

## Section 75W to Concept Plan (MP10\_0229)



### Woollooware Bay Town Centre

#### Residential Precinct GFA/GBA and Building Envelope Amendments

Submitted to Department of Planning and Environment  
On Behalf of Bluestone Capital Ventures No. 1

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11/06/2015

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11/06/2015

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## 1.0 Introduction

This Environmental Assessment Report (EAR) for modifications to the approved Concept Plan at Woollooware Bay Town Centre (WBTC) is submitted to the Minister for Planning in accordance with section 75W and Clause 3C of Schedule 6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Concept Plan Approval (MP10\_0229) allows for a mixed use development including:

- use of the site for a mixed use development with associated public open space;
- indicative building envelopes for the residential and retail / club precinct;
- 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.

This report has been prepared by JBA on behalf of Bluestone Capital Ventures No. 1 (the proponent). The report describes the proposed modifications; outlines the purpose of the modifications; and provides a detailed assessment of the potential environmental impacts. This report should be read in conjunction with the amended Concept Plan Drawings prepared by Turner (refer to **Appendix A**).

In summary, this Section 75W application seeks the following modifications to the Concept Plan Approval:

- Increase in the maximum Gross Floor Area (GFA) to 87,865m<sup>2</sup>, resulting in a maximum of 61,370m<sup>2</sup> in the Residential Precinct (comprising an increase of 2,950m<sup>2</sup> additional GFA);
- Increase in the maximum Gross Building Area (GBA) to 165,399m<sup>2</sup>, resulting in a maximum of 114,408m<sup>2</sup> in the Residential Precinct (comprising an increase of 9,989m<sup>2</sup> additional GBA); and
- Adjustments to the maximum building envelopes, including:
  - Increase to the parapet and plant heights of Building B to allow for the provision of a rooftop communal open space and an apartment;
  - Reduction in the height of the lower step on Building B, comprising a reduction of two levels from eight storeys to six storeys;
  - Increase of the lower Building B envelope to the north to account for balconies;
  - Realignment of the upper Building B envelope to reduce its northern extent and slightly extend the northern portion to the west;
  - Merging of the Building C envelopes into a single continuous envelope;
  - Increase to the height of Building C to account for skillion roofs; and
  - Increase of the Building C envelope to the north, east, south and west.

## 2.0 Background to Modification Application

### 2.1 Development Stages Status

Since approval of the Concept Plan in 2012, approvals have been granted for two stages within the Residential Precinct and for the Retail/Club precinct. Construction has now commenced on the Residential Precinct. **Table 1** provides a breakdown of approved and current applications across the site.

**Table 1** – Status of development stages

Event	Date	Details
<b>Concept Plan (MP10_0229)</b>		
Concept Plan	27 August 2012	Concept Plan Application approved by NSW Planning Assessment Commission (PAC) for the redevelopment of the Cronulla Sutherland Leagues Club site and associated land for a new town centre with retail, entertainment, refurbishment of the Cronulla Sutherland Leagues Club, a new foreshore parkland and residential development.
MOD 1	14 July 2014	Section 75W modification to the Concept Plan Approval approved by the Department. This modification involved: <ul style="list-style-type: none"> <li>– Amendment to the approved residential building envelopes;</li> <li>– Increase of the area of the outdoor deck of the Club;</li> <li>– addition of a Term of Approval relating to top level apartments and use of rooftop areas;</li> <li>– amendment to Future Environmental Assessment Requirement 2, 3 and 17; and</li> <li>– inclusion of a note within Schedule 3.</li> </ul>
<i>MOD 2</i>	<i>Under Assessment</i>	<i>Current modification relating to an increase in GFA/GBA and modification to building envelopes.</i>
<i>MOD 3</i>	<i>Under Assessment</i>	<i>Concurrent modification with MOD 3 to amend the visitor and commercial parking rates to allow for a sharing of spaces in response to differing peak periods of demand.</i>
<b>Retail/Club Project Application (DA-2012/410)</b>		
Project Application	20 August 2013	Retail/Club Project Application approved by the PAC. This Project Approval provides consent for the development of a new retail centre, refurbishment of the Cronulla Sutherland Leagues Club, construction of Woolooware Road North and intersection upgrades to Captain Cook Drive, foreshore upgrades and public domain improvements along the Captain Cook Drive street frontage.
MOD 1	10 February 2014	Section 75W modification to Retail/Club Project Approval granted by the Department. This modification involved: <ul style="list-style-type: none"> <li>– Amended configuration of the retail and Club development on Levels 1, 3 and 4; and</li> <li>– stratum subdivision plans.</li> </ul>
MOD 2	<i>Under assessment</i>	Section 75W modification to Retail/Club Project Approval to amend the stratum subdivision to better delineate between the Leagues Club's operational areas and the remainder of the town centre.
<b>Stage 1 – Residential Precinct (DA13/0270)</b>		
Development Application	22 August 2013	Stage 1 Residential DA determined by the Sydney East Joint Regional Planning Panel (JRPP) and consent granted by Sutherland Shire Council. The consent includes demolition of existing structures, construction of a two (2) level podium containing car parking, communal facilities and estate management office, three (3) residential flat buildings above the podium level containing 220 dwellings, provision of infrastructure and services including access roads, associated landscaping and public domain works.
MOD 1	26 March 2014	Section 96 modification for the reconfiguration of Apartments E1.12.01 and E1.12.06 to provide two top level apartments, amongst other miscellaneous design changes and amendments to the wording of several conditions of consent.

