

From: North Cronulla Precinct Committee
Sent: Tuesday, 7 November 2017 9:17 AM
To: Brendon Roberts
Cc: [REDACTED]
Subject: OBJECTION TO MODIFICATION 2 TO MP 10_0229 - CONCEPT PLAN - MIXED USE DEVELOPMENT, CRONULLA SHARKS

NORTH CRONULLA & WOOLLOOWARE PRECINCT COMMITTEE INC CRONULLA RESIDENTS

1st November 2017

Mr Brendon Roberts
Dept of Planning
By Email

SUBMISSION TO MODIFICATION 2 TO MP 10 0229 - CONCEPT PLAN - MIXED USE DEVELOPMENT, CRONULLA SHARKS on Exhibition 20.10.17 to 7.11.17

LETTER OF OBJECTION – DOC LINKS BELOW

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6907
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8269

1 OBJECTION ABOUT THE DEPARTMENT'S PUBLIC SUBMISSION PROCESS

A Lack of notice

We wish to complain about the lack of notice to the local community. There was no notification in the local paper so no one was aware of the Resubmission of the Modifications. The least the Department could do would be to contact the people who had already submitted on the first Modification to the Eastern Precinct in April 2017 and place a Notice in the Local paper.

B Inadequate time frame

The rushed time frame allowed was only from 20th October to 7th November 17. This is a matter of prime importance to the residents living around this designated "Town Centre" development. Time frames should be scaled upwards according to the size and impact of the development.

C Simplifying the process of submission to encourage comments from residents.

The Dept of Planning could be viewed as not wanting community submissions. We have had to write and phone Brendon Roberts trying to find out which documents we should be looking at. **There are 114 documents, many of them very lengthy. Most are without dates, so the new documents and the previous ones already reviewed from the previous modification are difficult to sort. With the urgent time frame imposed by State Government, the new information for the public to review should be clearly identified.**

D A consultant's report monitored by Dept Planning for the public

It should be also considered that many people don't have the resources of large computer screens and printers capable of printing off hundreds of pages, to see what is different and what needs to be comment upon. A report by a consultant monitored closely by the Department should be included for the public ie a reliable source of information, with clear diagrams that can be understood by laymen.

This precinct is reasonably familiar with planning documents but has had a difficult task with the huge scale of changes and the number of modifications since the PAC Concept approval in 2012.

Further the 29 documents all labelled "Amended Concept Drawings" need a description in the title to stop wasting everyone's time opening a multitude of drawing files looking to find something showing clearly what is happening.

SUMMARY It is fair to say most of the public we speak to have given up bothering to submit on this project! The Dept must improve their handling and processes when presenting these huge developments for public submission.

2 OBJECTION TO INCREASE IN SIZE OF DEVELOPMENT FROM PAC APPROVAL

The Eastern development has increased in Gross Building Area (GBA) by 168% and Gross Floor Area (GFA) by 146% from the PAC Concept Approval in 2012.

The table below shows the size of the increases by Western and Eastern Precincts with the minimal increases of Car Parking.

CHANGES IN SIZE OF DEVELOPMENT	2012	Oct-17		
	PAC APPROVAL	MODIFICATION	INCREASE	INCREASE
	SM	TOTAL SM	SM	%
MAX BLDG AREA				
WESTERN (RESIDENTIAL)	104,419	115,402	10,983	11%
EASTERN (RETAIL/CLUB/UNITS/HOTEL)	50,991	136,857	85,866	168%
	155,410	252,259	96,849	62%
GROSS FLOOR AREA				
WESTERN (RESIDENTIAL)	58,420	61,370	2,950	5%
EASTERN (RETAIL/CLUB/UNITS/HOTEL)	26,495	65,307	38,812	146%
	84,915	126,677	41,762	49%
	SPACES	SPACES	SPACES	
CAR SPACES	883	1,080	197	22%
WESTERN (RESIDENTIAL)	770	770		0%
EASTERN (RETAIL/CLUB/UNITS/HOTEL)	1,653	1,850	197	12%

3 OBJECTION - OVERDEVELOPMENT OF THE SITE

Below is the developer's view of the Eastern development looking from the mangroves to Cronulla with 4 additional towers on the Eastern side, (club middle, stadium right). The towers of units to the west not shown. NOTE The high tension power lines across the water front of the development are deleted.



