



Business Paper

Sutherland Shire Local Planning Panel

Tuesday, 19 May 2020

6:00pm

SUTHERLANDSHIRE

ORDER OF BUSINESS

1. DISCLOSURES OF INTEREST

2. REPORTS FROM OFFICERS

SSLPP025-20	23/13 Coast Avenue, CRONULLA DA20/0062 - Construction of an Awning over unit Roof Terrace for existing Residential Flat Building
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SSLPP026-20	138-144 Cronulla Street CRONULLA 2020/373819 - Planning Proposal
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SSLPP026-20 2020/373819 - PLANNING PROPOSAL: 138-144 CRONULLA STREET, CRONULLA

SSLPP026-20

Attachments: Appendix A (under separate cover), [Appendix B](#), [Appendix C](#), [Appendix D](#), [Appendix E](#) (under separate cover), [Appendix F](#), [Appendix G](#), [Appendix H](#) and [Appendix I](#)

REASON FOR THE REPORT

This Planning Proposal is referred to the SSLPP for advice in accordance with the S9.1 Direction issued by the Minister for Planning on 27 September 2018.

EXECUTIVE SUMMARY

The NSW Planning framework requires councils to consider Planning Proposals seeking to amend the provisions of local environmental plans where they demonstrate strategic merit – that is, where outcomes are consistent with State and local strategic planning and where the outcomes have site specific merit.

The Planning Proposal seeks an increase to the maximum Floor Space Ratio (FSR) in Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) as it applies to 132-144 Cronulla Street, Cronulla. It is proposed to increase the FSR from 2:1 to 2.9:1 to facilitate a wholly commercial building comprising of strata offices, co-working spaces and food and drink premises. The Planning Proposal is accompanied by an indicative development concept demonstrating how the additional 1,281m² of floor space that would result from the increase in FSR can be accommodated. The proposal complies with the current SSLEP2015 maximum height of 25m. The additional massing seeks to confine the solar impact of the building to that which would result for a building that complied with the current height limit and DCP building envelope controls. At the winter solstice, the proposed additional floor space results in no additional overshadowing of Monro Park between 9 am and 3pm, other than that which would result from a building compliant with current SSLEP2015 and SSDCP2015 provisions.

The proposal will help revitalise Cronulla Centre with substantial commercial floor space, bringing employment opportunities and increased spending. Growing employment has been a long-standing economic goal of Council and is consistent with the Planning Priorities of the South District Plan, the Local Strategic Planning Statement and Council's supporting Economic Strategy. As such, the Planning Proposal is considered to have strategic merit.

The proposal is massed towards the northern boundary to minimise shadowing impacts on the most sensitive spaces within the park. The northern facade has a nil setback as per Council's SSDCP2015 controls. However, the additional building bulk will be partially visible in the urban landscape. This essentially blank elevation is a weakness of the proposal. Detailed design resolution could address this aspect.

At this point the Panel needs to advise Council whether the Planning Proposal has sufficient strategic merit to proceed to Gateway. Given the Planning Proposal's alignment with the planning priorities of the South District Plan and the Council's endorsed Local Strategic Planning Statement, it is considered that it is appropriate to refer the Planning Proposal for Gateway determination to enable it to be publicly exhibited for community input.

REPORT RECOMMENDATION

THAT:

The Planning Proposal for 138-144 Cronulla Street, Cronulla has sufficient strategic merit to warrant referral to the Minister under Section 3.34 of the Environmental Planning and Assessment Act 1997 for Gateway Determination.

OFFICER'S COMMENTARY

1.0 THE PLANNING PROPOSAL

This Planning Proposal is a landowner initiated proposal to amend Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) to increase the floor space ratio applying to land at 138-144 Cronulla (Lot 1-4 DP 18461). Specifically, the proposal seeks an increase to the maximum floor space ratio from 2:1 to 2.9:1. This equates to 1,281m² of additional floor space. The full Planning Proposal is attached as Appendix A.