MOD 2	25 September 2014	Section 96 modification to amend Condition 5 and Condition 12 of Development Consent DA13/0270 in regard to engineering matters.
MOD 3	30 March 2015	Section 96 to amend a drafting error in the description of the development consent to account for the approved number of apartments in MOD 1.
MOD 4	<i>Under assessment</i>	Section 96 modification to amend the 2 x 2 Storey apartments to three (3) single storey apartments and amend the carpark to allow for two (2) additional residential car spaces and allocate two (2) additional visitor carpark spaces to the central road. This modification has been made in response to market feedback regarding a low desirability for two storey apartments.
<b>Stage 2 – Residential Precinct (DA14/0598)</b>		
Development Application	11 December 2014	Stage 2 Residential DA determined by the JRPP and consent granted by Sutherland Shire Council. The consent includes site preparation works, the construction and use of two Residential Flat Buildings over an integrated two storey podium, provision of 178 dwellings, construction of the Central Boulevard (part), provision of 21 on-street car parking spaces on the Central Boulevard and 215 car parking spaces within the two storey podium, provision of associated landscaping and public domain works, and extension/Augmentation of services and infrastructure.

## 2.2 Design Quality of Approved Buildings

There has been a desire to create a high quality environment in the Woollooware Bay Town Centre, in turn establishing a benchmark for new developments in the Sutherland Shire. Whilst physically separated, the Retail /Club Precinct and the Residential Precinct have been designed with a level of consistency, adopting similar design principles to convey a clean, crisp and modern feel to the new town centre (refer to **Figure 1**).



**Figure 1** – Woollooware Bay Aerial Perspective

Two different architectural practices who both exhibit vast experience in designing high quality buildings have been engaged to deliver the new town centre, being Scott Carver and Turner. Scott Carver was given the responsibility of delivering the new Retail /Club Precinct whilst Turner has been engaged to establish the new Residential Precinct. The new Retail /Club Precinct development is a low scale, large format building, with the scale largely dictated by the space intensive retail activities occurring within the building. Scott Carver provided a highly articulated form and attractive building with clear entry points and activation through the placement of uses and opening of the façade in key areas.

The Residential Precinct is a vastly different context, with the delivery of a number of new buildings over three stages. There has been a challenge to create a consistent language whilst not prohibiting each building from expressing an individual identity. A site plan illustrating the location of each precinct and future buildings is provided at **Figure 2**. One of the key elements to overcoming this challenge is the consistency of architecture, accomplished through the use of the high calibre and award winning architectural firm, Turner.

Across the first two stages of the Residential Precinct, which comprise five buildings, there has been both a consistency in language achieved, as well as individual expression for each building. Turner has delivered unique and striking designs for each of the buildings, with a sea-side theme emphasised through the use of materials and finishes, and a streamlined and articulated building form.

Each building and stage to date in the Residential Precinct has demonstrated (and been endorsed by the relevant consent authority) the achievement of an appropriate design outcome and meets the design quality principles of *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development*.

The connections between these buildings have been strengthened and the ground plane enhanced by the use of well-respected and award winning Landscape Architects, Aspect Studios. There is a consistent landscaping theme connecting each of the stages and ensuring that the buildings are well grounded in an attractive setting.

Both stages of the Residential Precinct have undergone an assessment by a panel of experts (Design Review Panel) appointed as required under SEPP 65. In each case, the Design Review Panel has been generally supportive of the DA's with Council recommending approval. Any minor comments have been incorporated into the design where appropriate to ensure the highest quality built form and residential amenity is achieved.

Whilst acknowledging that the Concept Plan included an overall maximum GFA cap, which was derived from an indicative design scheme prepared at the time, the design and delivery of individual stages within the confines of an approved envelope is a fluid process that involves a number of facets and considerations. A quality design outcome has been amongst the key drivers of the first two stages of development and will form an integral part of the final stage of the Residential Precinct.



Figure 2 – Site Plan



Table 2 – Design quality of approved Concept Plan stages

Stage	Approved Design
Retail/Club	
<i>Approved by the Planning Assessment Commission following an assessment by the Department of Planning and Environment</i>	
Stage 1	
<i>Consent granted by Sutherland Shire Council following a determination by the Sydney East Joint Regional Planning Panel</i>	



*Consent granted by Sutherland Shire Council following a determination by the Sydney East Joint Regional Planning Panel*

## 3.0 Background to the Proposed Modifications

### 3.1 Gross Floor Space

As illustrated in **Section 2.1**, the staged development of WBTC is well progressed, with the majority of the Concept Plan approved in detail. Only a single stage of development (Stage 3) within the Residential Precinct remains. Turner has undertaken an analysis of the remaining GFA for the Residential Precinct compared to the building envelopes approved as part of Stage 3. Following this analysis, it has been determined that there is insufficient GFA remaining to achieve the Stage 3 built form approved under the Concept Plan. The use of the remaining GFA would result in a sub-optimal outcome where an entire building is removed from the Concept Plan or the formation of buildings is significantly amended.

This outcome would have detrimental impacts on the urban design of the Residential Precinct, with the overall aesthetic and harmony of the precinct disrupted. There would also be an impact on the ability to provide active frontages in accordance with the Concept Plan Approval and desires of the proponent and consent authority.

The proponent also recognises the significant benefits from a housing delivery perspective and alignment with key strategic planning objectives (further discussed at **Section 5.0**) in developing the remaining built form of the Residential Precinct as originally envisaged under the Concept Plan. Accordingly, the approved maximum amount of GFA approved under the Concept Plan is proposed to be amended/increased.

In developing the design of Stage 3, the proponent has sought to provide uses which will not only benefit WBTC, but also contribute to the wider community. It has been identified that two key uses which could offer substantial public benefits are a child care centre and a Men's Shed<sup>1</sup>. The benefits of these uses are explored further in **Section 6.4**.

