

20 August 2013

**Determination of Project Application for Stage 1 – Retail/Club Precinct within Woollooware Bay Town Centre, Captain Cook Drive Woollooware (MP 10\_0230)**

**1. DELEGATION TO THE COMMISSION**

The above project application lodged by Bluestone Capital Ventures No 1 Pty Ltd (the proponent) has been referred to the Planning Assessment Commission (the Commission) for determination under Ministerial delegation dated 14 September 2011, as more than 25 submissions in the nature of objections were received.

The Commission constituted to determine the applications consists of Mr Paul Forward (chair) and Ms Annabelle Pegrum AM.

**2. BACKGROUND**

On 27 August 2012, the Planning Assessment Commission approved a Concept Plan for the project.

**3. PROJECT APPLICATION**

The proponent is seeking project approval for Stage 1 - the retail/club precinct of the Woollooware Bay town centre which would include a gross floor area of 26, 473m<sup>2</sup>, new retail centre with a full-line supermarket, stratum subdivision of the retail/club precinct, public domain works, shuttle bus service, 770 car spaces, associated infrastructure and partial demolition of the leagues club.

**4. THE ASSESSMENT REPORT**

The Department's Assessment Report identified the following key issues for the project application to be:

- Consistency with the approved Concept Plan;
- Traffic, transport, parking and servicing;
- Natural environment impacts and management; and
- Building form and design.

The Department concluded that the project application is generally consistent with the approved Concept Plan, that the integration of the retail centre with the existing League's Club has been adequately addressed, that the proposal would provide much needed retail floor space in the locality while recognising the importance of Woollooware Bay, that the inclusion of a riparian buffer area along the northern façade of the building and storm water management measures greatly improves the existing situation and that the proposed development is a positive urban design response having regard to the opportunities and constraints of the site

**5. MEETING WITH STAKEHOLDERS**

On 30 July 2013, the Commission visited the site and held a meeting with the proponent, followed by a meeting with Sutherland Shire Council (Council), further followed by the scheduled public meeting which was held in the late afternoon. A brief summary of the issues raised at these meetings are discussed below, further detail regarding these meetings can be found in attachment 1. On the 6 August 2013 one of the Commissioners also visited

Woollooware train station to understand the location of the proposed shuttle bus pick up and drop off point.

### **5.1 Proponent**

The Commission visited the proposed retail/club precinct area, the leagues club and the riparian zone before the public meeting. Following the site visit, the Commission met with the proponent and their consultants at the Rydges Hotel. Key issues discussed included the following:

- Access, public transport and bicycle paths;
- Operation hours and management;
- The riparian corridor;
- Ecological Sustainable Development (ESD);
- Signage;
- Safety and security;
- The north south pedestrian shared access on Level 1; and
- Activation of Captain Cook Drive.

### **5.2 Sutherland Shire Council (Council)**

The Commission met with officers of the Council at the Rydges Hotel, Cronulla. Key issues discussed included the following:

- Agency requirements;
- Groundwater investigations;
- ESD;
- Riparian corridor and associated boardwalk;
- Urban design;
- Access (particularly the widening of the Level 2 northern deck);
- Traffic; and
- Activation of Captain Cook Drive.

### **5.3 Public Meeting**

On Tuesday 30 July 2013 the Commission held a meeting at the Rydges Hotel, Cronulla to hear from the community comments on the assessment and recommended conditions.

Eleven people spoke at the meeting, including representatives of a number of special interest groups (see attachment 2).

Key issues raised at the public meeting included:

- Protection of wetlands;
- Transport and parking;
- Contamination; and
- Need for the development.

## **6. COMMISSION'S CONSIDERATION**

The Commission has carefully considered the Department's Assessment Report, documents provided, written submissions and views expressed at the public meeting and in meetings with the proponent, Council and the Department as well as knowledge gained from the site visits. There were a number of issues that emerged which are discussed in further detail below. The Commission also considered other issues including security, site contamination, stormwater, traffic management, parking and the natural environment and believe these issues have been adequately addressed in the Department's Assessment Report. The Commission is satisfied that residual impacts and issues can be managed by the implementation of the recommended conditions and definitions.

### **6.1 Shared Zone/Internal Street**

The Commission has reviewed the proposed plans and has required that the north south pedestrian access at Level 1 (ground) shall have the same or equivalent paving to that used at the primary pedestrian retail entry forecourt off Captain Cook Drive. This internal street shall have a special ceiling treatment for its full length together with lighting and signage. The Commission believes this will help define the area clearly as a high quality, safe and welcoming shared space visually separated from the adjacent car park.

