



Ms Gabrielle Kibble AO
Chairperson
Planning Assessment Commission
Thakral House
Level 13, 301 George Street
SYDNEY NSW 2000

Dear Ms Kibble,

Concept Plan Application for a Mixed Use Development at Cronulla Sharks, Woollooware (MP10_0229)

I refer to the proposed Cronulla Sharks Concept Plan which is currently under consideration by the Planning Assessment Commission (PAC) and to the concerns raised in relation to the proposed riparian setback, car parking and the ongoing operation of the shuttle bus.

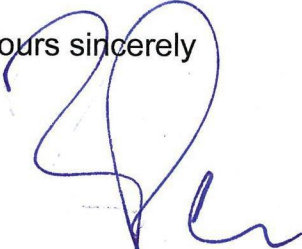
The Department has discussed the issues raised by the PAC with the Proponent. The Proponent has provided a Supplementary Report (attached) which provides additional information and proposed amendments in relation to these aspects of the proposal. In summary, the proposed amendments comprise:

- commitment to a binding and enforceable agreement with the Director General where both the Proponent and the Cronulla Leagues Club agree to provide a shuttle bus service;
- increase the riparian setback between the retail centre and Woollooware Bay, ranging from 31 metres for the loading dock and a minimum of 40 metres for the remaining portion of the retail centre (instead of the previously provided 30 metres); and
- an increase of 75 car parking spaces provided for the retail / club component.

Whilst the Department maintains the view that the proposal is appropriate in its current form, it is considered that the proposed changes in the Supplementary Report are acceptable and will improve the environmental performance of the development. The Department's consideration of the Supplementary Report is provided in Appendix A. The Department can draft new / amended conditions to implement the changes on request.

The Proponent has requested that if the PAC maintains concerns with the submitted response, that they be provided an opportunity to brief the PAC. Should you have any further enquiries about this matter, please don't hesitate to contact me on 9228 6162.

Yours sincerely



17/8/12

Richard Pearson

Deputy Director General

Development Assessment and Systems Performance

APPENDIX A

Shuttle Bus Service

Proponent's Supplementary Report

The Proponent has provided a revised commitment to provide that the Cronulla Sutherland Leagues Club and the Proponent will have an ongoing responsibility, by way of being party to a binding and enforceable agreement with the Director General of the Department of Planning and Infrastructure for provision of the service until such time as a public service will be provided.

Department's Consideration

The Department has reviewed its recommended instrument of approval and considers that the terms of approval and future assessment requirements adequately ensure that there is an enforceable approval requirement for the proposed shuttle bus service to be provided.

It is noted that the revised statement of commitment now proposes to include the Leagues Club and future owner of the retail centre as being a party to any such agreement. Whilst this is considered to strengthen the on-going security of the service, the Department considers that this commitment does not substantially add to the enforceability of the approval.

The Department considers that agreements for the shuttle bus service required in the recommended instrument of approval will clearly establish on-going responsibility for provision of the shuttle bus service until such time as a public transport service is provided.

The Department does not consider that it is practical or necessary for the Director General to be bound into an ongoing agreement with the Proponent and the Leagues Club in this regard. Rather it is considered more appropriate and practical for the terms of approval to provide certainty around the ongoing requirements for the development. Should the bus service not be provided or prematurely discontinued, the Department would undertake compliance action in accordance with the Department's Compliance Policy.

The Department can draft an amended terms of approval that includes the Leagues Club as being a responsible party to the provision of the shuttle bus service should the PAC consider it appropriate.

Riparian Setback

Proponent's Supplementary Report

The Proponent has provided an increase to the 30 metre riparian setback along the retail frontage to Woollooware Bay. A minimum 40 metre setback is now provided, with the exception of the loading dock (and supermarket / car parking area located above) that is now setback 31 metres (**Figure 1 and 2** provides a comparison between the PPR and proposed changes). The Proponent justifies the 31 metre setback to the

loading dock on the basis that the site is constrained in terms of its width on this boundary and that the design of the proposal (distance to car park and loading dock entrance) is required to meet access and loading requirements.