#### 3.1.1 Activation

Turner has identified that a key difference between the original indicative scheme and the approved Stages 1 and 2 development and envisaged Stage 3 development is that additional floor space has been provided at the lower levels within the podium. There has been a desire in Stages 1 and 2, and in the future Stage 3, to provide a high level of activation to each frontage.

The provision of floor space around the perimeter of the podium is in direct response to the Concept Plan terms of approval in Schedule 3 which state that active frontages are to be provided to all frontages. A total of 5,607m<sup>2</sup> of GFA has been utilised in the podium, being 2,267m<sup>2</sup> more than was originally envisaged in the indicative scheme. The use of this floor space lower in the podium has restricted the ability to fill the tower envelopes, impacting on the ability to complete the envisaged built form of the approved Concept Plan. This restriction is evident in the comparison diagrams of the approved Stages 1 and 2 developments provided at **Appendix B**. These diagrams illustrate that on balance, the detailed building envelopes are within the approved envelopes. Despite this compliance, there is still insufficient GFA for Stage 3 to be completed.

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<sup>1</sup> The Men's Shed facility is anticipated to be established and operated similarly to the practices of the Australian Men's Shed Association and made available to WBTC residents and their guests.

### 3.1.2 Dwelling Numbers

The Concept Plan approval for the site envisaged the delivery of approximately 600 apartments. The indicative figure of 600 apartments was used for assessment purposes by the Department and the PAC. This indicative figure appears in both separate assessment reports for the Concept plan.

The original exhibited Environmental Assessment for the Concept Plan was based on approximately 700 apartments. Following stakeholder feedback, the Concept Plan was revised, with a reduced built form and accompanying maximum GFA, equating to approximately 600 apartments. This approximate total was determined on an indicative scheme provided to illustrate that a suitable level of residential amenity could be achieved within the building envelopes.

On review of the indicative scheme, a total of 597 apartments was used as a guide, three (3) apartments below the more approximate guide of 600. The total of 597 apartments was used for the purposes of calculating Residential Flat Design Code (RFDC) 'Rule of Thumb' compliance and determining traffic generation. As such, in order to complete the most thorough and conservative assessment, a total of 597 apartments will be used as the original indicative scheme to be compared to the updated indicative scheme.

The overriding controls approved under the Concept Plan in regard to dwelling numbers comprise approved building envelopes and a maximum GFA for the Residential Precinct. No dwelling cap was discussed in either the Department or PAC's assessment of the Concept Plan. This is reflected in the Concept Plan Approval where no maximum dwelling cap is conditioned.

At present, a total of 405 dwellings have been approved, comprising 227 dwellings in Stage 1 and 178 dwellings in Stage 2. It is envisaged that a total of 238 dwellings can be provided in Stage 3, resulting in the achievement of approximately 643 dwellings across the Residential Precinct.

This total indicative number of apartments is provided as a measure for assessment considerations such as traffic and RFDC 'Rule of Thumb' consistency. The overall number of apartments delivered under the Concept Plan will be dependent on the detailed design of Stage 3 within the GFA/GBA parameter of the Concept Plan (as modified).

## 3.2 Gross Building Area

Similarly to the analysis of available GFA and how it fits within the remaining building envelopes, Turner has undertaken a study of the remaining GBA. This analysis has highlighted that there is a clear deficiency in available GBA compared to the area of the approved building envelopes for Stage 3. This finding has prompted a review of the entire Residential Precinct against the GBA maximum approved under the Concept Plan.

It has been identified by Turner that the approved GBA maximum has always been insufficient to fill the approved envelopes. The GBA maximum originally sought and approved under the Concept Plan was incorrectly measured from the indicative scheme, rather than the approved envelopes. The indicative scheme was a rudimentary refinement of the envelopes which included articulation without any consideration of a final design that would have the input of other disciplines and market testing. The GBA maximum originally sought and approved was 80% of the indicative scheme, significantly below what the GBA maximum should have been at 80% of the maximum building envelopes.

Further contributing to the deficit of GBA has been minor updates to the podium envelope without corresponding numerical GBA increases. Throughout the detailed planning of development in Stages 1 and 2 there have been minor refinements of the built form at the podium level. Of significance has been the deletion of the central street between Stages 1 and 2 and the continuation of the car parking podium from Captain Cook Drive to the foreshore park. This minor modification to the built form was approved under the Stage 1 Development Application. Subsequent to this, a section 75W modification to the Concept Plan was completed to 'clean up' several items, including extending the podium envelope from Stages 1 to 2. At the time of this section 75W modification no amendment was made to the maximum GBA despite the podium envelope increasing.

Given the detailed design which has occurred to date and the planning being undertaken for the final stage of development, the full 80% of the approved envelopes is not sought for the maximum GBA, rather a figure which allows for the completion of Stage 3 in accordance with the approved envelopes.

### 3.3 Building Envelope Modifications

A detailed review of Stage 3 has been undertaken by the project team, and in particular, Turner has completed a comprehensive architectural analysis of the remainder of the Residential Precinct to determine how amenity can be maximised. This review identified that the building form of Stage 3 could be adjusted to increase solar access, maximise the availability of views and deliver a varied product of housing.

The proposed modifications to the building envelopes are set out in **Section 4.1.3** below. At a high level **Table 3** establishes the background reasoning of each proposed change.

