

Supplementary Report



461 Captain Cook Drive, Woollooware

Cronulla Sharks Redevelopment

Submitted to NSW Department of Planning and Infrastructure

On Behalf of Bluestone Capital Ventures No.1

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Date 13/08/12

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1.0 Introduction

This report, prepared on behalf of Bluestone Capital Ventures No.1, provides supplementary information to the Department of Planning and Infrastructure in response to a number of points of clarification requested by the Planning Assessment Commission. The key issues addressed in this report are:

- Further information regarding the on-going responsibility for providing the shuttle bus service between the site and Woollooware Station for the interim period prior to a public bus service being provided;
- Consideration of the proposed foreshore setback of the retail development from Woollooware Bay and consideration of design amendments that could achieve an increased setback;
- Clarification regarding retail car parking provision, in particular potential demand for parking generated by the outdoor club and dining uses and opportunities to increase parking provision.

2.0 Shuttle Bus Service

The Planning Assessment Commission (PAC) has sought further information regarding the proposed shuttle bus service that will provide for regular transport between the proposed Sharks development and Woollooware Station and will operate free of charge until such time as a public bus service is provided to the development and surrounding region. In particular the PAC has sought clarification as to which entity will be responsible for the establishment, on-going management and funding of the service.

The Proponent is committed to the provision of the shuttle bus service. The Club currently provides such a service by way of a courtesy bus service for its members. This service will be expanded to provide a regular time-tabled service for residents, club patrons and retail customers utilising the development. The provision of this service has been included in the Statement of Commitments following discussions with the Department of Planning and Infrastructure and Transport for NSW. The provision of the shuttle bus service is also integral to development both in terms of its establishment as a new centre as well as influencing the travel patterns of new residents from the commencement of the development.

To provide greater clarity regarding the future provision of the service, the Commitment has been revised to ensure that the Cronulla Sutherland Leagues Club and the future owner of the retail centre, will have an on-going responsibility, by way of being party to a Deed of Agreement with the Director-General for the provision of the service until such time as a public bus service is provided. The revised Commitment is as follows:

“The Proponent and the Cronulla Sutherland Leagues Club shall enter into a binding and enforceable Agreement with the Director General of the department of Planning and Infrastructure whereby the proponent and the Leagues Club agree to provide a shuttle bus service operating between the site and Woollooware Station.

The Agreement shall include:

- *that the service will commence from the practical completion of the first stage to be completed of the residential or retail whichever one comes first and continue until the site is first serviced by a public bus service.*
- *the proposed route from the residential and retail through to Woollooware Station;*
- *the capacity and frequency of the shuttle bus service in line with the staging of the development.*

3.0 Proposed Foreshore Setback

The exhibited Environmental Assessment Report (EAR) dated September 2011 and Preferred Project Report (PPR) dated March 2012 prepared by JBA Planning considered the adequacy of the proposed foreshore setback to Woollooware Bay. The NSW Department of Planning and Infrastructure has requested that the proponent review the foreshore setback within the eastern portion of the development site which contains the proposed Retail/Club component.

Overview of Assessment of Foreshore Setback

The Director General's Requirements (DGRs) required the environmental assessment of the Concept Plan to demonstrate compliance with the NSW Office of Water's (NOW) *Guidelines for Controlled Activities (2008)* and outline the provision of a 40 metre Core Riparian Zone (CRZ). The 40m CRZ requirement arises from a misinterpretation of the actual requirements of the 2008 NOW guidelines, which require the provision of a 20-40m setback based on merit assessment of the proposed foreshore zone.

As detailed in the EAR and PPR, the environmental assessment by the project team, including JBA Planning, ecologists from EcoLogical Australia and landscape architects from ASPECT Studios, with respect to the foreshore setback found that:

- Site constraints, and particularly the 2m level difference between the mangroves and the (potentially contaminated) fill layer which underlies the eastern car park, prohibit excavation to establish a natural progression in site levels and foreshore ecosystems at this location. As such the provision of a 40m setback would provide no additional environmental benefit compared to a 30m setback adjacent to the retail centre for this reason.
- The proposed 30m foreshore setback achieves all of the ecological and water quality objectives for the foreshore setback specified under the NOW guidelines.
- The proposed revegetation of the currently cleared foreshore setback which is occupied by a carpark and turf playing fields represents a significant environmental improvement upon the existing situation. Proposed design measures will substantially improve the quality of stormwater entering Woollooware Bay not only from the subject site, but also from surrounding sites including Woollooware Golf Course.
- The proposed foreshore setback to Woollooware Bay, of between 30 metres and 55 metres across the length of the site, is substantially greater than setbacks on adjoining sites immediately to the east and west and setbacks provided elsewhere along the Woollooware Bay foreshore. This includes recently approved development within the foreshore zone including the adjacent Fitness First gymnasium (7.5m setback), Toyota Motor Corporation facility (20 metres) and recent works on Captain Cook Drive (up to 20m incursion into the wetlands)