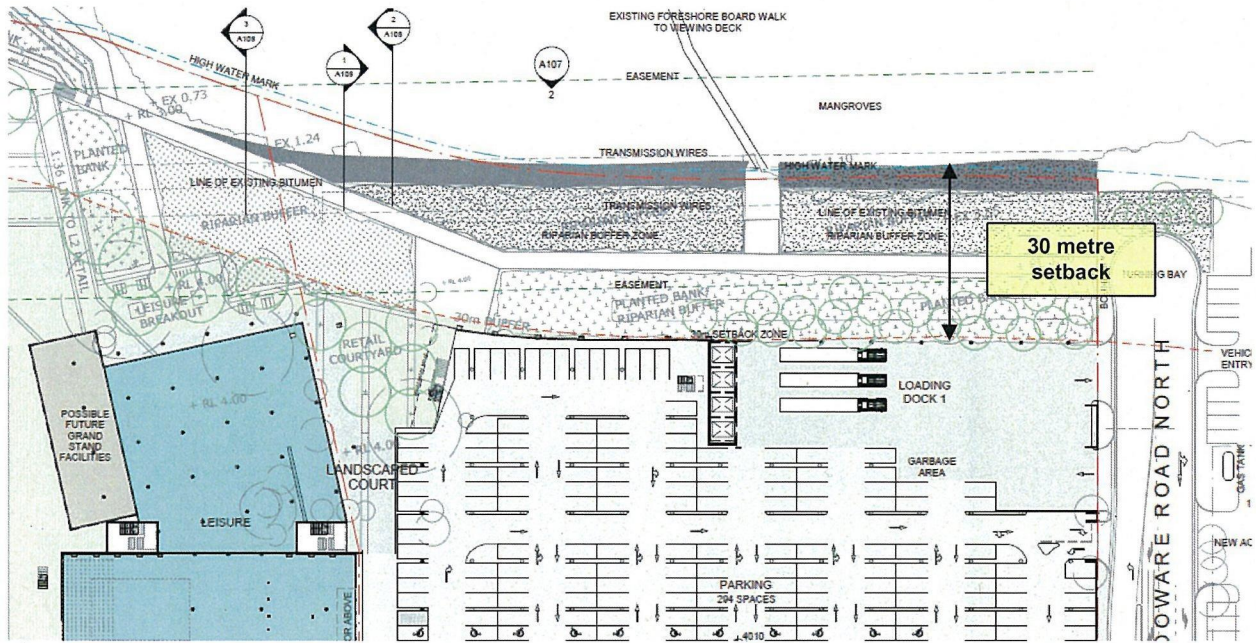


Figure 1 – PPR riparian setback

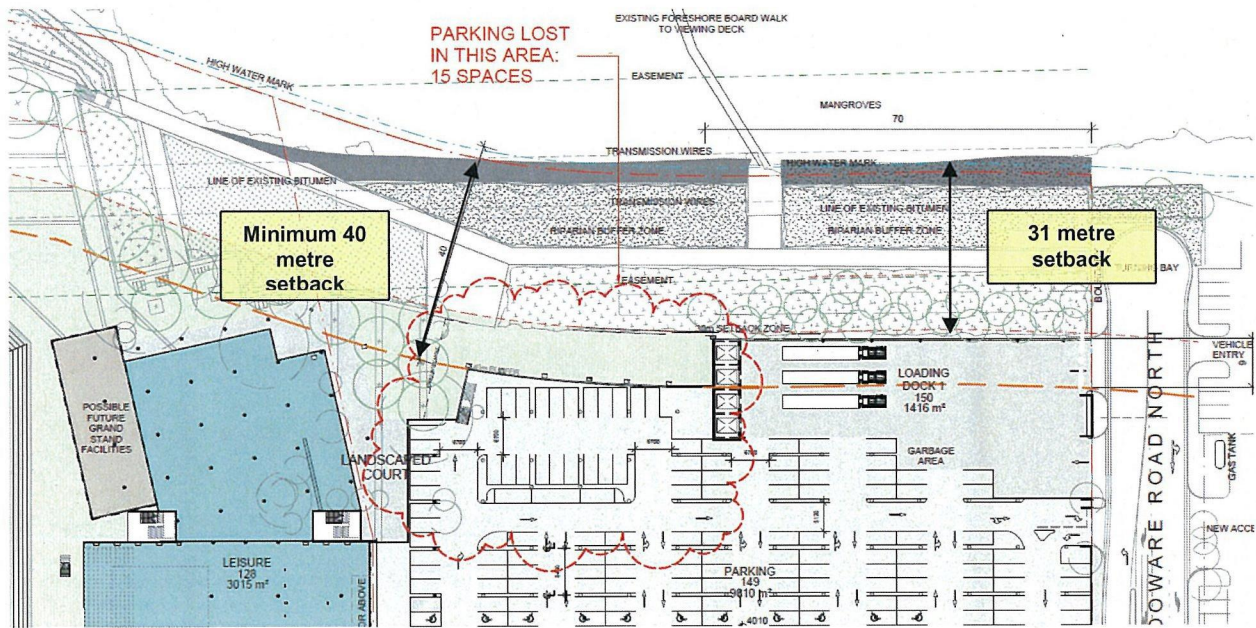


Figure 2 – Amended riparian setback as contained in Supplementary Report

Department's Consideration

The Department maintains the view that the 30 metre riparian setback would significantly improve the environmental performance of the site compared to the existing situation. However it is acknowledged that the additional setback improves the compliance of the proposal with the 40 metre riparian corridor requirement.

The 31 metre setback provided to the loading dock is supported on the basis that:

- the loading dock is positioned to best separate heavy vehicles and private vehicle / pedestrians;
- the frontage to the loading dock only forms approximately 13% of the overall development frontage to Woollooware Bay (with the remaining 87% of the frontage provided to a minimum of 40 metre riparian setback); and
- having reviewed similar shopping centre developments, the Department does not consider that any material reduction can be made to the size of the loading dock without jeopardising functional requirements.

The Department considers that the increased setbacks to Woollooware Bay are acceptable and that the proposed design adequately responds to the constraints of the site. Should the PAC consider the proposed amended setback appropriate, the Department can draft new terms of approval to address the changes.

Retail / Club Parking

Proponent's Supplementary Report

The Proponent has revised the retail parking by providing an additional 75 spaces as follows:

- 50 additional spaces above the proposed medical centre;
- 55 additional spaces between the tidal creek and the western grandstand (staff parking); and
- 30 spaces have been deleted as a result of the additional riparian setbacks.

The Proponent has clarified that the proposed floor area for the Leagues Club is proposed to be 3,035m² (not 3,900m²).

