

# Sharks' property sell-off now in open

## Proposal is a "gross overdevelopment", says report

*"CLUB PLAN HITS WALL" – this startling headline on the front-page of the 5 June Leader newspaper announced that State Government planners have "barred public display of plans for the big Cronulla Sharks development at Woolooware".*

*The headline brought into the open an issue Shire residents had left to negotiations between the Sharks Club and Councillors, says Bob Walshe, who explains why opposition to the development is well-founded and growing.*

THE Government's *Planning* department says the Sharks' development "has a significant likelihood of consequential impacts on [Woolooware] bay... associated with overdevelopment of the site", and it stipulates 10 "issues of particular concern" that it wants addressed.

### A huge development proposal – largest in Shire's history

What the Sharks Club describes as "an integrated resort style development" has multi-components that would make it the largest development in the Shire's history:

- 5 blocks of residential flats, ranging from 4 to 7 storeys high, and comprising 210 units;
- 1 hotel block of 68 suites;
- 500 sqm retail, commercial;
- 2000 sqm Club extensions;
- 854sqm conference space;
- 2 levels of carparking.

This development is more than double the floorspace size of the massive Meriton construction in Caringbah (see photo).

### How it has come to this

In 1968, Sutherland Shire Council (i.e. ratepayers) handed over 10 hectares of land along the edge of Woolooware Bay to the young Sharks Club. Council charged a token \$100,000, probably a sixth of the market value. Envyed by other clubs as an ideal site, it provided space for a main stadium, two junior fields, a club building, and two carparks.

In the turbulent period of Peter Gow's presidency, with Rupert Murdoch trying to impose Super League, the Sharks, like other League clubs, cast about for a financial bonanza that would enable them to field a top quality – top price! – team. Club management was tempted to sell off part of its property...

- **First proposal** (1996): sell off land for 8 factory units – *defeated* on environmental grounds in the Land and Environment Court.
- **Second proposal** (2001): sell-off land, including the two junior fields, for erecting 650 units – *defeated* by community opposition.
- **Third proposal** (2002): sell residential units in five tall buildings (240 units) erected on the main carpark, also erect a hotel (110 suites) – *criticised* by a Council report as "gross overdevelopment", 20.1.03.
- **Fourth proposal** (2003): the CURRENT PROPOSAL, above. A small scaling down of the third proposal, it is 'still considered an overdevelopment and is inconsistent with several directions and policies of Council', says a Council report (17.2.03)



A view of the massive Meriton construction at Caringbah. The proposed construction on the Sharks' site, including five closely clustered high-rise buildings (210 units) on the club's carpark at the edge of Woolooware Bay, and a 68-suite hotel, is more than double the floorspace size of the Meriton.

### Confrontations ahead with every level of government

A retired Shire President (mayor), name supplied, says Sharks management has been misled into believing that only a vote by Shire Councillors is needed to get this proposal through – and is therefore achievable by local lobbying. Football being popular, a majority of councillors have readily said yes. But some are having second thoughts as they learn that the huge development collides with responsible conditions set by local, state and federal governments. The football club finds itself off-side...

**X Off-side with Shire Policy.** The Shire's new Plan – the recent *draft Local Environment Plan or People's LEP* – aims to curb overdevelopment, limit building height, permit flats only near rail stations, protect waterfront visual amenity, and preserve natural environment... But all of these are threatened by the Sharks' proposal – as Council's planning staff has spelt out in judging the proposal to be a "gross overdevelopment".

In simple logic, the new *LEP*, whose whole purpose is to stop inappropriate and over development, must be used by Council to oppose massive development on the edge of sensitive Woolooware Bay. If it doesn't do so, the new *LEP* is a dead duck. And if an exception is claimed for the Sharks, every other developer will have a right to claim exception too.

**X Off-side with State Policy.** The NSW Government's *Planning* department has already asked the Sharks to address 10 areas of "particular concern" regarding impacts on Woolooware Bay. A tall order. Even then, many obstacles will still need to be confronted, because the proposal has to pass scrutiny by five other Departments, any of which could stymie the Sharks' proposal.

The five are Natural Resources, Fisheries, Waterways, National Parks Service, and Environment Protection Authority. Fisheries is already on record as requiring a

100 metre "buffer zone" between the Sharks' development and the "aquatic reserve" which is Woolooware Bay – a distance, the Sharks say, that would curtail their development and make it uneconomic (*NSW Fisheries to Shire Council*, 7.3.03).

**X Off-side with Federal Policy.** Even if Shire and State conditions could be met, the Sharks proposal must crack the tough nut of Federal environmental law. Australia has signed to protect Towra Point Nature Reserve for migratory birds under the International Ramsar Convention. To that end, an "aquatic reserve" surrounds Towra – and includes the waters of Woolooware Bay, at the very edge of which is the Sharks' carpark upon which the big development would tower to 7 storeys.

Excavation for foundations and underground parking will not only disturb (activate) toxic material of an old rubbish tip that underlies the carpark but will much more dangerously activate the layer of acid sulphate soil below the tip, sending extremely toxic acid into the constantly moving groundwater which drains into the Bay – with deadly effects on all marine organisms and on the migratory birds that feed on them. The Feds won't like that.

**X Off-side with the Botany Bay Strategy.** The Sharks' development, along with all other big developments in the Botany Bay catchment, was suspended by State Planning Minister Dr Refshaug on September 3<sup>rd</sup> last year while a major environmental study takes place to devise "The Botany Bay Strategy". It will set "strict requirements" for any development, said the Minister.

Work on the Sharks' proposal by the Club and by Council, being expensive, should have stopped at once until the Bay Strategy is announced. After all, a proposal condemned by unbiased planners as a "gross overdevelopment" is unlikely to survive the Strategy unchanged. Even prelimi-

nary "strict requirements" can't be expected to emerge until later this year.

### Realism is now called for

Obviously the *Leader's* headline, "CLUB PLAN HITS WALL", was justified. With factual understanding of the proposal spreading, the wall gets bigger by the day. *It is time the Club, Councillors and Community made an objective reassessment...*

① All work on the proposal should at once be suspended, awaiting results of the Botany Bay Strategy study.

② Challenged at so many points by Federal, State and Shire law, this "gross overdevelopment" on sensitive Woolooware Bay has no chance of getting through, except perhaps by extensive scaling-down.

③ Times have changed since a property sell-off seemed the only way to keep a team in the competition: Super League and the Gow management crisis are in the past.

④ The Club's latest annual *Report* tells of improvements all along the line: finances up, gaming income up, club amenities improving, membership rising, management greatly improved, football prospects hopeful. (*Annual Report 2002*: "... the Club continued to gain momentum and enjoyed excellent progress in all areas," President... "This is the first year since the mid-1990s that the financial results [of the football club] were not distorted by the Super League revenues and associated extraordinary player costs," Chairman of Finance.)

**It is time for a fundamental re-think of the Sharks' proposal.** One suggestion, from Council planners is that scaling back to no more than a two-storey development could overcome many, though not all, obstacles.

*Bob Walshe is Chair of the Kurnell Regional Environment Planning Council (8 community groups), a committee of which prepared this article. For a comprehensive analysis of the Sharks' proposal, visit the website: [www.ssec.org.au/SharkFeb03](http://www.ssec.org.au/SharkFeb03)*