Summary of Key Facts for Preferred Project Foreshore Setback

- The Concept Plan as modified in the Preferred Project Report proposes to provide a foreshore setback of between 30m and 55m along the full length of the Cronulla Sharks development site. The average foreshore setback provided under the Concept Plan is 44.09m deep, which includes a 30m foreshore setback provided to the north of the Club/Retail precinct along 135m of the foreshore length. The foreshore setback area represents over 20% of the total site area, and is complemented by additional areas of soft and hard-landscaped open space provided elsewhere within the site.
- The 30m setback to the Club/Retail reflects the rapid change in levels to the foreshore which do not permit the provision of new intertidal wetland ecosystems within this foreshore zone.

- The 30m setback to the Club/Retail precinct is generally consistent with the setback approved under Development Consent DA09/0243 for the Cronulla Sharks site issued by Sutherland Shire Council on 21 August 2009 for a residential, retail and hotel development on the eastern carpark, which approves a building setback between 31m and 45m. Under this consent, the average foreshore setback approved for the site to the east of Toyota Stadium is 38.11m.

July 2012 Guidelines for Riparian Corridors

Since the submission of the Preferred Project Report, on 1 July 2012 NOW released revised *Guidelines for Riparian Corridors on Waterfront Land (Appendix A)*, which according to NOW's website will:

Cut red tape, reduce development costs and increase the amount of land available for housing, whilst continuing to protect and restore the riparian corridor environment.

The new guidelines provide two key changes which are directly relevant (insofar as they relate to the Cronulla Sharks Concept Plan application):

- Overall riparian corridor (VRZ) width of 40m each side of a 4th order watercourse (including wetlands);
- Uses such as cycleways and footpaths (no wider than 4m) may be provided within the outer 50% of the VRZ without any requirement for offsetting; and
- Introduction of new 'Averaging Rule' which clarifies how flexibility to corridor widths is applied and "should generally be applied to cleared waterfront land".

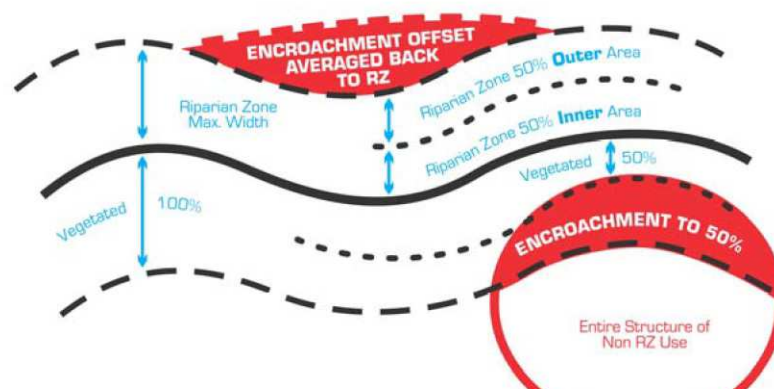


Figure 1 – 'Averaging Rule' diagram from July 2012 NOW Guidelines

The averaging rule permits development to encroach upon the required VRZ by up to 50% of the entire width (i.e. up to 20m of the required 40m VRZ) provided that an area equivalent to the encroachment area is 'offset' outside of the required VRZ elsewhere within the development site. The guidelines note that this offset is not required to be provided directly adjacent to the area of encroachment and may be provided elsewhere within the development site or on the opposite side of the watercourse.

Using the July 2012 NOW guideline, the Retail/Club buildings may be permitted to encroach on the 40m VRZ by up to 20m provided that this encroachment is offset elsewhere within the development site. As noted above, the Concept Plan as amended by the Preferred Project Report offsets the 10m VRZ encroachment on the Club/Retail side of the development site with an increased VRZ of up to 55m on the Residential side of the development site.

Employing the 'Averaging Rule', the Preferred Project Report scheme provides an average VRZ to Woollooware Bay of 44.09m, which is in excess of the 40m VRZ required and hence the Concept Plan scheme complies with the July 2023 NOW *Guidelines for Riparian Corridors on Waterfront Land*.

