

John Brunton (9710 0474)  
File Ref: DA10/0442

29 July 2010

13/01/2010 13:22:30

Dr John Roseth  
Chairman  
Sydney East Region Joint Regional Planning Panel  
GPO Box 3415  
SYDNEY NSW 2001

Dear Dr Roseth

**DA10/0442 - Proposed Residential Flat Building, 12 McDonald Street, Cronulla**

[In response, please quote File Ref: DA10/0442]

At its meeting of 27 July, 2010 Council considered a report which provided an overview of DA10/0442 that will be determined by the Panel. It is appreciated that the Panel will receive a detailed assessment report that will enable the Panel to fulfil its responsibilities for evaluating the application. As part of its deliberations Council took note of the previous Land & Environment Court decision relevant to this site and the decision of the Panel relative to 12 Ozone Street, Cronulla.

Council resolved that a submission be presented to the Panel arguing that the two SEPP No. 1 objections not be supported, specifically:

- (i) *The height is six (6) storeys where the standard is a maximum of four (4) storeys resulting in impacts on streetscape and view loss.*
- (ii) *The landscaped area is only 20% where the standard is a minimum 40% due to -*
  - (a) *the side boundary setback to the residential units being 2m where the standard is a minimum 4m;*
  - (b) *the side boundary setback to the building (elevated basement) being nil where the standard is a minimum 4m;*
  - (c) *resident car spaces being 10 where the standard is a maximum of six (6).*

**Height**

Upon viewing the submitted plans councillors commented that the lack of a model and graphics made it difficult to assess the implications of the increase in height. Without an analysis of view loss councillors were not able to conclude that the submissions from objectors were unjustified.

**Landscaped Area**

It was noted that Commissioner Hussey had previously concluded that *"in this case, the two critical controls regarding the overall building design and resultant amenity*

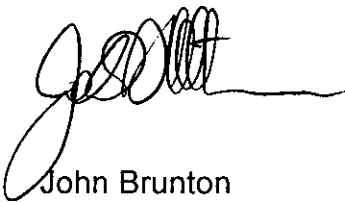
*concern the setbacks and landscaping provisions".* On a small site such as this, it is accepted that the numeric controls may not be satisfied.

In this case, the landscaped area is reduced because the basement car park projects beyond the footprint of the residential units above. An argument has been presented by the applicant that all of the car parking is essential. Council, however, is of the opinion that a reduction in the extent of the basement would allow an increase in the proportion of the site available for deep soil landscaping, as envisaged by the landscaped area control.

While the SEPP No. 1 objection is not supported in its current form, there is the potential for an amended design to be satisfactory.

Council requests that its submission be considered when the Panel evaluates the development application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Brunton', with a long horizontal flourish extending to the right.

John Brunton  
Director - Environmental Services  
for J W Rayner  
General Manager