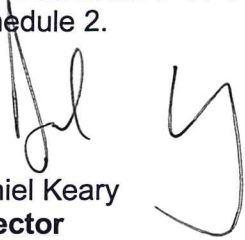


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation dated 14 September 2011, I approve the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.



Daniel Keary
Director

Industry, Key Sites and Social Projects

Sydney 14th JULY 2014

SCHEDULE 1

Project Approval:

MP 10_0229 granted by the Planning Assessment Commission on 27 August 2012

For the following:

Concept Plan for a mixed use development at the Cronulla Sharks site, including:

- staging of the proposal into three stages;
- use of the site for a mixed use development with associated public open space;
- indicative building envelopes for the residential and retail / club precinct;
- ground and above ground car parking;
- road works to support the development;
- public pedestrian and cycle paths / boardwalks;
- landscaping areas throughout the site;
- sales and marketing facilities including display units, etc; and
- subdivision of Lot 11 DP 526492 into two allotments.

Modification:

MP 10_0229 MOD 1: modification includes:

- amend the approved residential building envelopes;
- increase the area of the outdoor deck of the Club;
- addition of a Term of Approval relating to penthouse apartments and use of rooftop areas;
- amendment to Future Environmental Assessment Requirement 2, 3 and 17; and
- inclusion of a note within Schedule 3.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

- a) *Amend Term of Approval A2 by the deletion of the ~~struck-out words~~ and insertion of the **bold and underlined** words as follows:*

A2. Development in Accordance with the Plans and Documentation

The approval shall be generally in accordance with MP 10_0229 and the Environmental Assessment, prepared by JBA Planning dated September 2011, except where amended by the Preferred Project Report prepared by JBA Planning dated March 2012 and additional information submitted in May 2012 and in August 2012 **and the Section 75W Modification 1 prepared by JBA Urban Planning Consultants Pty Ltd, dated 12 February 2014 (as amended on 27 February 2014, 20 March 2014 and 16 May 2014)**, and the following drawings:

Concept Plan Drawings prepared by Scott Carver Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
A121*	D	Urban Form Control Diagram – Site Plan	05/03/12
A122*	E	Urban Form Control Diagram – Level 1	05/03/12
A123*	E	Urban Form Control Diagram – Level 2	05/03/12
A124*	E	Urban Form Control Diagram – Level 3	05/03/12
A125*	D	Urban Form Control Diagram – Level 4	05/03/12
A126*	C	Urban Form Control Diagram – Sections and Elevations	05/03/12

* As amended by the requirements of modification B2 below for a 40 m setback and the August 2012 plans for additional parking

Concept Plan Drawings prepared by Turner & Associates			
Drawing No.	Revision	Name of Plan	Date
A003	F	Envelope Diagram Lower Ground 02-01	05/03/12
A004	F <u>G</u>	Envelope Diagram Typical Level	05/03/12 <u>09/05/14</u>
A005	F <u>G</u>	Envelope Diagram Upper Level	05/03/12 <u>09/05/14</u>
A006	F <u>G</u>	Envelope Diagram Roof Level	05/03/12 <u>12/05/14</u>
A025	B <u>C</u>	Envelope West Elevation – Building A, B, C & D Envelope East Elevation – Building E, G & H	05/03/12 <u>12/05/14</u>
A026	B <u>C</u>	Envelope South Elevation – Building C & B Envelope North Elevation – Building B, E & F	05/03/12 <u>12/05/14</u>
A027	B <u>D</u>	Envelope South Elevation – Building A, E & F Envelope North Elevation – Building D & H	05/03/12 <u>12/05/14</u>

A028	B D	Envelope West Elevation – Building F, G & H Envelope East Elevation – Building A, B, C & D	05/03/12 09/05/14
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Landscape Concept Plan Drawings prepared by ASPECT Studios			
Drawing No.	Revision	Name of Plan	Date
11017-EA-01*	B	Site Context	March 12
11017-EA-02*	B	Landscape Concept Plan	March 12
11017-EA-03*	D	Landscape Sections and Precedents	May 12
11017-EA-04*	B	Landscape Sections and Precedents	March 12
11017-EA-05*	B	Landscape Sections and Precedents	March 12
11017-EA-06*	B	Landscape Sections and Precedents	March 12
11017-EA-07*	C	Planting Strategy	May 12

* As amended by the requirements of modification B2 below for a 40 m setback

Subdivision Plan prepared by Harrison Friedmann & Associates Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
41127DT	2	Plan of Proposed Subdivision of Lot 11 in DP 526492	03/08/11

except for as modified by the following pursuant to Section 75O(4) of the Act.

- b) *Amend Term of Approval A3 by the deletion of the ~~struck out words~~ and insertion of the **bold and underlined** words as follows:*

A3. Maximum Gross Building Area / Gross Floor Area

The maximum Gross Building Area for the development shall not exceed 155,410m², comprising:

- 104,419m² for the Residential Precinct; and
- 50,991m² for the Retail and Club Precinct.

The maximum Gross Floor Area for the development shall not exceed 84,915m², comprising:

- 58,420m² for the Residential Precinct; and
- 26,495m² for the Retail and Club Precinct.

The maximum area for the outdoor deck areas shall not exceed 1,796m² **1,908m²** comprising:

- 943m² **1,055m²** for the Club; and
- 853m² for the Retail.

- c) *Add the following Term of Approval A8 as follows:*

A8. Penthouse Apartments and Use of Rooftop Areas

Minor variations to the maximum parapet height are acceptable in future applications for residential development, but only for the following reasons:

- **provision of private/communal open space on rooftop areas; and**

- provision of apartments.

When considering if a variation is minor, the consent authority is to be satisfied that:

- no portion of the building exceeds the maximum plant height;
- the protrusion is well integrated into the design of the building;
- where possible the protrusion is to screen plant material; and
- the variation does not result in any adverse environmental impacts such as significant overshadowing or an adverse visual impact.

d) *Amend Future Environmental Assessment Requirement 2 by the insertion of the **bold and underlined** words as follows:*

2. Future applications for the Retail and Club Precinct shall ensure that the frontages to Captain Cook Drive, Woollooware Road and the riparian zone are activated at ground level **where deemed appropriate by the consent authority** and demonstrate sufficient articulation to the satisfaction of the consent authority.

e) *Amend Future Environmental Assessment Requirement 3 by the insertion of the **bold and underlined** words as follows:*

3. Future applications for the Residential Precinct shall ensure that the frontages to Captain Cook Drive, tidal creek adjacent the western grand stand, Solander Fields and the riparian zone are activated at ground level **where deemed appropriate by the consent authority**, including individual direct street address for all ground floor units, and demonstrate sufficient articulation to the satisfaction of the consent authority.

f) *Amend Future Environmental Assessment Requirement 17 by the insertion of the **bold and underlined** words as follows:*

17. Future applications shall demonstrate the treatment of the boulevard within the Residential Precinct to ensure that this area is activated through the day **where deemed appropriate by the consent authority**.

g) *Insert the following note the within Schedule 3 – Future Environmental Assessment Requirements by the insertion of **bold and underlined** words as follows:*

Note: Future Environmental Assessment Requirements within Schedule 3 only apply to future applications where relevant to the development proposed in that application. The relevance of the requirements are to be determined by the consent authority.

End of Modifications to MP 10_0229 MOD 1