

Our Ref: 0069/13lt5

14 February 2014

Marian Pate
NSW Department of Planning and Infrastructure
PO Box 39
SYDNEY 2001

Dear Marian,

**RE: SUTHERLAND DRAFT LEP REVIEW
2 WILBAR AVENUE, CRONULLA**

We advise that we act on behalf of the owner of the above property and have been instructed to make a submission to be included as part of the independent review of the Draft Sutherland Shire LEP 2013. In accordance with the terms of reference set out by the Minister for Planning and Infrastructure, this submission relates to the appropriateness of the provisions contained in the second exhibited LEP.

By way of background, Planning Ingenuity made a submission to Council in response to the first exhibited Draft LEP requesting that the density at the site be increased from 1.5 to 2:1. The detailed submission is attached to this letter.

Staff did not agree with the request and resolved that the LEP remain unchanged. We maintain our initial views that there is legitimate planning merit in increasing the density at the site for the reasons mentioned in the attached submission and ask that the Panel endorse our request to apply an FSR of 2:1 to the subject site.

Should you wish to discuss any of the above, please feel free to contact the undersigned.

Yours faithfully,
Planning Ingenuity Pty Ltd



Jeff Mead
DIRECTOR



ANNEXURE A

COPY OF INITIAL SUBMISSION ON DRAFT SUTHERLAND LEP 2013

Our Ref: 120069lt2
Council Ref: LP/03/252376

30 April 2013

The General Manager
Sutherland Shire Council
Locked Bag 17
SUTHERLAND NSW 1499

Dear Sir,

SUBMISSION ON THE DRAFT SUTHERLAND LEP 2013
2 WILBAR AVENUE, CRONULLA

We refer to the *Draft Sutherland Shire LEP (SSLEP) 2013* (file number LP/03/252376) which is on exhibition from 19 March to 1 May, 2013. We act on behalf of the owner of No. 2 Wilbar Avenue, Cronulla which is located approximately 36m south from its intersection with Kingsway. The location of the property is shown in Figure 1 below.



Figure 1: Location of 2 Wilbar Avenue, Cronulla

We have been instructed to review the Draft LEP in light of its potential impact on our client's property. In particular, our client has requested that we consider the consequences on redevelopment (or even enhancement) of their property under the Draft LEP provisions. In undertaking this project, we have examined the Draft LEP, recommendations made for the site under the Draft Cronulla Centres Strategy, made comparison with the existing planning controls and have inspected the subject site and the surrounding area.

In essence, our client supports the proposed height and density increases included under the Draft LEP. We do however consider the provisions to represent a conservative increase in potential density which is at odds with the densities of surrounding properties under the draft provisions.

We acknowledge the Draft Cronulla Centre Strategy included an increase in density on our client's site from 1.2:1 to 1.4:1 and the Draft LEP has increased this further to a total of 1.5:1. We consider that this represents a relatively modest increase in density, just over 150m² in possible floor area over the present controls under the LEP 2006. We consider a higher density could be suitably achieved on our client's site providing a greater incentive for redevelopment, say to 2:1. This would make redevelopment more viable particularly given the cost of basement parking that would be required to meet Council's considerably high parking rates. This would also provide a better transition from the significantly higher density proposed for the sites to the north (Cronulla YHA and surrounds), rather than a stark jump from 2.5:1 to 1.5:1. This would promote more desirable built form outcomes and a much more attractive urban design. We are unclear how the proposed density changes have been arrived at given the varying density surrounding the site and nature of existing development.

It is also considered that further increases in potential density would encourage amalgamation of land for redevelopment which without an upswing in density is unlikely to be attractive or financially viable. We note that the Draft LEP and Draft Centres Strategy strongly encourages amalgamation of smaller sites however in our view this needs to be incentivised.

In summary, our client supports the notion of increasing density at the subject site. However we consider a further increase is warranted given the proposed higher surrounding densities. A higher density on the subject site (say 2:1) would promote enhanced built form comes. Given the proximity to 'gateway' sites to the north on Kingsway, any additional density applied to these sites should be matched proportionately to the subject site. This would ensure appropriate built form transitioning from the more dense 'gateway' sites to the north and the subject site to the south of the Kingsway.

We thank you for the opportunity to comment on Council's Draft LEP and we respectfully request that the Draft LEP be amended as detailed in this submission. We trust that this submission is self explanatory, however, should you require any further clarification, please do not hesitate to contact our office.

Yours faithfully,
Planning Ingenuity Pty Ltd



Jeff Mead
DIRECTOR