

DETERMINATION AND STATEMENT OF REASONS
SYDNEY SOUTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday 30 October 2019
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Stuart McDonald, Steve Simpson, Michael Forshaw
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	None – Steve Simpson and Michael Forshaw both noted that through their roles at Council, they are acquaintances of the representatives of the Cronulla Surf Club who attended the public meeting to address the panel.

Public meeting held at Sutherland Shire Council on 30 October 2019, opened at 12.50pm and closed at 1.15pm.

MATTER DETERMINED

2017SSH029 – Sutherland - DA17/1001 - 62 Prince Street, Cronulla - Partial demolition of existing surf club and alterations and additions to North Cronulla Surf Life Saving Club (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The proposed development will extend the existing club building and provide a modern facility for the North Cronulla Surf Life Saving Club, including upgraded general club facilities, upgraded public facilities, and expanded facilities for associated commercial activities comprising an expanded kiosk and a new commercial space.
- The proposed development adequately satisfies the relevant Environmental Planning Policies including SEPP 19 Bushland in Urban Areas, SEPP 71 Coastal Protection, SEPP 55-Remediation of Land.
- The proposal is consistent with relevant provisions of Sutherland Shire LEP 2015 and Sutherland Shire DCP 2015.
- The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby buildings, the operation of the local road system or the local ecology, including vegetation located on the subject site.
- In consideration of these conclusions the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- Amend the following conditions 3A(iii), 5A, 33B(i), 45 in line with applicant's request.
- Amend the following conditions 7, 11(A) (vii) to include at the end of B, If the applicant intends that Council undertakes some or all of these works, agreement on the apportioning and timing of work must be reached before construction begins to ensure that the frontage work is completed in conjunction with the building work.
- Amend Condition 20 wording to read, 'a landscape plan should be prepared incorporating the following...'
- Deletion of Condition 34 – Dilapidation report for seawall
- Amend condition 47 such that the development only be used for the permissible uses of the RE1 zone. This condition should be reprioritised to Condition 2.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- noise
- Hours of operation

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The panel notes that in addressing these issues, appropriate conditions have been imposed.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Bruce McDonald
 Stuart McDonald	 Steve Simpson
 Michael Forshaw	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSH029 – Sutherland - DA17/1001
2	PROPOSED DEVELOPMENT	Demolish existing single level brick gear complex, life guard room, first aid room, kiosk, council change rooms and toilets & existing club Nipper room, female change room & male & female toilets at southern end of pool area. Build new ground floor gear complex, lifeguard room, first aid room, male, female & disable access toilets, relocate existing pool equipment room, add new male, female & disable access toilets around pool area, new barbeque area & second level Nipper room. Install new lift to serve three levels of existing surf club building & two levels of new building area, new fire rated stairs & level 1 commercial space over new gear complex build area. Build new surf club female change room on western side of surf club, new male, female & access WC on level 2 & 3 of surf club. Minor internal upgrades on existing bar & kitchen areas in surf club.
3	STREET ADDRESS	62 Prince Street, Cronulla
4	APPLICANT/OWNER	Applicant: Craig McKinnier, North Cronulla Surf Life Saving Club Owner: Sutherland Shire Council
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No. 19 – Bushland in Urban Areas (SEPP 19) ○ State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71) ○ Draft State Environmental Planning Policy (Environment) (draft Environment SEPP) ○ Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) • Draft environmental planning instruments: Nil • Development control plans: ○ Sutherland Shire Development Control Plan 2015 (SSDCP 2015) • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council assessment report: 16 October 2019 • Clause 4.6 variation requests - Nil • Written submissions during public exhibition: 14 • Applicant's Written Response to Council draft Conditions • Council response to Applicant's request • Council Addendum report addressing SEPP 55 • Applicants submission at the public meeting responding to conditions • Verbal submissions at the public meeting: ○ In support – Craig McKinnier

		○ In objection – Nil ○ Council assessment officer – Carolyn Howell, Carine Elias ○ On behalf of the applicant – Craig McKinnier, Julie Horder, Tom Bergstrom, Geoff Budd
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: 30 October 2019 ○ <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Stuart McDonald, Steve Simpson, Michael Forshaw ○ <u>Council assessment staff</u>: Carolyn Howell, Lauren Franks • Briefing: 29 November 2017 ○ <u>Panel members</u>: Bruce McDonald (Chair), Steve Simpson, Peter Scraysbrook ○ <u>Council assessment staff</u>: Lauren Franks • Final briefing to discuss council's recommendation, 30 October 2019, 12pm. Attendees: ○ <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Stuart McDonald, Steve Simpson, Michael Forshaw ○ <u>Council assessment staff</u>: Carolyn Howell, Carine Elias
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report