The additional floor space is proposed to be achieved by a bonus provision, specifically tied to a site-specific subclause within Part 6 Local Provisions. The suggested clause put forward by the proponent is as follows:

6.23 138-144 Cronulla Street, Cronulla

- (1) *The objectives of this clause are as follow:*
 - (a) *to encourage commercial development adjacent to the Cronulla Railway Station and within walking distance of the Cronulla Local Centre and Cronulla Beach;*
 - (b) *To promote local employment opportunities within Cronulla; and*
 - (c) *To be a catalyst for the revitalisation of the southern end of the Cronulla Local Centre*
- (2) *This clause applies to the land identified as "Area 13" on the Floor Space Ratio Map.*
- (3) *Despite Clause 4.3 (2), the maximum floor space ratio for a building on land to which his clause applies may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map by an additional 0.9:1 if the additional floor space resultant from this clause is for the purpose of commercial premises.*

Under the Standard Instrument Commercial Premises means any of the following—

- (a) *business premises (includes banks, post offices, hairdressers, etc)*
- (b) *office premises*
- (c) *retail premises (includes shops and food and drink premises - including pubs, restaurants, and take away food)*

2.0 BACKGROUND

This site was the subject of a previous Planning Proposal that sought to increase the maximum height from 25m to 50m and increase the maximum floor space ratio from 2:1 to 3.75:1. That proposal sought to facilitate a 14 storey commercial development, comprising a hotel with two floors of hospitality floor space, commercial/co-work floor space, and associated car parking. That Planning Proposal was referred to the Sutherland Shire Local Planning Panel for advice 21 January 2020.

The Panel's advice and reasoning were very detailed. In summary the Panel found 2 votes to 1 that the proposal had strategic merit. However, the Panel *"has concerns in relation to the significant increase in height from 25 metres to 50 metres, and an increase in the Floor Space Ratio of 2:1 to 3.75:1 in the absence of a Council approved strategic plan and master planning for the southern precinct (of the mall), and the potential implications that the planning proposal might have on the redevelopment of the remaining sites in this precinct without such a plan. The Council's assessment report also identified a number of negative consequences, which require further investigation, before proceeding to the Minister in accordance with Section 3.34 of the Environmental Planning and Assessment Act"*.

The majority of the Panel agreed that the proposal had strategic merit because it had the potential to grow the tourist potential of Cronulla which is consistent with the South District Plan, the draft Local Strategic Planning Statement and Council's Economic Strategy, and would facilitate employment and support the revitalisation of the southern end of the mall. However, given the increase in density proposed and *"the constraints of the site, the majority of the Panel considers that there would be greater strategic planning merit in a planning proposal for the full block, with provisions for amalgamation, urban design, massing guidelines and controlled flexibility for a hotel(s), whilst balancing impacts upon the park and urban form."*

"In terms of potential overshadowing of Monro Park and the Anzac Memorial, it is critical that solar access to the Park is carefully managed to ensure winter solar access is at an acceptable level, having regards to other potential developments."

"The Panel noted the lack of detail in relation to the proposed VPA, and recommends that further consideration be given as to the potential matters that might be included as part of the public interest as well as some indication as to how the proposed bonus provisions might be triggered and the community benefit arising from those bonuses."

On 24 February 2020, the Planning Proposal was considered at a full meeting of Council. Council resolved: *That the Planning Proposal for 138 -142 Cronulla Street, Cronulla not be referred to the Department of Planning, Industry and Environment for Gateway Determination.* The Planning Proposal currently being considered is an entirely new application.

3.0 INDICATIVE DEVELOPMENT CONCEPT

The Planning Proposal is accompanied by an indicative development concept plan. From the proponent's submission, the concept plans indicate a 7 storey (25m – height compliant) commercial development consisting of:

- 1 level of basement parking – estimated to accommodate 60-80 car spaces
- 2 levels of food and beverage floor space - comprising of approximately 1,650m² floor space
- 5 levels of commercial floor space –comprising approximately 2,490m² floor space (2 levels of co-work space and 3 levels commercial office space)

The actual configuration of the building may change upon lodgement of a development application.

The Planning Proposal provisions only apply to the additional floor space. The clause stipulates the bonus floor space (1281m²) is solely for commercial premises. All other uses permissible in the B3 zone (including residential development) remain a possibility within the compliant (2:1) portion of the development.

The justification for the Planning Proposal is that the positive economic flow-on effects of the planned development are only realised if a wholly commercial development is delivered, rather than a more typically residential flat building with ground floor commercial uses. The accompanying economic report prepared by Atlas Urban Economics supporting the Planning Proposal states: *The Site is subject to an FSR control of 2:1 with existing floorspace below the permissible GFA. While there is latent floorspace/ GFA capacity on the Site, realisation of that latent capacity would require demolition and redevelopment of the Site. This is not feasible and as a result the Site is assumed to remain 'as is' if there were no amendments to the planning controls.*

4.0 REASONS FOR REFERRAL TO THE PANEL

On 27 September 2018 the Minister issued a Direction under Section 9.1 of the Environmental Planning and Assessment Act 1979 (the Act) for Planning Proposals. Under this direction all planning proposals prepared after 01/06/2018 must be referred to the local planning panel for advice unless the Council's General Manager determines that the planning proposal relates to:

- a) *the correction of an obvious error in a local environmental plan,*
- b) *matters that are of a consequential, transitional, machinery or other minor nature, or*
- c) *matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.*

The subject Planning Proposal raises issues of importance that require the advice of the Panel before Council considers the matter.