**Table 3** – Back to building envelope modifications

Proposed Building Envelope Modifications	Background/Purpose
Increase to the parapet and plant heights of Building B to allow for the provision of a rooftop communal open space and an apartment	Enable the provision of an apartment and communal open space on the upper level of Building B, accessible to all residents of the Residential Precinct.
Reduction in the height of the lower step on Building B, comprising a reduction of two levels from eight storeys to six storeys.	Floor space transferred to the upper portion of Building B to maximise solar access and views.
Increase of the Building B envelope to the north to account for balconies	Provide further articulation to Building B and enable the provision of additional balcony spaces to increase amenity and northern aspects for apartments.
Realignment of the upper Building B envelope to reduce its northern extent and slightly extend the northern portion to the west	Allow for a unique balcony design in the north-western portion of the envelope, maximising northern views and solar access.
Merging of the Building C envelopes into a single continuous envelope	Provide a consistent terrace style dwelling typology which activates the eastern edge of the Residential Precinct.
Increase to the height of Building C to account for skillion roofs	Provide articulation to the roofline of the terrace style dwellings, and in turn maximising solar access to the upper level of each dwelling.
Reduction in the northern portion of the Building C envelope	Align Building C better with the built form of Building B.
Increase of the Building C envelope to the south, east and west	Allow for greater articulation and ensure appropriate internal dimensions for terrace style apartments.

It is noted that whilst a modification is proposed to the upper level of Building B to facilitate an apartment and communal facility, these uses are permitted at the top of buildings, but below the top of plant height, under Term of Approval A8:

*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.*

This Term of Approval was included in the Concept Plan Approval following an acknowledgement that the use of rooftop spaces would maximise amenity and allow for a higher amenity for future residents. This modification seeks to formalise the building envelope for Building B given the detailed design of Stage 3 is nearing completion and in order to alleviate any potential misinterpretation of Concept Plan Terms of Approval in the future detailed assessment.

Furthermore, it has been identified that in order to provide such uses on the upper level of Building B, a variation would be required to the maximum plant height to account for an increased lift overrun. A taller lift overrun is required to provide equitable access to this upper level, therefore the operation of Term of Approval A8 may be limited in the future assessment if the building envelope is not modified.

### 3.4 Consultation

The proponent and consultant team has met with both the Department and Council during the preparation of the Modification Application. These meetings were conducted on 25 March 2015 and 9 April 2015 respectively. This preliminary consultation allowed the proponent and consultant team to provide an overview of the planned changes to the Concept Plan along with receiving initial thoughts and feedback and identifying aspects that should be addressed as part of the modification application.

The comments and feedback provided by each respective stakeholder have accordingly been incorporated and addressed as part of this submission (as appropriate). Specifically, Council recommended that two matters be addressed in the submission, being amenity to Stage 3 and traffic implications. These matters have been addressed in Section 6.2 and 6.3 respectively.

## 4.0 Description of Proposed Modifications

The proposed modifications to the approved Concept Plan are described in this section. This Section 75W application seeks the following modifications to the approved Concept Plan:

- Increase in the maximum Gross Floor Area (GFA) to 87,865m<sup>2</sup>, resulting in a maximum of 61,370m<sup>2</sup> in the Residential Precinct (comprising an increase of 2,950m<sup>2</sup> additional GFA);
- Increase in the maximum Gross Building Area (GBA) to 165,399m<sup>2</sup>, resulting in a maximum of 114,408m<sup>2</sup> in the Residential Precinct (comprising an increase of 9,989m<sup>2</sup> additional GBA); and
- Adjustments to the maximum building envelopes, including:
  - Increase to the parapet and plant heights of Building B to allow for the provision of a rooftop communal open space and an apartment;
  - Reduction in the height of the lower step on Building B, comprising a reduction of two levels from eight storeys to six storeys;
  - Increase of the lower Building B envelope to the north to account for balconies;
  - Realignment of the upper Building B envelope to reduce its northern extent and slightly extend the northern portion to the west;
  - Merging of the Building C envelopes into a single continuous envelope;
  - Increase to the height of Building C to account for skillion roofs; and
  - Increase of the Building C envelope to the north, east, south and west.

Revised Concept Plan Drawings prepared by Turner are provided at **Appendix A**. The different components of the proposal are discussed further below.

### 4.1.1 Residential Precinct Floor Space Increase

The provision of additional floor space within the Residential Precinct will facilitate the delivery of Stage 3, being the final stage of residential development in the precinct. An additional 2,950m<sup>2</sup> of floor space is proposed. This floor space is envisaged to provide approximately 46 additional apartments over the original guide of 597 apartments for the Residential Precinct.

### 4.1.2 Residential Precinct Building Area Increase

The provision of additional building area within the Residential Precinct will also facilitate the delivery of Stage 3. An additional 9,989m<sup>2</sup> of GBA is proposed.

### 4.1.3 Building Envelope Modifications

A number of enhancements are proposed to the approved building envelopes for Stage 3. These enhancements are the result of a detailed architectural study by Turner into the built form of Stage 3 and how amenity can be maximised. No modifications are proposed to the building envelopes for Buildings A and D. The proposed modifications to the building envelopes of Buildings B and C are outlined below.

#### Building B

The maximum parapet and plant heights of Building B are proposed to be slightly increased as part of this modification to account for a balustrade and lift overrun to facilitate access to a communal rooftop terrace and single storey apartment. The proposed increase in the plant height is 0.75 metres to RL51.6. The proposed increase in the parapet height is 3.2 metres to RL50.850, being consistent with the approved plant height.