The reality of the current overdevelopment can be seen in these pictures (below) taken of the western residential precinct Monday around 5pm 30 October 2017. The blocks of units on the western residential precinct are in close proximity to each other, limiting sunshine and privacy. The developer has created a “dense urban” development in an area that was open air recreational land. High tension power lines in close proximity create a potential health hazard for occupants. The playing fields adjacent are suffering from resident parking.

When coupled with the current modification of 4 extra blocks of residential and a hotel on top of the Eastern Precinct, it can be seen that the whole site will be a **huge overdevelopment** incompatible with surrounding golf courses and playing fields.



Above: West side of Residential Precinct shows buildings close to each other, with power lines across the waterfront.

Left: Residential buildings East Side of Residential. Precinct

REQUIRED

Proposed changes are NOT A MODIFICATION but are so significant that they require a new DA.

4 OBJECTION - NOT A MODIFICATION – A NEW DA

Section 96 of the Environmental Planning & Assessment Act 1972 No 203 (EP&A) discusses the notion of "modification. In summary, the act requires the development to be "substantially the same as the development originally approved". The act provides further clarification at Section 96(1).

Section 96(1) - Modifications involving minor error, misdescription or miscalculation - ***Comment: the nature of change is so significant that the proponent would clearly fail this test. It fails by size; proposing a significant change and uplift in size; failure in tenancy - proposing a change of retail premises to a combination of retail; residential and commercial.***

Section 96(1A) discusses modifications involving minimal environmental impact. S96(1A)(b) also discusses that the modification relates to "substantially the same development as the development for which the consent was originally granted". ***Comment: there appears to be no additional environmental impact study conducted to support the proposed changes. In addition, the proponents changes are clearly not substantially the same as what was originally granted.***

This should not be considered a "MODIFICATION" but a **new D.A./CONCEPT PLAN TO THE STATE GOVT.**

5 OBJECTION TO LACK OF PUBLIC OR CLUB BENEFIT

There is no land content for the 4 extra towers on top of the commercial retail/club development, resulting in huge profits for the developer.

The Sharks club does not appear to be benefitting from the additional increase in GBA and GFA.

The public is now suffering from the overdevelopment of the site with long term parking and traffic problems with no solution in site for additional roads exiting Kurnell and Cronulla.

6 OBJECTION TO DEVELOPERS "REDUCTION" IN SIZE AND BULK

The Retail development now has 4 blocks of high rise of 9, 12, 14 and 15 storeys and a hotel of 10 storeys, erected on top of the retail/commercial development. The developer states it has decreased the 16 storey building to 15 storeys but has added two extra storeys of units on top of the original 8 storeys for the hotel.

This indiscernible change would not reduce the effect of the huge size and bulk of the development to the community. The increased height of the hotel will impact more (even totally eliminate) on the Bay and City views for at least 100 plus residents in Castlewood Ave, Fairs Ave, Church St, Dolans Rd and sections of the Kingsway in Woollooware. There has been no consideration given to the residents living in these streets at all, in fact the Dept of Planning did not even notify these residents of the original modification.

7 OBJECTION - TRAFFIC and TRANSPORT

A The developer is not providing transport to Woollooware Station as promised in a shuttle bus service.

State Govt is running a state run bus to the complex, but the large buses cannot access Woollooware Station due to the narrow streets.