Deck areas have not been included within the Gross Floor Area on the basis that they are ancillary to the use of the Club and are therefore calculated within the parking provided to the site or will be catered for on game days as part of the operation of the Peak Event Traffic Management Plan that provides off-site satellite parking. However, the Proponent notes that demand for 34-50 additional spaces would be generated if the deck areas were used independently of the Leagues Club facility.

Department's Consideration

The Department is of the view that the existing parking provision is acceptable. The proposed car parking rates for the retail component of the proposal have been consistently applied (as per RMS requirements) in other similar developments and uses to the Concept Plan, including the Kirrawee Brickpit site that is currently under consideration by the PAC.

The additional provision of 75 spaces (to a total of 770 spaces) is 117 spaces (18%) in excess of the RMS requirements. The Department considers this provision of car parking will be more than adequate for the development even if taking into account any additional car parking demand (maximum of 50) created by the separate use of deck areas ancillary to the club.

The Department considers that an additional level of parking on top of the existing proposed rooftop parking may be feasible to further supplement car parking, however the Department consider this is not necessary as adequate parking is provided within the proposal.

The Department has reviewed the staff car parking area located to the west of the stadium. It is noted that this area adjoins the tidal creek however the Department raises no initial concerns in relation to the impact to the tidal creek as the area is already developed and used for vehicular access to the stadium for service and other ancillary uses. Further assessment of stormwater management measures would need to be considered during future applications, should the proposal be supported.

The Department can prepare an additional term of approval to require the additional car parking if requested by the PAC.