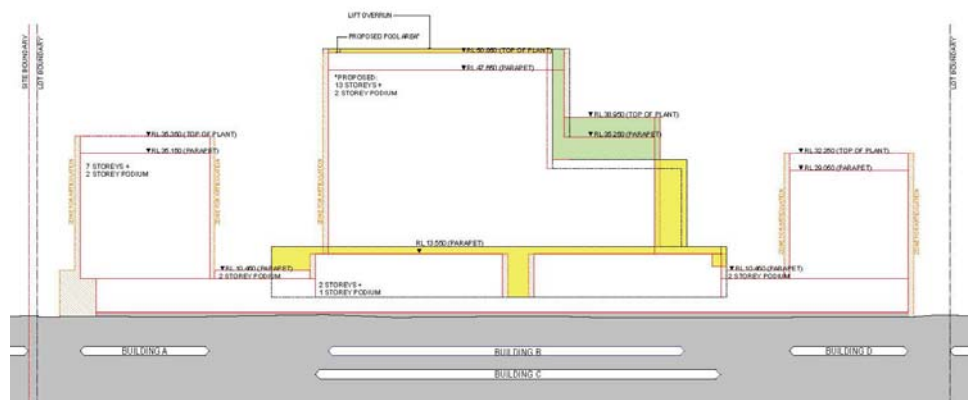
A reduction is proposed in the height of the lower step in Building B, reducing the northern portion of the building from eight storeys to six storeys. There is also a slight adjustment to the northern portion of the lower level envelope proposed, with an increase in the envelope to the north. An adjustment is proposed to the upper level envelope in the form of a reduced extent to the north and a slight extension to the west.

The proposed modifications to the Building B envelope are illustrated on the updated Concept Plan Drawings at **Appendix A** and at **Figure 3** below.

### Building C

The two approved building envelopes for Building C are proposed to be merged into a single envelope. The siting of Building C is also proposed to be shifted slightly to the south and north. The extent of the Building C envelope is also proposed to be increased to the east and west to permit articulation. The height of the Building C envelope is also proposed to be increased by 1.45 metres to RL15.0, allowing for skillion roofs.

The proposed modifications to the Building C envelope are illustrated on the updated Concept Plan Drawings at **Appendix A** and at **Figure 3**.



**Figure 3** – Modifications to the Buildings B and C envelop (yellow – extension, green – reduction)

Source: Turner



## 4.2 Proposed Modifications to the Approval

The above modifications necessitate amendments to the Concept Plan Approval. Words proposed to be deleted are shown in ~~**bold italics strike through**~~ and words to be inserted are shown in **bold italics**.

### SCHEDULE 2 PART A – TERMS OF APPROVAL

#### A2. DEVELOPMENT IN ACCORDANCE WITH 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 Section 75W Modifications 2 and 3<sup>2</sup> prepared by JBA Urban Planning Consultants Pty Ltd, dated 11 June 2015, and the following drawings:**

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	<del>G</del> H	Envelope Diagram Typical Level	<del>09/05/14</del> 05/06/15
A005	<del>G</del> H	Envelope Diagram Upper Level	09/05/14 05/06/15
A006	<del>G</del> I	Envelope Diagram Roof Level	<del>12/05/14</del> 05/06/15
A025	<del>G</del> E	Envelope West Elevation- Building A, B, C & D Envelope East Elevation- Building E, G & H	<del>12/05/14</del> 05/06/15
A026	<del>G</del> E	Envelope South Elevation - Building C & B Envelope North Elevation - Building B, E & F	<del>12/05/14</del> 05/06/15
A027	D	Envelope South Elevation - Building A, E & F Envelope North Elevation- Building D & H	12/05/14
A028	<del>D</del> F	Envelope West Elevation- Building F, G & H Envelope East Elevation- Building A, B, C & D	<del>09/05/14</del> 05/06/15

**Reason:** This condition is proposed to be updated to reflect the amended Concept Plan Drawings which illustrate the modified parapet and plant heights of Building B.

#### A3. MAXIMUM GROSS BUILDING AREA / GROSS FLOOR AREA

The maximum Gross Building Area for the development shall not exceed ~~155,410m<sup>2</sup>~~ **165,399m<sup>2</sup>**, comprising:

- ~~104,419m<sup>2</sup>~~ **114,408m<sup>2</sup>** for the Residential Precinct; and

<sup>2</sup> A separate modification (Modification 2) has concurrently been lodged with the subject s75W Modification.

- 50,991m<sup>2</sup> for the Retail and Club Precinct.

The maximum Gross Floor Area for the development shall not exceed ~~84,915m<sup>2</sup>~~  
**87,865m<sup>2</sup>**, comprising:

- ~~58,420m<sup>2</sup>~~ **61,370m<sup>2</sup>** for the Residential Precinct; and
- 26,495m<sup>2</sup> for the Retail and Club Precinct.

The maximum area for the outdoor deck areas shall not exceed 1,908m<sup>2</sup>,  
comprising:

- 1,055m<sup>2</sup> for the Club; and
- 853m<sup>2</sup> for the Retail.

**Reason:** This condition is proposed to be updated to reflect the additional GBA/GFA sought under this modification.

## 5.0 Strategic Justification

The original assessment accompanying the WBTC Concept Plan provided a comprehensive review of the proposal's consistency with the relevant strategic policies and plans applying to the site. The intent of the proposed modification is to fulfil the vision of the original Concept Plan. As such, the findings of the original assessment are still relevant as the proposal continues to contribute to the achievement of a range of targets and actions established under strategic policies and plans.

Since the approval of the Concept Plan, the strategic planning framework has progressed at both a state and regional level. As such, an updated assessment of the proposal against the current strategic policies and plans is provided below, with an emphasis on the appropriateness of the additional GFA and corresponding apartments.

### 5.1 NSW 2021: A Plan to Make NSW Number One

NSW 2021: A Plan to Make NSW Number One is a long-term plan to deliver services in NSW, and sets clear priorities to guide government decision-making and resource allocation.

NSW 2021 is based around five strategies to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. NSW 2021 includes numerous goals that are relevant to the proposal and designed to increase the supply of housing in NSW. The proposed modifications, and in particular the delivery of additional housing, are consistent with these goals as it will:

- Contribute to providing additional housing which will in turn enhance housing affordability through greater supply; and
- Provide housing stock more appropriate for people's needs.