The Guideline for Planning Proposals issued under section 3.33(3) of the Act provides the following assessment criteria for Planning Proposals.

- a) *Does the proposal have strategic merit? Will it:*
 - *give effect to the relevant district plan; or*
 - *give effect to the relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district or local strategic planning statement; or*
 - *respond to a change in circumstances, such as an investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.*

There will be a presumption against rezoning review requests that seek to amend LEP controls that are less than 5 years old, unless the proposal can clearly justify that it meets the Strategic Merit Test.

b) *Does the proposal have site-specific merit, having regard to the following?*

- *the natural environment (including known significant environmental values, resources or hazards);*
- *the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *the services and infrastructure that are or will be available to meet the demand arising from the proposal and any proposed financial arrangements for infrastructure provision.*

This assessment criteria should guide the Panel's advice to Council.

5.0 STRATEGIC MERIT TEST

The following table provides an assessment of the strategic merit and site-specific merit of the proposal.

South District Plan: Does the proposal give effect to the relevant district plan?	
Planning Priority	Comment
Planning Priority S3: Providing services and social infrastructure to meet peoples changing needs Objective 6: Services and infrastructure meet communities changing needs	<p>Cronulla centre is changing as it becomes a denser urban centre. It is a good planning outcome for residents to be able to locally access a range of employment and services. A significant office building with co-working space will allow more residents to work locally. This proposal facilitates commercial office space that is in very close proximity to public transport potentially taking pressure of the local road network.</p> <p>The proposal is an opportunity to renew the streetscape and increase the liveliness of the centre. It will also improve the public domain and wayfinding to the beach. The proposal will also enhance night-time activity and increase the vitality of the centre. Together these elements are important because it will serve the growing popularity of Cronulla as a destination.</p>

Planning Priority	Comment
<p>Planning Priority S6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <p>Objective 12: Great places that bring people together.</p>	<p>The proposal includes a mix of uses, being co-work space, commercial floor space and food and drink premises. These spaces could help bring the community together – creating business and social connections.</p> <p>The proposal will contribute to the liveability of Cronulla and provide a fine grain hospitality precinct with improved wayfinding to the beach from the train station. This will help to renew and improve the centre.</p> <p>Cronulla has lifestyle and recreation focus. The proposed uses add an extra dimension to the centre while also allowing more people to work locally and develop business connections. It would also strengthen the night-time economy and improve passive surveillance. These outcomes all support bring people together in a local centre.</p>
<p>Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres</p> <p>Action 28: Provide access to jobs, goods and services in centres by:</p> <p>....</p> <p>b. diversifying the range of activities in all centres</p> <p>c. creating vibrant, safe places and a quality public realm</p> <p>d. focusing on a human-scale public realm and locally accessible open space</p> <p>...</p> <p>f. improving the walkability within and to centres</p> <p>...</p> <p>k. providing for a diverse and vibrant night-time economy in a way that responds to potential negative impacts</p>	<p>While Cronulla is not a Strategic Centre as defined by the South District Plan, the criteria also represent good planning for lower order centres.</p> <p>The proposed investment in the centre will help revitalise the local area through both improved public domain and the delivery of new land uses. It will grow employment and business opportunities.</p> <p>Upper storey commercial development in Cronulla has been difficult to achieve, even given the recent development boom. The proposal facilitates the diversification of activities in the centre.</p> <p>The proposal provides greater opportunity to grow the night-time economy. The indicative</p>