Proposed Further Foreshore Setback

Whilst it is noted that the PPR Concept Plan scheme complies with the 2012 *NOW Guidelines for Riparian Corridors on Waterfront Land*, Bluestone Capital Ventures and Scott Carver have reviewed the proposed building envelopes for the Retail/Club component to investigate how the foreshore setback could be increased further to the north of this precinct. This review has resulted in the development of a revised Retail/Club scheme which increases the foreshore setback to the north of much of the retail and club component to a depth of 40m (**Appendix B**).

Key changes in the revised Retail/Club envelopes are:

- 40 metre foreshore setback to Club and Specialty Retail zones along 65 metres of the foreshore; and
- 31 metre foreshore setback to Major 1 (Supermarket) tenancy zone along 70 metres of the foreshore.

Whilst the provision of a 40m setback to the Club and Specialty retail zones of the building envelope are achievable through compression of circulation spaces, outdoor deck areas and retail tenancy sizes, a number of factors make the provision of a similar setback to the Major 1 (Supermarket) tenancy zone difficult.

Loading Dock

The location of the loading dock adjacent to Woollooware Road North at the east edge of the subject site is considered to be the most appropriate location for this facility as it provides the best separation of heavy service vehicles and private vehicle movements. Its location is appropriate given the higher levels of pedestrian activity in the vicinity of Toyota Stadium and the Club and the proposed signalisation of the Woollooware Road/Captain Cook Drive intersection.

In order to allow the safe and efficient operation of a loading dock of the size required for the centre, there are certain design requirements which must be met for ingress and egress for heavy vehicles to this facility. The following design considerations are based directly on the advice of McLaren Traffic Engineering (**Appendix C**):

- 25-30m loading dock width at entrance;
- 65-70m depth
- Approximately 8m width for carpark ingress and egress for private vehicles; and
- Minimum 40m stopping and collision protection distance from Captain Cook Drive to loading dock.

These operational parameters require the far end of the loading dock to be between at least 65m and 70m from Captain Cook Drive (irrespective of the carpark vehicle entrance). Given that the site depth from Woollooware Bay to Captain Cook Drive adjacent to Woollooware Road North is only 100 metres, this allows the provision of a 30m foreshore setback to Woollooware Bay.

Operational Requirements of Full-Line Supermarket

The operational requirements of a modern full-line supermarket require a number of design criteria to be met, including minimum floorplate area, dimensions and a regular shape and immediate proximity (i.e. at-grade adjoining or directly connected via lift) to appropriate loading dock facilities.

Given these constraints the ability to reposition the 'Major 1' tenancy within the building envelope to facilitate the provision of an increased foreshore setback is quite limited.

Implications of Further Foreshore Setback

The reductions to the building envelopes in order to facilitate an increased foreshore setback are able to be accommodated by Bluestone Capital Ventures No1, however it is noted that there are several implications of these amendments which should be taken into account:

- In order to maintain sufficient circulation space within the centre and provide access to Majors 2 and 3, the provision of an increased foreshore setback adjacent to the Club and Specialty Retail tenancy zone will likely result in the loss of some area which is currently dedicated to the external food precinct on Level 2 and to the Club Deck on Level 3. These spaces are oriented to take advantage of views across Woollooware Bay to the north and to provide casual surveillance to the foreshore area, and contribute to the amenity of patrons of both the retail centre and Leagues Club.
- Reduction in the size and/or capacity of waterfront dining tenancies which will contribute to the quantum and mix of activities supported by the centre throughout the day, and particularly in the evening and on weekends.
- Loss of 30 parking spaces from Levels 1 and 3.
- Marginal increase in the average depth of the foreshore setback area for the development site – from 44.1m to 45.6m – and marginal increase in proportion of site occupied by foreshore setback area – from 20.9% to 23.5%.

The proposed revisions to the Club/Retail building envelopes are shown at **Appendix B**. Whilst both schemes comply with both the 2008 and 2012 NOW Guidelines for Riparian Corridors, should the Planning Assessment Commission be of the view that a further setback is required to the north of the Retail/Club precinct then the setbacks shown are able to be accommodated within the development scheme.

4.0 Retail Parking Provision

It is understood that the Planning Assessment Commission has requested that further information be provided regarding the adequacy of the proposed parking provision for the Club/Retail precinct.

Overview of Assessment for Preferred Project

The proponent wishes to clarify that the size of the Leagues Club component of the centre will involve a Gross Floor Area of no more than 3,035m². This is consistent with the plans prepared by Scott Carver which accompanied the PPR.