Under NSW 2021, Regional Action Plans have been developed to provide more focused strategic aims to particular areas. The WBTC site is located within the Southern Sydney Regional Action Plan (Southern RAP). This is a region of 400km<sup>2</sup> incorporating the Hurstville City, Kogarah, Rockdale City and Sutherland Shire Local Government Areas. The population is expected to increase by 60,099 people by 2031 and an additional 40,700 dwellings are expected to be required to house this increased population. Dwelling targets which are to be used to guide the delivery of housing in NSW are more appropriately set out in the recently released strategic plan for Sydney, *'A plan for growing Sydney'*. This strategic plan is explored in **Section 5.2.2**.

The overall WBTC development, including the additional apartments facilitated as part of this modification, will contribute to the achievement of the regional priorities as the proposal will:

- Deliver a liveable centre with housing located in proximity to new public transport, services and recreational facilities;
- Contribute to the protection, enhancement and regeneration of Woollooware Bay;
- Provide opportunities for the community to maximise the use of public facilities and other spaces, such as the provision of the foreshore park and connections to regional pedestrian and cycle networks; and

- Contribute to regional cycling networks in proximity to employment centres, with an extension to be provided through the site of the existing cycle path from Taren Point.

## 5.2 A Plan for Growing Sydney

In December 2014 the NSW Government released an updated Metropolitan strategy titled '*A Plan for Growing Sydney*'. This strategy establishes key goals and objectives to guide the development of Sydney over the next 20 years. The following key goals have been established:

1. A competitive economy with world-class services and transport;
2. A city of housing choice with homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Goals 2 and 3 are of most relevance to the proposed modification application as they are centred on housing and developing communities to be strong, healthy and well connected. The way in which the proposal is consistent with the achievement of these goals is outlined below.

### Sydney's Housing Choices

A clear direction of A Plan for Growing Sydney is that housing supply needs to be accelerated to deliver new housing in Sydney in order to meet the needs of a larger population and to satisfy demand for different types of housing. Under this goal there are three relevant key directions which include:

- Accelerate housing supply across Sydney;
- Accelerate urban renewal across Sydney – providing homes closer to jobs; and
- Improve housing choice to suit different needs and lifestyles.

The proposed modification application will directly contribute to these directions, as it facilitates new housing in a location close to jobs. Furthermore, the proposal will enable the delivery of different types of housing products which meet the needs and demands of Sydney's residential market. The way in which the proposed modifications will contribute to the achievement of these directions is set out below.

### ***Accelerate housing supply across Sydney***

This direction seeks to remove barriers to increased housing production. The Strategy identifies that planning controls should be flexible to allow for housing development to proceed in locations which are feasible for development. The WBTC site is feasible for development as it has been identified as a new centre and is readily serviced with adequate infrastructure.

The WBTC Concept Plan is an example of rigid planning controls, where building envelopes are regulated by a GBA and GFA control as well. The proposed modification to the GBA/GFA maximums will still ensure a level of rigidity, but have been crafted based on the final design of the Residential Precinct. As such, there is no longer need for vast flexibility, rather GFA/GBA controls which will ensure the approved envelopes are capable of being utilised and the WBTC site is able to deliver the number of dwellings able to be delivered without resulting in any adverse impacts.

The addition of 46 more dwellings within the Residential Precinct will directly contribute to accelerating housing supply across Sydney and will consolidate the 'centre' status of the WBTC site.

***Accelerate urban renewal across Sydney – providing homes closer to jobs***

The second direction for improving Sydney's housing choices relates to locating new housing in or near centres to encourage people to live near jobs. This direction predominately relates to urban renewal within or around centres to ensure that new housing is accessible to services and facilities and does not place additional strain on the delivery of new infrastructure.

Whilst the WBTC site is not an existing centre, it has been approved as a new town centre. The delivery of the approved Concept Plan will ensure that housing is located in extremely close proximity to new services, facilities and high quality recreational infrastructure such as parks and pedestrian/cyclist links. Furthermore, there will be a transport link to Caringbah and Woolooware train station in the interim, before a public bus link is expected to match the demand of new residents.

An additional 46 dwellings within the centre will support the delivery of new housing in a centre close to jobs. These additional dwellings will support the delivery of new infrastructure by the proponent, including communal facilities within the Residential Precinct and the new retail/club component.

***Improve housing choice to suit different needs and lifestyles***

A Plan for Growing Sydney recognises that mixed housing types are required to meet the needs of the housing market. The provision of housing choice is to be underpinned by good design. With the provision of additional housing, in a range of different types and sizes, it is expected that the overall supply of housing will be boosted and housing affordability will be improved.

The approved and proposed stages of development in the WBTC demonstrate a variety of housing types are being delivered on the site. The style, size and mix of apartments have been varied in direct response to market demands. A diverse offering of styles have been provided so far, including:

- Standard apartments with balconies accessed from an internal corridor;
- Terrace style apartments spread over two levels;
- Single level ground floor apartments accessed directly from the street and landscaped podium rooftops;
- Top level apartments on a single level with generous rooftop terraces;
- Top level apartments with second storey private rooftop terraces; and
- Ground level apartments with courtyards and podium level apartments with courtyard terraces.

The apartments to be included in Stage 3 of WBTC with the increased GBA/GFA will continue the delivery of varying apartment types, sizes and styles. Further, the proposed amendments to the envelopes will encourage a more diverse range of housing through enabling a varied built form. In the instance of Building C, the merging of the two envelopes and the additional height will allow for terrace style products to be delivered within skillion roofs to enhance amenity. The other miscellaneous envelope modifications will improve amenity and delivery better housing to meet the needs of the market. Overall, the additional apartments will contribute to enhancing Sydney's supply of housing and will ensure that different needs and lifestyles are met.

