



John Brunton (9710 0474)  
File Ref: DA11/0541

13 September, 2011

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

Dear Sir

**Council Submission: JRPP Reference Number 2011SYE068  
(DA11/0541) 16 Arthur Avenue, Cronulla  
Residential Flat Building (3 units) with basement carparking and strata  
subdivision**

[In response, please quote File Ref: DA11/0541]

At its meeting of 12 September 2011 Council considered a report in relation to this application for the erection of a residential flat building.

As the proposed three storey residential flat building exceeds the relevant floor space ratio the development application is accompanied by an objection submitted under SEPP No. 1. Within the objection it is argued that compliance with the development standard is unnecessary and unreasonable because the additional floor space will have no adverse impact on amenity in terms of views, privacy or solar access. Council does not accept that this is a correct conclusion.

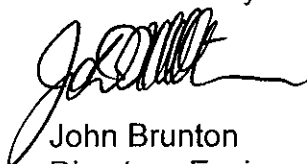
Central to the position of Council is the link between excess floor space and overshadowing. If the highest level of the proposed building was designed so that it satisfies the minimum 4m side setback, the extent of overshadowing of the site to the south would be reduced. Compliance with the side setback would result in a reduced floor space ratio. More importantly, the residents in the lower levels of the adjoining building to the south would not lose their morning sunshine in winter.

Given that there is a viable option available to the applicant which would overcome the reasonable objections of residents, the assertions presented in the SEPP No. 1 objection are not valid.

It was resolved that the Panel be informed that Council considers that the proposal is unsatisfactory. In particular, Council concluded that the objection under State Environmental Planning Policy No. 1 does not warrant support.

Council submits that the requested variation to the development standard for **floor space ratio** should not be granted. Consequently, the development application should be refused.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Brunton', with a stylized flourish at the end.

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