### **6.2 Activation of Captain Cook Drive**

The Commission raised concern regarding the practicality and viability of the proposed retail outlet on the corner of Captain Cook Drive and Woollooware Road North on Level 1 to activate the street frontage. Whilst the Commission appreciates the Council's intention to have an activated street frontage on Captain Cook Drive the Commission is not confident that the outlet would be particularly viable due to the low pedestrian traffic volume at this corner, the various other commercial options available within the retail centre and the isolation from the primary retail street entry and other shops within the centre. For this reason, the Commission has required that the proposed retail outlet on Level 1 on the corner of Captain Cook Drive and Woollooware Road North be deleted (see attachment 3) and an updated plan be provided to the Director-General and Council. The frontage on the corner of Captain Cook Drive and Woollooware Road North on Level 1 shall be activated as proposed in the application with a place/s for people to sit and meet. The design should be integral with the street elevation and accessible from the adjacent footpath.

The Commission considers that the paving for the full length of the Captain Cook Drive frontage should be the same as that used for the retail entry forecourt to integrate the street frontage and improve the urban design outcome. The Commission considers that the two remaining proposed retail outlets on Level 1 on Captain Cook Drive shall open off the street frontage and be capable of being used as food outlets to activate the entry of the retail/club centre. The conditions have been updated accordingly and the Commission has required that the updated DA drawings be provided to the Director-General and Council.

### **6.3 Bus Stop**

The Commission notes that the proposed shuttle bus service will have a pick-up and drop-off point at Woollooware and Caringbah train station and that there is currently no bus stop at Woollooware train station. The Commission agrees with the community that these shuttle bus pick-up and drop-off points are vital to provide the local community with adequate access to the proposed retail/club precinct and therefore has required that bus shelters be provided at these stations and that appropriate signage be erected. The Commission has amended the condition accordingly.

### **6.4 Level 2 Northern Staircase Deck Extension**

Council raised concern regarding the potential pinch point near the northern staircase on the Level 2 deck at the end of the north-south corridor. The Council considered that this could result in pedestrian traffic congestion and requested that the deck in this area be extended to the boundary of the 40m riparian setback to allow for greater access. The Commission concurs with Council and has required the deck to be extended to the 40m riparian setback boundary and that the updated DA drawings be provided to the Director-General and Council. The Commission has included a condition to reflect such requirements.

## **7. Commission's Determination**

The Commission generally agrees with the Department's conclusions and recommendation. In the Commission's view, the modified project application will allow for much needed retail facilities for the local community while recognising the importance of Woollooware Bay and providing a positive urban design outcome. Additionally employment opportunities will be created through the construction phases and in the ongoing operation of the precinct.

Accordingly the Commission has determined that approval be granted to the modified concept plan and the project application as contained in the attached '*Instrument of Approval*'.



Paul Forward  
**Member of the Commission**



Annabelle Pegrum AM  
**Member of the Commission**

### **Attachment 1: Meetings with Stakeholders**

On 30 July 2013, the Commission visited the site and held a meeting with the proponent, followed by a meeting with Sutherland Shire Council (Council), further followed by the scheduled public meeting which was held in the late afternoon. The issues raised at these meetings are discussed below. On the 6 August 2013 one of the Commissioners also visited Woollooware train station to understand the location of the proposed shuttle bus pick up and drop off point.

#### **Proponent**

The Commission visited the proposed retail/club precinct area, the leagues club and the riparian zone before the public meeting. At the site visit the following issues were discussed:

- Facilities to be provided and integration with the Leagues Club;
- Access to the retail precinct;
- Access to the two loading docks;
- Operation of the shuttle bus service;
- Restaurant and dining areas including hours of operation;
- Hours of operation of the medical centre;
- Bicycle path from Cronulla to Kurnell;
- The proposed riparian zone buffer and impacts to adjacent wetlands;
- Street activation on Captain Cook Drive including the proposed foot path and signalised pedestrian crossing;
- Signage;
- Dual road carriage way proposed by Council regarding Captain Cook Drive; and
- Drainage works.

Following the site visit, the Commission met with the proponent and their consultants at the Rydges Hotel. Key issues discussed included the following:

- Safety and security management after hours;
- Concern raised from the Commission regarding the activation of the Captain Cook Drive street frontage with particular reference to the use of the outlets, entry off the street and the economic viability of the proposed outlet on the corner of Captain Cook Drive and Woollooware Road North. Alternative options were discussed including an active seating/meeting area on the frontage;
- Consistency of street paving quality along Captain Cook Drive;
- The elevator location and walking distance from the bus stop on Level 1;
- Shared zone and safety considerations for the north south pedestrian access on Level 1;
- Location of trolley collection;
- Loading and unloading to be conducted during the week not on event days;
- Car park security;
- Proponent working towards a 4 to 5 green star energy rating;
- Signage strategy for the retail precinct separate to the Cronulla Sharks Leagues Club;
- Plans to activate the site and use the stadium for a variety of purposes in addition to rugby league games;
- Conflict between loading dock 2 and the Leagues Club Level 1 entrance, the proponent indicated that loading docks will not be used during peak periods;
- The set back for loading dock 1;
- Activation of the proposed riparian buffer zone; and

- Night lighting and associated issues related to flora and fauna.