As the developer had budgeted to provide a shuttle bus, it could be re-introduced and be timed every other half hour so there is some transport every 15 minutes. This would save traffic and parking in Woollooware streets for people wishing to quickly access Woollooware station rather than having to wait for a half hourly bus service 985 bus which takes time to get to Cronulla or Caringbah stations. The shuttle bus could also be used to pick up Club members at night Woollooware station and the local area.

B Funding Bicycle Paths to the Station and more bike spaces

The developer is assisting in funding bicycle paths to the station. This would be welcome for the small percentage of the population who could ride a bike or want to risk their lives in the traffic in the narrow Woollooware Streets. Safety would improve when a special bike path is built sometime in the future but the low percentage of bike riders to a station would limit this as a volume transport solution to Woollooware station. Also riding a bicycle is NOT practical for people dressed in business attire for their work day – ie unsuitable clothing and shoes.

C Car Share parking spaces

A good idea to have cars for hire and spaces available to park them, but this use would be dependent on the cost. Could be utilised for special occasions for people who share one car. However it won't assist working people who have to travel daily. Many people will work in places not on the train line or need a car during the day for work purposes. People also work shift work and therefore leave at different times of the day and night.

D Traffic

Captain Cook Drive provides the main exit from Cronulla if travelling in the direction of Sydney or Sutherland. We note that **one set of lights was already there** for the playing fields, but rarely used.

When the development is completed all 3 sets of lights will be heavily used for deliveries, residential, club, hotel and retail traffic. There is no other alternative roads that can be used. The very busy Gannons Road roundabout may have to be made into traffic lights as well which would make 4 sets of lights in around 1 kilometre.

8 OBJECTION - PARKING

A Parking rates per residential unit.

There are major parking problems already for the few people already living at Woollooware Bay, the residents living nearby and around the station, and the users of the surrounding sporting fields. This is with only **a small fraction of the residents living there to date**. Many letters to the previous modification outline the problems of Woollooware Bay and Woollooware residents and Sporting fields adjacent all competing for parking.. This is confirmed in a submission Comment made by the resident strata body already living in the finished building.

Instead of one car space for a 2 bedroom unit, State Government should allow 2 car spaces for 2 bedroom units in remote locations.

In this submission the developer says they **will not increase the parking rate** and is relying on **low State Govt parking rates** which don't consider remote locations with minimal public transport. The developer says to increase the rates is beyond its control.

So it is up to State Govt to change the parking rates for this development and avoid a social disaster in the area.

B Two wages to pay off a 2 bedroom unit

We note a current price of between \$820,000-\$880,000 for a Woollooware Bay unit advertised for **sale (506/475 Captain Cook Drive, Woollooware,** a unit of 2 bedrooms and 1 car space). It would need two wages to service a loan say of \$600,000 at 5.88% interest rate over 30 years with a mortgage of \$3,500 a month or \$800 a week.

Therefore it is highly likely that **many owners of 2 bedroom units** will need two cars for work purposes when the location is remote ie 28ks from Sydney and train transport 1 to 1.4ks away and from an end of line station on a one line towards Sydney.

The developer must be aware that **unit sales could collapse** when working people realise the progressive parking problems they will face.

C Impact on kids and families playing sport on community/sporting facilities.

Parking by residential units on surrounding playing fields will have a cumulative impact on kids and families due to the lack of developers parking at this site.

Social tensions between residents in the units and in the surrounding streets could **create huge problems here. What the Precinct and the community said about lack of parking is coming home to roost in the very early stages of residents living at this development.**

D Disabled pick up area needed

A driver picking up a disabled resident from the Western Precinct complained to a precinct member that they had to park illegally to pick up the resident as there was no disabled parking. Disabled pick up/parking

spaces would need to be provided at each building in the new Eastern development (and of course provided for the existing Western blocks).

E Proponents reliance on original PAC Concept Approval with no public transport provided

The proponent says in the modification that when approved by PAC there was not a public bus service. This is a distortion of the facts as the original PAC approval was based on a shuttle bus service to be provided by the developer as soon as people moved into the residential building.