## Sydney's Great Places to Live

A Plan for Growing Sydney seeks to encourage the development of more vibrant and revitalised suburbs, reflecting the global status of Sydney and ensuring local communities achieve a sense of belonging. The proposed modification to the WBTC Concept Plan aligns with this key direction as it will allow for more people to live within a new centre with access to quality services and facilities and social infrastructure to facilitate a sense of belonging and community.

The way in which the proposed modification, and WBTC as a whole, will contribute to the achievement of this key direction is set out below.

### ***Create a network of interlinked, multipurpose open and green spaces across Sydney***

A key objective to creating great places to live in Sydney is to deliver green open spaces which are linked and functional, supporting the recreational pursuits of residents. A Plan for Growing Sydney calls for a metropolitan approach to connecting green spaces and encourages the innovative use of these spaces, such as for stimulating children's playgrounds.

The WBTC Concept Plan will see the delivery of an abundance of new open space which connects with regional infrastructure. The Residential Precinct in particular will have a significant portion of green space, largely in the form of the revitalised Woolloomare Bay foreshore and parkland. A dedicated cycle and pedestrian pathway will be provided through the foreshore park and link to the regional cycle/pedestrian network, as well as connect the foreshore to Captain Cook Drive. The revitalisation of the foreshore will involve the planting of native species and accompanying signage and boardwalks to allow for the appreciation of the environmental qualities of Woolloomare Bay.

A key commitment of the WBTC Concept Plan is to deliver a children's playground within the foreshore park. This children's playground will be an all-ability playground, delivered in line with the objectives of the 'Touched by Olivia Foundation', an organisation established to encourage inclusive play for children. This playground is an innovative use of green space and directly accords with the direction of A Plan for Growing Sydney.

The additional housing to be provided with the WBTC as a result of this modification will ensure that more people have the opportunity to use this connected green space and make use of the regional infrastructure to be provided by the proponent. The proximity of this new housing to connected and well established green spaces will promote well-being amongst residents and will encourage greater community interaction.

### ***Create healthy built environments***

A Plan for Growing Sydney acknowledges that the design of cities and suburbs plays an important role in supporting physical activity, social interaction and equitable access to healthy food and lifestyle choices. A number of ways in which healthy communities can be fostered are outlined in the Strategy, with the majority achieved in WBTC. These include:

- Providing a mixed use centre that allows for convenience in carrying out daily activities;
- Providing separated footpaths and cycleways to safely connect destinations;
- Providing bicycle parking and pedestrian paths to encourage active modes of transport;
- Creating attractive green spaces and improving the pedestrian experience; and

- Linking open space and regional pedestrian/cycle infrastructure to encourage recreational use of this infrastructure.

Each of these measures is included in WBTC, with the provision of additional dwellings further supporting their use and delivery. Allowing more people to live in WBTC will ensure a healthier community and will directly align with the directions of A Plan for Growing Sydney.

## 5.3 Housing Delivery

One consistent element underpins each of the above strategies, culminating in a shared goal which each strategy strives to achieve. This goal is the delivery of more housing, both in existing urban areas and on greenfield sites. In December 2014, the NSW Government released A Plan for Growing Sydney which provided a clear objective to increase housing supply, identifying various methods which will be used to achieve a target of 664,000 new homes across Sydney by 2031. Those methods most relevant to the proposal are explored below.

### 5.3.1 Sutherland and Housing Targets

#### Housing Targets

As set out above, the Sutherland Shire is within the South Subregion. A Plan for Sydney has not prescribed subregional targets at this stage, with subregional strategies expected to be released in later 2015. Under the most recent previous Draft Metropolitan Strategy, the South Subregion was prescribed a target of 22,000 new homes by 2021 and 42,000 new homes by 2031. No specific target was provided to each Local Government Area (LGA) within the South Subregion.

The up-to-date strategic plan for Sydney, A Plan for Growing Sydney, has not set any subregional targets, only providing an overall target for the entire metropolitan Sydney region. This target of 664,000 new dwellings by 2031 is a 22% increase from the most recent draft Metropolitan Strategy.

A number of targets for the south subregion were established in the Metropolitan Plan for Sydney to 2036, with initial targets set in 2007, followed by revised targets in 2010. In the initial 2007 targets, the Sutherland Shire LGA was set to provide 29% of the overall dwellings for the South Subregion.

Importantly, from the Metropolitan Plan for Sydney to 2036 to the Draft Metro Strategy 2031, the boundaries of the South Subregion were altered. This results in less clear guidance on the increase in dwelling targets which have occurred for the Sutherland Shire LGA. Nonetheless, **Table 4** illustrates the overall targets established for the Sutherland Shire in each metropolitan strategy, the proportion of this target in the South Subregion, and the annual dwelling target.

The proportion of dwellings for the Sutherland Shire in the revised Metropolitan Plan for Sydney to 2036 has been maintained as the '20%' attributed to the Sutherland Shire under the original draft strategy. The proportion under the Draft Metro Strategy 2031 has been determined by distributing the previous target for Marrickville between the other LGAs in the subregion, and identifying the percentage of dwellings which would be expected to be provided in the Sutherland Shire LGA.

