

11thst February 2014

The Hon Brad Hazzard MP
Minister for Planning and Infrastructure

As long term residents of Cronulla we still have major concerns with the Revised Draft LEP 2013. We also question the basis upon which the many of the decisions were made. We do not believe past considerations of residents have been applied to the proposed Draft LEP and a number of proposals are inappropriate. These include the height of any development opposite two (2) storey (9 metre high) dwellings in the same street; increase in floor space ratio; extent of permitted uses; increase in traffic; increase in street parking; lack of Home Owners Warranty Insurance; impact on privacy; overshadowing and reduced lighting upon neighbouring properties.

Even though there may have been some reviews since the original Draft LEP any unit development should be restricted in a street such as ours to a maximum of three (3) storeys or 12 metres with a relevant floor space ratio given the nature of surrounding development with only one site remaining to be developed in this street. A review of most of the proposed R4 zonings reflect an R3 barrier between two (2) storey development which does not appear to have been applied to Richmond Street which is the southern border of existing three (3) storey unit development to low density residential zoning on the balance of the South Cronulla peninsular.

An example of the anomalies in the current Draft LEP is the 13 metres height limit in parts of Cronulla Mall which is zoned Business Purposes with a floor space ratio of 2:1, in comparison to the proposed height limited within Richmond Street R4 zoning.

A preferred example would be that of the Kogarah LEP where a reduction in high density unit development is applied opposite low density residential development such as Ocean Street, Kogarah which is an accepted LEP in terms of the current State Government requirements.

We strongly object to any development above three (3) storeys (12 metres) development opposite two storey (9 metre) housing such as residential cottages, villas homes and townhouses. There needs to be a buffer with gradual increase in height towards the town centres in any suburb. Six storey 20 metre 1.5:1 FSR development is acceptable next to eight-nine (8-9) storeys not opposite two (2) storeys 9 metre 0.55:1 FSR.

The new uses permitted within this zone are not compatible with the residential nature of our street. To allow back packers accommodation hostels, neighbourhood shops and boarding houses within this street is not what we would call " to promote a high standard of urban design and residential amenity in a high quality landscape setting ". It would seem again that a blanket R4 High Density zone is not at all promoting residential amenity in this location. The R4 zoning is misplaced in this location and probably many more.

The residents of south Cronulla already face the traffic in accessing the area without further high density increasing traffic volumes and street parking, which over summer periods is now near impossible in the nearby streets.

How are the new six (6) storey unit owners going to deal with the lack of Home Owners Warranty Insurance?

"The vendor is required under Section 96A of the Home Building Act 1989 to attach a certificate of insurance for the building work to the contract. Regulation 74 of the Home Building Regulations 1994 provides that residential building work on multi storey buildings is exempt from the insurance requirements under the Home Building Act 1989..... A multi storey building is defined as one that has a rise in storeys of more than 3 and contains more than 2 separate dwellings." New owners face the risk of defective work without such Insurance and there are many examples in Cronulla where it may have left unit owners in dire financial problems without it.

We understand the need for increase in availability of housing; however fringe unit areas are not the location for four (4) or six (6) storey 20 metre high 1.5:1 FSR developments. Six storey developments in such areas will not encourage downsizing, as large, high density, high rise developments are not attractive to residents who have lived in this location for over 30 years. Price or affordability in this location is not the only consideration; quality of the environment is long term and it would be an injustice to now introduce six (6) storey developments in Richmount Street.

Using Richmount Street as an example with one (1) remaining unit site opposite the two (2) storey low density zoning, how would any reasonable Town Planning design process permit six (6) storey development amongst three (3) level buildings and opposite, a low density zoning. I am sure there are many more examples of this situation.

To double the building height of any adjoining development, will automatically impact on neighbouring properties, reducing direct natural light and reducing privacy. Boundary set backs are not adequate as proposed to reduce this impact under the density and height proposals. If the remaining site in Richmount Street is to be developed under the Draft LEP proposals we are certain there will be many objections on the basis of privacy, height and overshadowing that would not occur with proper planning proposals in such a location, without considering other impacts to low density opposite.

Yes there may be a need to encourage increase in housing, however not at the detriment to environment of the existing residents by poor planning which would reduce the aesthetics of the location, which existing residents may be fortunate to live in. The planning should not be about builder's profit margins and development rather than the amenity of the current and future residents.

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