<p>Action 31: Use flexible and innovative approaches to revitalise high streets in decline.</p> <p>Action 32: Review the current planning controls and create capacity to achieve the job targets for each of the District's strategic centres.</p>	<p>development concept indicates 2 floors of food and drink premises (which, by definition, could include a pub). This will help diversify the night-time economy.</p> <p>The proposal will improve the public domain and help revitalise this end of the mall. The public domain to Cronulla Beach will be widened and enhanced, improving walkability. The night-time uses will overlook the public domain, and in particular Monro Park and the railway station, which will improve public safety. This will deliver a more vibrant precinct at night and support greater use of public transport.</p>
<p>Planning Priority S11: Supporting growth of targeted industry sectors - Tourism</p> <p>Objective 24: Economic sectors are targeted for success.</p> <p>Action 46: Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experiences and ensure connections to transport at key tourist attractions.</p> <p>Action 47: Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation.</p>	<p>Cronulla is an important tourist destination and as such, a significant economic driver for the Shire. The South District Plan recognises the role of Cronulla in shaping visitor experiences, with 1 million daytrip visitors to Sutherland Shire in 2015-16.</p> <p>The inclusion of two levels of food and beverage floorspace (1,650m²) will make a meaningful contribution to Cronulla's attraction for visitors and bring economic activation. Food and beverage establishments can 'anchor' and renew this southern portion of the centre round the train station.</p> <p>Increasing night-time activity in the southern section of Cronulla centre would help bring more passive surveillance to the precinct making the railway station and Monro Park more attractive and safer for visitors and residents.</p>
<p>Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres</p> <p>Objective 22: Investment and business activity in centres.</p>	<p>While Cronulla is not a designated strategic centre, the proposal will provide over 130 Full Time Equivalent (FTE) jobs in operational phase and 81 FTE jobs during construction phase - creating significant employment opportunities in Cronulla.</p>

Local Strategic Planning Statement (Endorsed for submission to GSC):	
<i>Does the proposal give effect to the relevant local strategic planning statement or strategy that has been endorsed by the Department?</i>	
Planning Priority	Comment
PP17: Grow Tourism: Support opportunities to grow tourism and encourage more overnight visitors, extend visitor stays and invest in tourism assets to enhance visitor experiences.	The amendment will facilitate 2 floors of hospitality floor space which will augment the tourism experience and support other tourism assets in Cronulla.
PP 11 Attractive and Distinctive Centres and Public Places: Create attractive and distinctive centres and public places that are welcoming, safe, distinctive and enjoyable for our residents and visitors.	<p>The proposal seeks to revitalise Cronulla Centre, facilitating an urban form that is compatible with the local context and also improves the public domain.</p> <p>By activating the economy adjacent to the railway station and Monro Park, passive surveillance will be substantially improved, making Cronulla safer, particularly at night.</p> <p>The Planning Proposal also facilitates the widening and enhancement of Beach Lane which is the primary pedestrian route from the train station to Cronulla Beach. This will improve the pedestrian experience for both residents and visitors.</p>
PP 2 Managing Traffic Congestion and Parking: Plan for and manage traffic congestion through planning for parking, traffic, arterial road and smart transport	The increased floor space (1,281.6m ²) proposed has the potential to increase traffic volumes and demand for parking. Please refer to the discussion under key issues below.
LSPS Supporting Strategies: Economic Strategy	
Outcome 1: Provide a prosperous community with a fulfilling work/life balance. Objective: Increase the number of local jobs by 10,000 FTE (total 87,937 jobs) by 2030.	The proposal will provide over 130 jobs in the operational phase, and 81 during construction jobs. Providing opportunities for local businesses to have offices closer to home and providing a space where start-up businesses can establish facilitates a better life/work balance for residents.

<p>Outcome 2: A diverse, resilient and self-sustaining business community providing a prosperous and fulfilling lifestyle.</p> <p>Objective: Increase Sutherland Shire's business output (turnover) by 15% by 2030.</p> <p>Strategic Approach 2.9: Increase business accommodation in Sutherland Shire.</p> <p>Strategic Approach 2.10: Facilitate a night-time economy that builds on current strengths and creates a diverse and vital offer that will meet the needs of the current and future population</p>	<p>The floorspace for new food and drink premises plus co-working and commercial space provides opportunities for business to establish and prosper. Facilitating more people being able to work in Cronulla builds on the recreational lifestyle of Cronulla.</p> <p>The proposal incorporates 5 levels of commercial office space, with 2 of those dedicated to co-working space. The flexibility offered by co-working space provides opportunities for start-up businesses to network and collaborate with no lock-in leases or minimum floor space requirement. It is understood that this sort of space is in high demand in Sutherland Shire. Providing an environment conducive to supporting start-up businesses will contribute to the overall business output.</p> <p>The proposal will also strengthen the night-time economy with two full floors dedicated to food and drink premises. The ground floor will include outdoor dining along Beach Lane and on the balcony above, with both spaces overlooking Monro Park. This will offer a range of new quality dining spaces in Cronulla, building on its existing strengths as an eating destination.</p> <p>There is a lack of high quality commercial space in Sutherland Shire but there is strong demand. This proposal improves supply of a quality commercial accommodation.</p>
<p>Outcome 4: Increased size and value of tourism's contribution to the Sutherland Shire economy</p> <p>Objective: Increase the average tourism spend in the Sutherland Shire by 20% (\$46m) by 2030.</p>	<p>The proximity to beach and railway station makes the proposal attractive to visitors from outside the Sutherland Shire., The proposal provides two full floors dedicated to hospitality/food and drink premises adding to the tourist offer. This supports the intent outlined in the Sutherland Shire Economy Strategy.</p>

