

10688
18 May 2012

Alan Bright
Director, Metropolitan and Regional Projects South
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Mark Brown

Dear Alan,

**CRONULLA SHARKS DEVELOPMENT - RESPONSE TO AGENCY COMMENTS ON PPR
461 CAPTAIN COOK DRIVE, WOOLLOOWARE**

Further to our meeting on 1 May 2012, please find below our response to the additional issues identified in relation to the Preferred Project Report for the Cronulla Sharks Development Concept Plan Application (MP10_0229).

1.0 RESPONSE TO SUTHERLAND SHIRE COUNCIL COMMENTS

A detailed response to Sutherland Shire Council's submission has been prepared by JBA Planning and is provided at **Attachment A**.

Sutherland Shire Council has provided no advice to the proponent that they have withdrawn their owners consent for this application other than as noted in the letter they submitted to Director General of NSW Department of Planning and Infrastructure dated 14th May 2012. Should land owners consent for these lots be withdrawn, the Concept Plan may still be approved in its current form with the foreshore rehabilitation works and intersection upgrades proposed for these lots considered to be related development under Section 75B of the *Environmental Planning and Assessment Act 1979*.

2.0 RESPONSE TO OFFICE OF ENVIRONMENT AND HERITAGE COMMENTS

2.1 Foreshore Buffer

Eco Logical Australia and ASPECT Studios have worked closely together to design a high quality foreshore zone that achieves the objectives of the NSW Office of Water Guidelines. The careful selection of landscape plantings to recreate a natural vegetation succession with appropriate species selection, including Swamp Oak Floodplain Forest and potentially recreated saltmarsh, will result in a high quality riparian zone which will achieve the outcomes required by. The adequacy of the proposed 30m foreshore buffer is discussed extensively at Section 3.4 of the Preferred Project Report.

The Concept Plan scheme proposes a significant improvement to the ecological functioning of the site and the adjacent wetlands by providing riparian functionality where none currently exists. As shown in **Attachment B**, the portion of the site which is proposed to be revegetated is currently a bitumen car-parking area, part of which drains directly to Woollooware Bay, and

unstabilised fill embankment which is weed-infested and a turf playing field. Upon completion of the Concept Plan this area will be an attractive and functional riparian buffer which is substantially superior to other buffer zones around the Woollooware Bay foreshore.

On-going management of the foreshore area will be provided by the management bodies of the residential and club/retail precincts, which will provide for a superior level of ongoing maintenance and upkeep of the foreshore area than has been evidenced in other areas along the Woollooware Bay foreshore in public ownership.

A detailed response to the issues raised in correspondence from the Office of Environment and Heritage (OEH) dated 7 May 2012 has been provided by Eco Logical Australia and is provided at **Attachment C**, and ASPECT Studios have revised Drawing EA03 and EA07 of the Landscape Concept Plan (**Attachment D**) to provide further clarification of the proposed foreshore vegetation.

2.2 Acid Sulfate Soils

A Conceptual Acid Sulfate Soils Management Plan has been prepared by Environmental Investigation Services and is provided at **Attachment E**.

2.3 Other Matters

OEH's correspondence requests the preparation of a number of management plans which are not considered appropriate at the Concept Plan stage, as these issues are best addressed through detailed design to be considered at the Project Application/ Development Application stage:

- Recommendation 7 – a detailed Stormwater Management Plan will accompany each detailed application for development once design and construction details are known. This plan will address potential impacts on estuarine vegetation.
- Recommendation 8 – a Noise Management Plan will accompany each detailed application for development once specific details of construction methodology and equipment and specifications for operational plant equipment are known.
- Recommendation 9 – a Lighting Management Plan will be developed and submitted with the relevant detailed applications for development, once the design and specifications of any proposed lighting is known.
- Recommendation 10 – a Bird Management Plan to investigate the potential for bird strike from reflective surfaces associated with the proposed development will be submitted with the relevant applications for development, once the design and specifications of proposed glazing treatments is known.
- Recommendation 11 – both the Environmental Assessment Report (Section 7.3.3 and 7.13) and Preferred Project Report make clear that stormwater will not be discharged directly to Woollooware Bay as a result of the proposed development.
- Recommendation 13 – a Leachate Management Plan will be submitted with the relevant applications for development, once the extent of works required for building footings and any embankment stabilisation is known.

3.0 RESPONSE TO ROADS AND MARITIME SERVICE COMMENTS

With regards to the provision of two signalised traffic intersections to the Club/retail precinct, it is noted that following the SRDAC meeting on 19 October 2011, the RMS requested that additional modelling data be provided regarding the potential provisions of a single set of retail traffic signals. This modelling was provided to the RMS on 17 November 2011, however this information was not reviewed prior to the release of SRDAC's letter. The data provided to the RMS demonstrates that the retail component requires the provision of two sets of traffic signals, and this has since been accepted by RMS. Council's preliminary submission supports the provision of two sets of retail signals and notes that the linking and coordination of the signal

cycles will provide satisfactory traffic flow along Captain Cook Drive. The Concept Plan continues to seek approval for two sets of traffic signals for access to the Club/retail precinct.

The Transport Management and Accessibility Plan has been revised by McLaren Traffic Engineering (**Attachment F**) in addition to a detailed response (**Attachment G**) which addresses the comments made by the Roads and Maritime Service in correspondence dated 14 May 2012.

4.0 RESPONSE TO AUSGRID COMMENTS

Magshield Products (Australia) International statement that the draft ARPANSA's *Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0Hz- 3kHz* will not be adopted as an Australian Standard is correct. Whilst the document referenced may potentially be published at some point in the future as guidelines (the draft was exhibited for public comment in 2007), until such a time when this is the case then the International Radiation Protection Association's *Interim guidelines on limits of exposure to 50 / 60 Hz electric and magnetic fields* which were adopted by the National Health and Medical Research of Australia continue to apply.

The Electromagnetic Radiation Report (**Appendix DD** of the Environmental Assessment Report) contains a detailed discussion on the most recent scientific research on the issue of human health and safety, including discussion of precaution guidelines.

A detailed response to comments made by Ausgrid in correspondence dated 7 May 2012 has been provided Magshield Products (Australia) International at **Attachment H**.

5.0 DEVELOPER CONTRIBUTIONS AND VOLUNTARY PLANNING AGREEMENT

The proponent is committed to the provision of development contributions through either the negotiation of a Voluntary Planning Agreement or a suitable S94 Development Contribution outcome, which shall be negotiated with Sutherland Shire Council based on the Concept Plan approval outcomes. Developer contributions will be addressed as part of any future Project Application or Development Application.

We trust that the above information addresses the key issues identified in the submissions by the relevant government agencies to the satisfaction of the NSW Department of Planning and Infrastructure. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or gkirkby@jbaplanning.com.au.

Yours faithfully



Gordon Kirkby
Director