Based on an analysis of the proposed mix of uses within the western portion of the development site, McLaren Traffic Engineering conducted an assessment of the required parking in accordance with the relevant RTA and Council guidelines. A summary of this analysis, which is detailed in full within the Traffic Management and Accessibility Plan, is provided at **Table 1**.

Table 1 – Proposed and Required Car Parking for Retail/Club Precinct

	Preferred Project	RMS/Council	Difference
Parking Spaces	693	653	+40

As detailed above, the parking provided for the Club/Retail precinct is in excess of the requirements for parking specified by the NSW Road and Maritime Service's *Guide to Traffic Generating Developments* and by Sutherland Shire Council.

With regard to the outdoor deck area of the Club, McLaren Traffic Engineering has advised that the Club Deck is taken to be ancillary to the Club and hence is already included in the parking demand calculations (**Appendix C**). Greatest use of these areas is likely to occur on Game Days when club members utilise the area prior to and after football matches. During these periods the Peak Event Traffic Management Plan will be in operation with alternate parking and transport arrangements in place. Other times when the deck areas are likely to have heaviest use are Friday and Saturday nights which will coincide with lower retail demand for parking spaces. McLaren Traffic Engineering has however also identified Saturday afternoons as a time when these outdoor areas will generate higher levels of usage. During this period, McLaren estimate that the area would generate demand for no more than 34-50 spaces, and hence be able to be accommodated within the proposed parking provision. It should be noted that patrons to licensed premises are more inclined to make travel arrangements by public transport or car-pooling which is typical for this type of use.

Notwithstanding this, the proponent has identified opportunities for additional parking to be able to be provided as part of the retail/Club component of the development. These are outlined below.

Opportunities for Additional Parking

Bluestone Capital Ventures No 1 has investigated opportunities to provide additional parking to support the centre. This review has been undertaken concurrently with the analysis of the foreshore setback, and the findings of this analysis have identified the following:

- 55 additional spaces could be provided through the inclusion of a level of parking on the roof of the proposed Medical Centre;
- 50 additional spaces could be provided immediately to the west of Toyota Stadium for staff members. Staff members could access the Club using a swipe card from this location, and the Club is able to enforce the use of this area by staff through employment contracts and CCTV monitoring. This will have a net benefit of freeing up the equivalent number of spaces in the retail car park; and,

- 30 spaces provided on Levels 1 and 3 under the Preferred Project would be lost as a result of the indicative reductions to the retail building envelope.

Uptake of these measures would result in the provision of an additional 75 car parking spaces for the Club/Retail centre bringing the overall provision to 770 spaces. This represents an 11% increase on the quantum of parking provided under the Preferred Project, and equates to 118% of RMS/Sutherland Shire Council requirements.

The provision of these areas has been shown in the Alternate Concept Plan scheme at **Appendix B**. Should the Planning Assessment Commission be of the view that additional parking in excess of that provided in the Preferred Project is required, then the parking areas identified in these plans are capable of being accommodated within the development scheme.

5.0 Conclusion

The Planning Assessment Commission has requested additional clarification and information regarding the operation of the interim shuttle bus service and the design of the foreshore setback and parking areas. Bluestone Capital Ventures and their project team have undertaken further analysis of the proposed scheme and have identified opportunities to further address these issues.

The revised Statement of Commitment now requires a Deed of Agreement to be entered into between the Club and the NSW Department of Planning and Infrastructure for the provision of an interim shuttle bus service prior to the commencement of public transport provides greater certainty that this service will be provided until such a time as it is no longer required.

Since the submission of the Preferred Project Report, the NSW Office of Water has released revised guidelines for the provision and design of riparian buffers to watercourses. This guideline requires the provision of a 40 metre wide buffer to wetland areas, however under the new guideline this width is an average rather than a minimum and there are with opportunities to encroach by up to 20 metres provided that equivalent offsets are provided within the development site. The Preferred Project complies with these guidelines and provides an average setback of 44 metres with a minimum setback of 31 metres. Notwithstanding this Scott Carver has identified an option which would allow the provision of an increased setback to the north of the Club/Retail precinct if it is deemed necessary by the Commission.

The revised option prepared by Scott Carver identifies opportunities to provide additional customer parking over the roof of the Medical Centre and additional staff parking immediately to the west of Toyota Stadium. These options provide the potential for an additional 105 parking spaces, however it is noted that any increases to the foreshore setback would reduce this to 75 spaces.