### **Sutherland Shire Council (Council)**

The Commission met with officers of the Council at the Rydges Hotel, Cronulla. Key issues discussed included the following:

- Requirements recommended by the Office of Environment and Heritage (OEH);
- Council request for a pre-development groundwater baseline data to be obtained and the potential impact of groundwater quality on the adjacent mangroves;
- Environmental sustainable development and Council commitment to a high green star energy rating;
- Their concerns regarding riparian zone corridor creep particularly from the cul-de-sac at the end of Woollooware Road North;
- Restoration of the car park to form the riparian buffer zone;
- Council design suggestions for the potential widening of the Level 2 northern deck near the staircase to release what they considered to be a 'pinch point', and the merging of the two Level 1 loading docks into one, although only rough sketches were presented and none provided following the meeting;
- Removal of car spaces on ground level to allow for more retail shops and greater activation along Captain Cook Drive;
- Skylights over the Level 2 retail arcade;
- Access to the Cronulla Sharks Leagues Club at Level 3;
- Their suggestion to relocate the boardwalk to the top of the sea wall above the riparian zone;
- Their preference for transmission lines on the street frontages to be placed underground; and
- Management of Council road reserves.

### **Public Meeting**

On Tuesday 30 July 2013 the Commission held a meeting at the Rydges Hotel, Cronulla to hear from the community comments on the assessment and recommended conditions. Eleven people spoke at the meeting, including representatives of a number of special interest groups.

Key issues raised at the public meeting included:

### **Wetlands**

Protection of Wetlands:

- The Towra point (wetlands) boundary modified. Declaration to modify the boundary submitted in 2011;
- Possible incorrect RAMSAR wetland mapping used in the Concept Plan and Project Application;
- Potential impacts on threatened species within the adjacent mangroves and mudflats;
- Belief that the project should be a 'controlled action' under the EPBC due to the importance of the wetlands and threatened species;
- The adequacy of the setback from the wetlands; and
- Concern that the proposal will lead to further degradation of the wetlands.

### **Transport and Parking**

- Concern that more parking should be provided;
- Time limited parking should be enforced on special event days to reduce the impact to residents;

- Cronulla Sharks Leagues club may be impacted if suitable parking is not provided;
- Current capacity of the nearby roundabout and concern that significant traffic delays will occur as a result of the development;
- Intersections and traffic lights proposed will lead to further traffic delays;
- Cumulative traffic impacts;
- Ratepayers having to 'fund' road upgrades;
- The proposed development not being in close proximity of public transport such as train stations;
- Inadequacy of the shuttle bus proposed because there is currently no bus stop at Woollooware train station;
- Distance from the proposed development to the local train stations being greater than 1.3km.
- Need to monitor the event day shuttle service; and
- Captain Cook Drive is already operating at full capacity.

### **Contamination**

- Remedial action required to manage existing contamination at the site;
- Concern that potentially contaminated land will be disturbed and lead to leachate entering the adjacent wetlands.

### **Other Issues**

- Concern with the size and scale of the proposed development;
- Government agencies concerns not being adequately addressed;
- Bird strike not having been adequately addressed;
- Need for restrictions being placed on trucks entering the loading docks to reduce noise impacts;
- The proponent to consider students sitting the HSC exams to reduce impacts to the adjacent Woollooware High School, during construction; and
- Impacts on the proposed development if the Cronulla Sharks Leagues Club goes into liquidation.

### **Need for the development**

Four people who spoke at the public meeting supported the proposal for the following reasons:

- The development will provide much needed sporting facilities to the area;
- Much needed opportunities for shopping north of Cronulla;
- The retail component of the project attracting a local demographic to the proposed shopping centre;
- The pedestrian and bicycle upgrades that will benefit the community and add to the regional cycleway network;
- Reduced congestion at Cronulla Mall and the Caringbah shopping centre;
- Job opportunities will be created through the proposal;
- Opportunity to develop Woollooware Bay for use by the local community;
- Proposed health services will provide positive benefits to the community;
- The Sutherland Shire continues to grow and the development is needed for the growing community; and
- Cronulla Sharks Leagues Club will be financially more secure if the retail/club precinct is established.

## **Attachment 2: List of Registered Speakers**

Cronulla Sharks Stadium Stage 1 Project Application

Date & Time: Tuesday 30 July 2013, 4pm

Place: The Rydges Hotel, 20-26 The Kingsway, Cronulla

1. Cronulla Dunes and Wetlands Protection Alliance – Ms Annette Hogan
2. Cronulla Water Polo Club – Mr Graeme Geldart
3. Mr George Capsis
4. Mr Jeff Steer
5. Mr Graham Hornery
6. Mr Gus Liu
7. North Cronulla Precinct Committee – Ms Marilyn Urch
8. Ms Kerry Coomes
9. Mr Charles Johnston
10. Mr Peter Geraghty
11. Mr Dino Mezatesta



### Attachment 3: Activation of Captain Cook Drive (Section 6.2) – Deletion of the retail outlet on the corner of Captain Cook Drive and Woollooware Road North