Strategic Approach 4.1: Support and incentivise investment to increase short stay visitor accommodation opportunities in Cronulla and surrounding areas.	
LSPS Supporting Strategies: Community Strategic Plan The Community Strategic Plan outlines the community aspirations and long-term visions.	
Planning Priorities 5.1.2: Support our growing business community by reducing barriers to growth where possible 5.1.3: Promote our community as a place to visit, live, work and invest. 5.1.1: Develop vibrant productive local centres. 5.2.1: Enhance and promote opportunities to work locally	The site is currently underutilised. The Planning Proposal will support the growth of business opportunities in Cronulla, providing an additional 1,281.6m ² of floor space. The Planning Proposal states that this is anticipated to provide approximately 130 jobs in operational stage and 81 during construction, supporting opportunities to work locally. The proposal will bring new vibrancy to Cronulla centre and improve it as a place to visit, live, work and invest.
<i>Does the proposal respond to a change circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing controls?</i>	
Changed circumstances?	No.
<i>Are the LEP controls less than 5 years old?</i>	
The Sutherland Shire Local Environmental Plan 2015 was made on 23 June 2015.	While the Sutherland Shire Local Environmental Plan 2015 was made on 23 June 2015, the plan making process was very protracted, being exhibited 3 times in the two and a half years leading to gazettal. Many of the fundamental decisions that underpin the plan were made over 5 years ago.

6.0 KEY ISSUES

The proposed increase in the development standards and supporting concept development raise several significant planning issues with both positive and potentially negative consequences. The table below provides a summary of these key issues:

Traffic Generation and Parking Provision
South Cronulla is particularly constrained in terms of road access, with poor traffic flows and strong demand for parking, particularly in summer. This site is only practically accessed by Surf Lane which is a narrow and congested laneway.

The additional floor space sought by the Planning Proposal generates the need for an additional 42 parking spaces (1281m² divided by Council's commercial car parking rate of 1 space per 30m²). Whilst this is generally a matter for determination at development assessment stage, it does reflect the proposal's intensification of the uses on site.

A Transport Assessment Report prepared by Anson Group has been submitted with the Planning Proposal. The report is based on the provision of 77 parking spaces on site, as the indicative concept design indicates 60-80 spaces within a basement. The proposal is likely to have a total shortfall of 61 parking spaces, when strictly applying Council's Development Control Plan. The report contends that a 'credit' should be given for the 36 spaces that the existing development is short, as there is presently no parking available on site.

In support of the reduced parking provision, the report contends that an objective of Council's unendorsed Integrated Transport Strategy is encouraging a mode shift to other forms of transport. In this regard the proponent submits that the high DCP parking rates are at odds with the IT'S and the goal of facilitating mode shift. Furthermore the report argues that Cronulla residents have a lesser 'car' mode share than the rest of the Shire, that the DCP car parking rates are inconsistent with other Councils' rates and the RMS rates, that the peak demand for commercial uses does not overlap with the hospitality use, and commuter parking will become available during the weekend peak.

The submitted traffic study compares likely trip generation rates of the Planning Proposal to both compliant commercial and commercial/residential schemes, meeting current density standards. When comparing to the complying commercial scheme, the **additional** trips generated by the proposal are as follows:

- 22 additional trips during the AM peak
- 32 additional trips during the PM peak
- 40 additional trips on Saturdays.

