the changes to the building heights and densities which are being proposed to the Cronulla Town Centre, and in particular to the areas around McDonald, Ozone and Gerrale Streets.

I have not previously made a formal submission to the exhibitions of the Draft LEP as I was not fully aware of the impact of the proposed changes to the planning controls affecting development within my neighbourhood, and its surrounds. However, on gaining a better understanding of the proposed changes to the LEP, I emailed my concerns to both the Council and to Kevin Schreiber, my Ward Councillor.

I welcome the opportunity for this independent assessment of the proposed planning controls to fully appreciate the extent and ramifications of the proposed changes to the Cronulla Town Centre. I have included in this submission some of the key implications to the proposed changes to the planning controls that I believe will have a detrimental effect on the Cronulla Town Centre and Cronulla Beach precinct.

Zone Conflicts

The properties to the north and west of 2 McDonald Street will be rezoned B3 Commercial Core under the Draft LEP, while 2 McDonald Street will be rezoned R4 High Density Residential. I am concerned that by allowing for a greater building height and density, these sites will not provide sufficient amenity for the adjoining residential developments within McDonald and Ozone Streets, including sufficient parking, landscaping and setbacks. I believe that the objectives of these zones and the density of development that they allow, are in conflict with each other.

Under the proposed changes to the LEP, the properties at 14 and 18 Gerrale Street, and 5, 7 and 9 Ozone Street will be zoned B3 Commercial Core, have a height limit of 30 metres and a FSR of 3:1. Being in a commercial zone, the landscaping requirements for these properties will be less than that required for residential properties. Yet, what concerns me most is that the changes proposed to these properties is in direct conflict with Council's recent decision for 6 Gerrale Street, which was refused on these very planning provisions.

Height Limits

I am concerned about the proposal to increase the building heights along the entire esplanade area.

In particular, I am concerned about the proposed increase to the building controls for the building adjacent to 2 McDonald Street, that is 2-18 Kingsway and 1 McDonald Street. If this development were to increase in height, it would completely obstruct all the daylight and sunlight and eliminate all sense of privacy that my neighbours and I currently enjoy. Furthermore, as this property is located in the B3 Commercial Core zone, there are no guarantees that Council will require that, in order to take advantage of the additional height, buildings would need to provide additional landscaping and open space areas to compensate for the additional building mass and bulk and therefore reduce their impacts on surrounding residential properties.

The Draft LEP will allow the properties along Gerrale Street to have a maximum building height of 30 metres, save for the block along Gerrale Street between McDonald and Ozone Streets. This will essentially create a tunnelling effect along this very busy thoroughfare. It will also be adverse on the character of the Cronulla Town Centre by creating negative environment for pedestrian movement with overshadowing over the pathways and wind tunnel effects. The photograph below illustrates the existing height of 18 Gerrale Street, adjoining the Cecil building at 20 Gerrale Street. The Cecil building shows the height limits which Council are seeking to allow within the Cronulla Town Centre.



The recently approved development at 19-21 Gerrale Street will be of a similar height to that at 31-33 Gerrale Street. It is not difficult to imagine the imposing nature of buildings which would be taller than these existing developments and the effect that this will have on the amenity of the streetscape and the overall amenity, character and appearance of the Cronulla 'village'. The taller buildings will be located adjacent to and directly opposite one another without providing any relief from the dense development along this important thoroughfare into and out of Cronulla and South Cronulla.

Traffic Congestion and Parking Demand

Cronulla and South Cronulla already suffer from traffic congestion, with road access into the area becoming increasingly more difficult. Gerrale Street and Wilbar Avenue/Croydon Street are the primary access routes into the Cronulla and South Cronulla areas by car. The photographs below illustrate the existing traffic congestion issues along Gerrale Street.



The increase in building height and FSR for the properties in the B3 Commercial Core will place undue pressure on the existing road network and on-street parking availability. The increase in number and size of restaurants, cafes and shops, together with the increase in the number of apartments, the local roads will be constantly and consistently full to an extent that local residents will be unable to park near to their properties. The photographs below illustrate the current lack of parking in and to the south of the Cronulla Town Centre.



Parking along Richmount Street



Parking by Cronulla Beach



Parking along Gerrale Street

Furthermore, the areas available for resident parking, especially in McDonald and Ozone Streets and the streets surrounding them, suffer due to the high demand for street parking. The existing developments in this area have undersupplied their on-site parking, which already results in a strain on the availability of street parking spaces.



Parking along Ozone Street



Parking along Ozone Street



Parking along Ozone Street

I have noticed that recently approved developments within the neighbourhood may provide sufficient on-site parking for residents, but do not provide adequate on-site parking spaces for visitors to both the residential and retail components. There is already a delicate balance that exists in Ozone, Gerrale and McDonald Streets in terms of the availability of street parking; however with larger developments being permitted by Council, this will result in an untenable demand for parking.

The traffic congestion will also have other consequences for the neighbourhood in affecting accessibility for garbage removal and emergency vehicles. The photograph below shows the existing situation for these larger vehicles to have to navigate through the congested local roads.



Unattainable Development Opportunities

I believe that the proposed planning controls are unattainable. The draft controls provide false hope for property owners in achieving a development which will be able to take advantage of the increase in height and density. The properties within this locality are too small to be able to support development of this height and density. For example, 5, 7 and 9 Ozone Street are 594sqm, 545sqm and 455 sqm respectively. These small properties will not be able to support buildings of 30 metres. If this Draft LEP is adopted and gazetted, it will result in Council officers constantly having to justify their position of refusing applications on sites which are clearly too small to accommodate any significant development.

Furthermore, most of the sites which are affected by the increase in height and density are strata titled buildings, where there is only a small possibility of all the strata owners banding together, or for a developer to purchase the property, to develop these properties at the height and density foreseen by these controls.

Way Forward

My suggested solution, to reduce the impact of these draft planning provisions on the existing amenity of Cronulla Town Centre and its residents, would be to retain the current controls. The existing development at 14 to 18 Gerrale Street provides a good precedence for future development in terms of how the buildings relate to their context, the streetscape and pedestrian amenity and could be replicated at 5, 7 and 9 Ozone Street. This will ensure that the character of Cronulla is maintained, landscaping provided and privacy of residents respected, and will avoid raising the expectations of property owners in being able to realise a greater development potential for their properties. The status quo of development controls, especially along Gerrale Street, needs to be maintained.

I trust my submission has been of some assistance in understanding the implications of the Draft LEP on the Cronulla Town Centre, and the surrounding streets.

I would appreciate my name and contact details not being published or made publicly available.

Yours sincerely,

Concerned Mc Donald Street Resident