SUMMARY

There is an **opportunity now for State Planning to stop the residential units on the Eastern side from going ahead.**

If they do go ahead, the parking spaces should be increased for the units on the Eastern side to 2 spaces for 2 bedroom units. An allowance should be made by the Department for parking rates to be adjusted for remote "town centre" locations away from transport, if only for this highly abnormal "town centre".

9 OBJECTION – MINIMAL AFFORDABLE HOUSING

The developer says it will provide affordable rentals for 10 years for 5% of units in the 244 units, say an average of 11 units in Eastern Precinct in this modification. Therefore only 11 units would receive this cut in rentals, but if you look at the 850 units that could be built overall should this extra 244 residential units go ahead, 11 units equates to only 1.3% of the total 844 units.

Also it is mentioned 5% of the units (average 11 units) would be sold with a reduced deposit. Does the developer take a cut on the overall price? Or just reduce the deposit but the loan increases with the buyers financier. More details needed for the public to comment.

10 OBJECTION – DEVELOPERS RELIANCE ON THE 2015 LEP (ALLOWING SHOP TOP HOUSING AND REDUCED CAR SPACE RATES).

The developer is still seeking major increases in the size of the development years after the PAC approval of the concept for a far smaller development. We must remember the development was signed off as a Part 3A "Town Centre" development by Tony Kelly Minister for Planning, on the day before the State elections when they lost government. So they have had the advantages of a Part 3A Town Centre development but wish to lodge increases in the development based on 2015 Sutherland Shire LEPS.

11 OBJECTION REDUCTION OF HOTEL ROOMS.

We object to the reduction of the hotel space from 125 rooms to 75 rooms with the balance converted to residential units. It is considered by Council that hotel rooms are necessary and needed in the area, but already the developer is reducing the original number of rooms by 40%.

Dept of Planning and Council should review the need for hotel rooms and the developer should supply this need in return for the right to build a hotel as part of a modification. Noted when the rooms are decided, that the developer cannot reduce the hotel rooms and convert the space to apartments/rooms to sell off.

12 OBJECTION – FLOODING IN THE AREA NOT ADDRESSED IN THE MODIFICATION

The area surrounding the development is already susceptible to flooding. A concerned local resident has submitted the following information relevant to this development. Flood warning signs in these pictures below were placed at the traffic lights exit onto Captain Cook Drive from the Sharks development.

How can the developers propose further building in a flood hazard ?



The Woollooware Flood Catchment Study 2014 for Sutherland Shire Council by WMA water ("the Flood Study" addresses flood risks in the area of the Sharks development.

In one part of the Flood Study it is stated that "the contention that the "Sharkies" development will exacerbate existing flood problems is not correct" and that "even where the development does not come under Council approval guidelines other consent authorities will similarly ensure no impact on flooding in order to approve development." The Council has told us informally that it is not its responsibility and defers to the State government authorizing authority

It would appear that the consenting authorities may not have taken the flood risk seriously in approving stage 1 of the Sharks development and that the main conclusions of the Flood Study have been overlooked.

These concerns now extend to the major increase in building works on the Eastern side stage of the Sharks proposal . ***(NB without explanation, the Flood Study appears to specifically exclude the Sharks expansion site from the study even though the immediate surrounding areas are affected)***

Contrary to the general contention in the Flood Study that flooding should not be a problem , the actual Conclusions of the Study (page 44) state that :-"***Emergency egress during flood events is a major issue*** for this catchment as excessive flooding of major access roads including Captain Cook Dr, Kingsway and Gannons Rd was found to occur which will result in significant impacts on traffic flows throughout the region."

The Flood Study further concludes that ;-"***flooding hot spots were identified*** which include overland flow paths on Captain Cook Drive ,and ,Woollooware and Cronulla Golf Courses, as well as majority of the playing fields; and, generally the low lying areas adjacent to Woollooware Bay including Captain Cook Drive, Endeavour Field (Toyota Park).