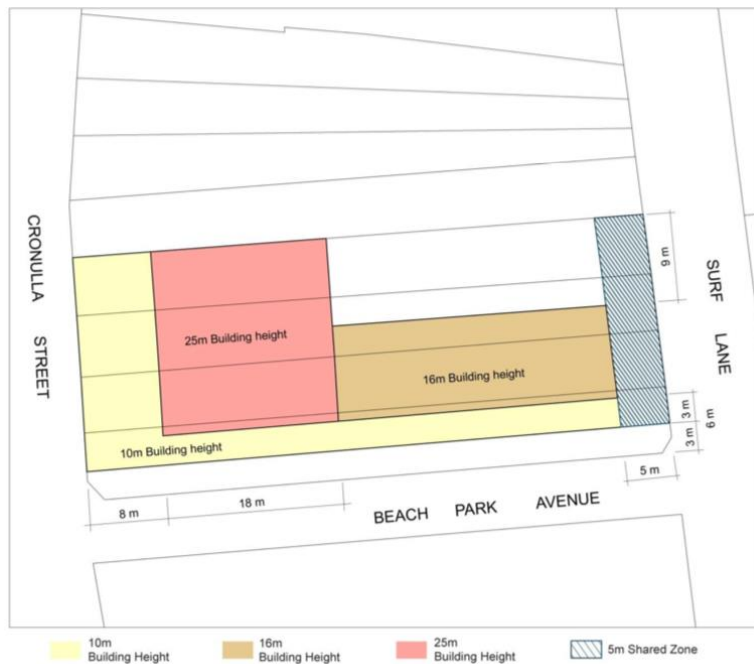
The traffic study indicates a significant trip generation increase on Saturdays (approx. 50%) and PM peak (approx. 30%). The proponent submits that this trip generation represents less than 1 additional vehicle trip per minute to the local road network and fewer still when compared to a compliant development of the site.

The traffic study contends that peak trip generation will be to off-site parking, either on street or in local car parks, as the onsite car parking will be largely employee/commercial parking. Hence the increase would not be concentrated at the site itself but dispersed throughout the town centre, and therefore have less of an impact. It also states that given the active transport and public transport available within close proximity to the site, reduced parking rates are a viable mechanism to help reduce vehicle trips, noting other sub-regional centres require less parking than that stated in the Sutherland Shire Development Control Plan 2015.

Strengths	Weaknesses
<p>The proposal is within 25 metres of well serviced train and bus stations.</p> <p>While there is likely to be a shortfall in onsite parking, providing additional onsite parking will generate greater traffic flows on roads that are already highly constrained.</p> <p>It is agreed that the current car parking rates do not align with the objectives of Councils Integrated Transport Strategy, nor TfNSW guidelines and other similar CBD rates. Council's DCP rates should be reviewed in this regard.</p> <p>There is potential merit in allowing additional floor space, applying reduced rates of parking for lower generating office type commercial development.</p>	<p>The road network in Cronulla is constrained. Delays are regularly experienced during the peak periods in Cronulla and parking is at a premium with high on and off street occupancy rates. This in turn results in many motorists circulating the centre looking for parking.</p> <p>The proposal results in increased traffic generation in a locality that already suffers from constrained traffic flows. The lack of car parking spaces proposed may result in an increase in demand for alternate parking in Cronulla which is already at a premium.</p> <p>Newly built hospitality establishments in the Shire are geared toward family dining and less conducive to mode shift. The attractiveness of this location will draw patrons from further afield using car based transport. If sufficient parking is not provided on site then existing on street parking supply will be further compromised, most likely adding to congestion with more traffic circulating to look for a parking space.</p> <p>There is concern that the proposed mix of commercial uses included in the indicative concept design, in particular approx. 1650m² GFA food and beverage area, will not be able to achieve a desirable parking provision. Parking demand surveys of similar hospitality establishments in the Shire would better indicate parking and traffic demand and impacts, and should be submitted in support of this detailed proposal.</p> <p>The provision of parking credits based on existing site usage is not considered appropriate given that multiple sites are being consolidated for a purpose built development.</p>