A further conclusion in the Flood Study is that ;-"The low lying areas adjacent to Woollooware Bay including Woollooware High School, Captain Cook Drive, Cronulla Golf Course and Endeavour Field (Toyota Park) are particularly ***vulnerable to impacts of sea level rise.***"

In the Sydney Morning Herald (SMH) 16 March 2017 the headline is "***SES warns of flood risk to city housing estate***" which raises concerns about development on flood prone land in relation to a development on low lying Kogarah Golf Course.

Photos above taken in July 2016 show a pit for gas mains into the Sharks high rise units. Water is being pumped out of the pit which was filling even though (according to our diary) June/July 2016 was a fairly dry period. There are clearly problems with the water table.



The only comments in the modification documentation are as follows:

Flood evacuation: During a flood event, residents will not be affected by flooding as all residential dwellings are located above the peak flood level. It is considered that evacuation would not be necessary except in the case of a medical emergency. An evacuation route that would be clear of the 100-year flood event is proposed via the car park access from Woollooware Road North.

There seems to be little regard for flooding yet even in Cronulla, residents are being advised they are in a flood prone area and charged extra for home insurance. With the huge numbers of residents at this location ie a "Town Centre" isolated and surrounded by flood waters does not seem a small issue. It would seem in the documentation viewed on this latest large modification no new consideration of this issue has been regarded.

13 COMMENT

It should be noted that of the **30 letters of support** only 15 referred to the units. The remaining 15 only referred to supporting the hotel, community facilities and sporting Centre of Excellence. 10 of the support submitters do not come from the Shire and have no idea of the real life impacts on the local residents.

There were **26 objections and all of these people live in the Shire**. The majority of these people come from Woollooware and Cronulla. These are the people that will have their daily life impacted by this extra overdevelopment. The 3 "Comments" were actually objections, and again from Woollooware and Cronulla.

FINAL SUMMARY

This massive development should never have been approved as a contrived "town centre" in the middle of recreational playing fields and golf courses, located a long way from transport. However it has happened as part of the Labor Government's Part 3A approval process and only the State Government can change the development for the benefit of the community.

The project gained support originally because it was "Saving the Sharks Football Club and Team. This has been done and this new development on the Eastern side will not be supporting the Football Club. .

State Govt must step in and eliminate the 4 residential blocks of units compiling the massive overdevelopment already occurring in the site.

The development does not suit the low rise surrounding residential area and sporting fields.

If this does not occur, the social problems and effects on community sporting activities caused by lack of parking provided in the development may be somewhat reduced by the department increasing the parking rate for 2 bedroom units to 2 spaces.

Transport can be improved by making developer provide a shuttle bus as originally agreed, which would help to reduce traffic on and around the area. Disabled parking is also urgently required to be assessed as it is non existent at this stage of the development.

The two weeks allowed for a public submission with no public notification must be reviewed. The Dept of Planning must review its processes to make it simpler for the public to know access and understand what is being proposed in substantial developments with a major impact on daily life of nearby residents.

Yours sincerely

A solid black rectangular box used to redact a signature.

North Cronulla & Woolooware Precinct inc. Cronulla Residents (NCPC)

Representing the concerned residents of the Woolooware and Cronulla area.

PERSONAL NAMES NOT FOR PUBLICATION

No political donations made by NCPC

Genevieve Hastwell

From: [REDACTED]
<northcronullaprecinctcommittee@bigpond.com>
Sent: Tuesday, 7 November 2017 9:22 AM
To: Brendon Roberts
Cc: 'Syd and Kerry Coomes'
Subject: re North Cronulla & Woollooware Precinct objection

Hi Brendon

Tried to put on web but had trouble with photos as they were placed in the letter.

Thanks for your assistance in pointing out where to look for info, and hope the Dept can do better in highlighting that for residents for the next round of subs as sure you will be handling quite a few!

Regards

[REDACTED]