Tourism, Employment and Economic Activity	
<p>The proponent submits that the additional floorspace sought by this proposal will enable redevelopment of the site and will lead to a significant increase in local FTE jobs and commercial floorspace.</p> <p>Cronulla Centre's primary retail and commercial focus is Cronulla Mall. The Mall is suffering from tough business conditions with high vacancy rates. The southern end of the Mall currently lacks vitality. The concept development would facilitate the revitalisation of the southern end of the mall with increased pedestrian traffic and hence increased passive surveillance. The concept development would improve the tourism offer at Cronulla.</p> <p>The Planning Proposal estimates that it would result in over 130 jobs in the operational phase, and 81 during construction.</p>	
Strengths	Weaknesses
<p>The concept is consistent with the planning priorities of both the South District Plan and the draft Local Strategic Planning Statement.</p> <p>The spending power of a significant workforce will support local businesses, particularly during the day when trading conditions are difficult.</p> <p>The location of a large commercial building at the southern end of the Mall would help regenerate Cronulla and support the growth of the night-time economy. It would bring passive surveillance to both Monro Park and the railway station making the locality safer for both tourists and visitors.</p>	<p>There are no negative consequences to this aspect of the proposal.</p>
Potential for Over Shadowing:	
<p>A key consideration for the Planning Proposal is the impact on the public domain. Monro Park to the immediate south is listed as a local heritage item. The Cronulla Railway Station to the south west is listed on the State Heritage Register.</p> <p>Monro Park is a well-used central open space. It is used by the community for passive recreation, by patrons of adjacent cafés, and as a thoroughfare to the station and shops from surrounding residential development. It is also a focus for ANZAC Day commemorations. Being located directly to the north of Monro Park, any proposed development on this land will have an impact on the park's solar access. It is critical that solar access to the Park is carefully managed to ensure winter solar access is maintained to an acceptable level.</p>	

The built form indicated in SSDCP2015 aims balance redevelopment with maintaining solar access to the park. An extract from the DCO showing the building envelope control for this site is shown below. The DCP largely confined the available floor space to a tower element towards Cronulla Street where shadows would largely fall over areas currently shaded by a mature fig tree.



SSDCP2015 – extract built form

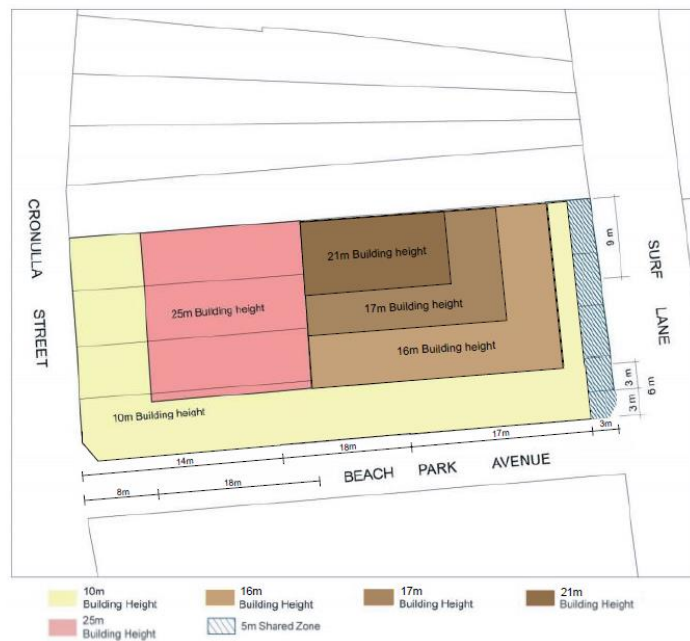
Proposed

To accommodate the additional floor space, the proposed built form of the building departs from the built form outlined in SSDCP2015. The built for proposed in the indicative concept design “fills in” the northern portion of the site and steps the height up to the northern boundary. The additional floor space has a zero setback on the northern elevation to minimise the over-shadowing to Monro Park. The additional floor space is massed towards the eastern end of the site. The proposal is consistent with the anticipated height for the site (25m). The additional solar impact of the additional floor space will occur in the very late afternoon, when shadows are very marginally increased to Surf Lane. It is acknowledged that even a compliant scheme would overshadow the northern section of the park, including the semi-circular steps that are used by café patrons.

The shadow diagrams in the urban design analysis compare the impact of a compliant building form and the proposal. In the morning, at the 9am at the midwinter solstice, the shadows from both a compliant proposal and the current proposal, fall largely onto the road, station and the areas shaded by mature fig trees. By 11am the shadows both extend equally into the park - large sections of the southern section park remain in sun throughout the afternoon. At 3pm the shadows both extend across the north eastern end of the park, over-shadowing approximately 24% of the park, with the remaining 76% of the Park unaffected by shadow.

It has been demonstrated that the proposal will not increase the overshadowing of Munro Park when compared to a compliant proposal. This is consistent with the objective of minimising impacts to Munro Park, contained in Council's DCP controls.

Shadow Diagrams are located in Appendix E - see page 44 of the Urban Design Report by Kennedy Associates Architects



Indicative Concept Design – extract Planning Proposal

Strengths	Weaknesses
<p>The majority of the park remains in sun at all of times of the day, even on the worst day of the year (winter solstice).</p> <p>The massing of the additional floor space ratio does not create any extra shadowing over the park than a compliant building.</p>	<p>To achieve the proposed FSR and minimise overshadowing of Munro Park, the modelling adopts a zero setback on the northern elevation.</p> <p>Any minor additional overshadowing created by the proposal occurs late in the afternoon (post 3pm), and will result in marginal overshadowing of Surf Lane, and potentially rear apartments fronting Gerrale Street. Regardless, these apartments will still meet and maintain SEPP 65 Apartment Design Guide solar access requirements.</p>
Bulk, Scale and Local Character	
<p>The focus of the strategy for Cronulla Centre contained in SSDCP2015 is to enhance the vitality of the centre and improve pedestrian amenity. The strategy also seeks to improve the pedestrian movement between the railway station and the beach. The subject site is identified in SSDCP2015 as a key development site that can help to revitalise the centre.</p>	

The development concept widens the pedestrian space of Beach Lane and combines access with outdoor eating spaces. This will greatly enhance the visitor experience and way finding from the train to the beach.

A detailed Urban Design analysis has been submitted with the Planning Proposal. It concludes that the proposed development is compatible with the desired built form in Cronulla and consistent with Council's SSDCP2015 strategy for Cronulla.

The development concept relies on building mass being built to the northern boundary.

Strengths	Weaknesses
A well designed building could complement the locality's character creating a fine grain dining precinct with a high level of pedestrian amenity.	The proposed building is generally well articulated from all angles. The indicative building form has been sited on the northern boundary to minimise overshadowing; however, the wall creates a relatively harsh transition to adjoining properties. These design matters can be addressed at Development Application stage.

7.0 DECLARATIONS OF AFFILIATION, GIFTS AND POLITICAL DONATIONS

Section 10.4 of the Environmental Planning and Assessment Act, 1979 requires the declaration of donations/gifts in excess of \$1000, but does not apply to applications or requests made by a public authority or on its behalf. No declaration has been made in relation to this Planning Proposal.

8.0 CONCLUSION

Planning is a balance of complex and competing objectives. In this case, the employment floor space generated by the proposal has considerable strategic merit. It will bring a day-time workforce to the centre helping to revitalise local shops and supporting local businesses. Quality local office space and opportunities for co-work will allow local residents to operate their businesses closer to home, where they can enjoy the lifestyle offered by Cronulla and avoid long commutes to the city. Such opportunities support liveability and productivity and are consistent with the strategic focus of the South District Plan, the Local Strategic Planning Strategy and the Economic Strategy.

When coupled with significant food and drink premises, the Planning Proposal will help revitalise the southern end of the mall, which is the entry point to Cronulla by train. A successful night-time economy in this precinct would improve passive surveillance of both Monro Park and the railway station. The Planning Proposal will also improve way finding to the beach which is a key element of the visitor experience to Cronulla. These outcomes indicate that the Planning Proposal has significant strategic merit.

Assessing the site specific merit of the proposal essentially is a matter of determining whether the Planning Proposal would have adverse consequences for its immediate locality. The DCP provisions anticipated a building of this scale and set a building envelope to moderate the impact of the any building on Monro Park. This is achieved by concentrating most of the floor space in a 25m tower element with a lower section along Beach Lane. The Planning Proposal has demonstrated that the additional FSR of 0.9:1 can be accommodated without increasing overshadowing above that of a building that complies with the DCP building envelope.

The critical element that remains is the intensification of land use and resultant traffic generation. There is potential merit in allowing additional FSR with reduced rates of parking for lower generating office type commercial development, particularly given its proximity to the railway station. However there is concern that the proposed mix of commercial use submitted with the application, in particular approx. 1650m² GFA food and beverage area will not be able to achieve a desirable parking provision. This would potentially exacerbate traffic congestion. However, this use is permissible now. The Planning Proposal simply adds 1,281m² of additional floor space to the commercial intensity of the site.

While ultimately a decision is needed as to whether the merits of the proposal outweigh its potential impacts, at this point the Panel only need to determine whether the Planning Proposal has sufficient strategic merit to proceed to Gateway and public exhibition. Given the Planning Proposal's alignment with the planning priorities of the South District Plan and the draft Local Strategic Planning Statement, it is considered that it is appropriate to refer the Planning Proposal to Gateway. If granted Gateway determination, the Planning Proposal will be exhibited for community input.

RESPONSIBLE OFFICER

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