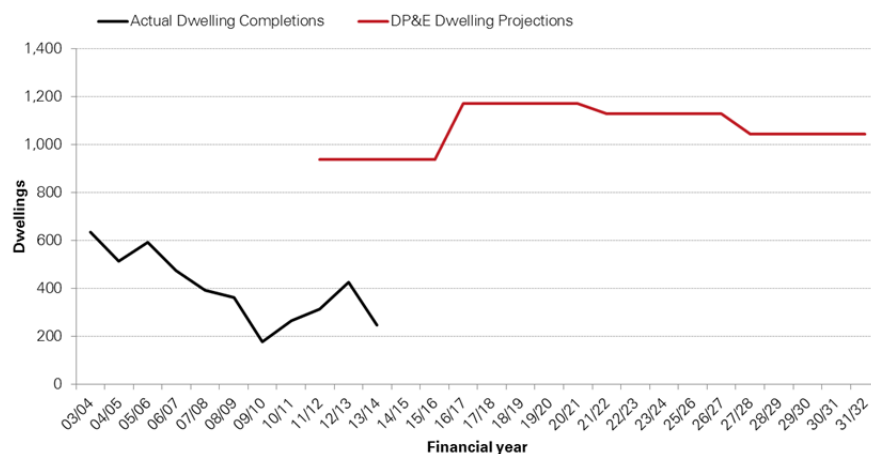
**Table 4 – Progression of Sutherland Dwelling Targets**

	Metropolitan Plan for Sydney to 2036		Draft Metropolitan Strategy for Sydney to 2031	<i>A Plan For Growing Sydney</i>
LGAs within the South Subregion	- Canterbury - Hurstville - Kogarah - Marrickville - Rockdale - Sutherland		- Canterbury - Hurstville - Kogarah - Rockdale - Sutherland	- Canterbury - Hurstville - Kogarah - Rockdale - Sutherland
Target Year Span	2004-2031	2006-2036	2011-2031	2014-2031
Overall Target				
- Subregion	- 35,000	- 58,000	- 42,000	- 51,240 <sup>4</sup>
- Sutherland Proportion	- 29%	- 29% (assumed)	- 31% (assumed) <sup>3</sup>	- 31% (assumed) <sup>4</sup>
- Sutherland	- 10,100	- 16,820	- 13,020	- 15,884 <sup>4</sup>
Annual Target	- 374	- 561	- 651	- 794 <sup>4</sup>

As evidenced in **Table 4**, the Sutherland Shire dwelling targets have continually been increased with each metropolitan strategy review or reiteration. Whilst subregional targets have not been established under A Plan for Growing Sydney, the overall housing target for Sydney has been increased by 22%, dictating that the Sutherland Shire dwelling target has been again increased.

Furthermore, under recently released population projects by the NSW Department of Planning and Environment Demographics Unit, Sutherland Shire has been slated to increase by 21.6% from 2011 to 2036, accounting for an increase of 47,500 people. In light of this population growth, it is implied that dwellings must increase by 25% (21,400 dwellings) to accommodate the growing population. These dwelling targets are less rigid than those provided in the numerous metropolitan strategies, therefore these have not been used for further analysis but should be noted as an additional guide to how many dwellings must be delivered in the Sutherland Shire LGA by 2031. **Figure 4** illustrates the recent Sutherland Shire dwelling completions against the project dwellings required based on population projections.

#### Dwelling Completions and Projections



**Figure 4 – Sutherland Shire dwelling completions vs projected dwellings based on population projections**

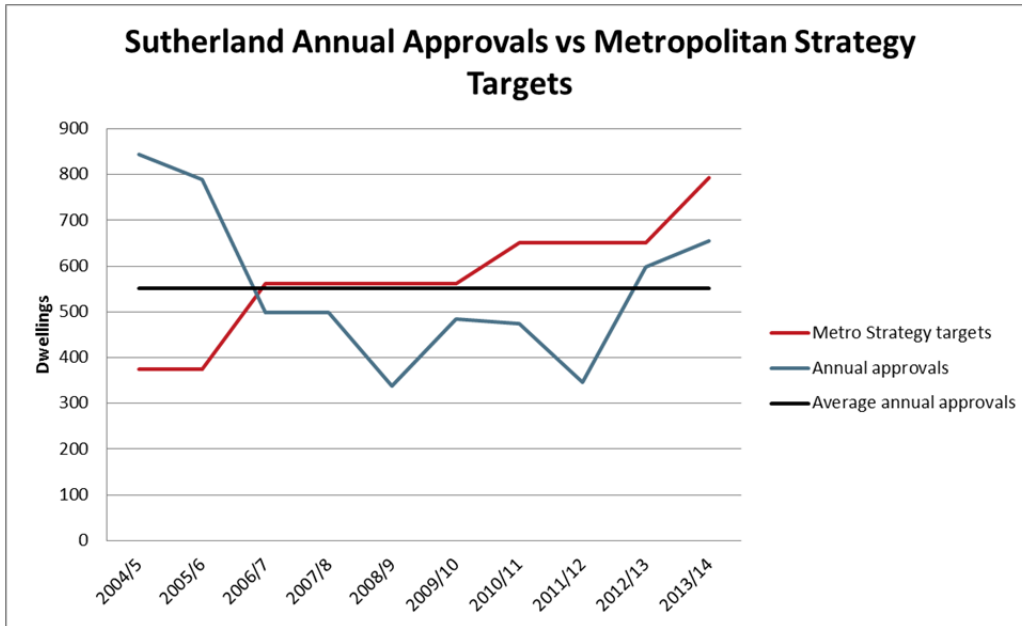
<sup>3</sup> This proportion has been adapted from the 2007 targets to reflect the removal of Marrickville from the South Subregion. The methodology has involved distributing Marrickville’s dwellings to the other five LGAs, increasing Sutherland’s target to 10,930 out of 35,000 (31%).

<sup>4</sup> All figures increased by 22% in light of the increase of the overall dwelling target in A Plan for Growing Sydney.

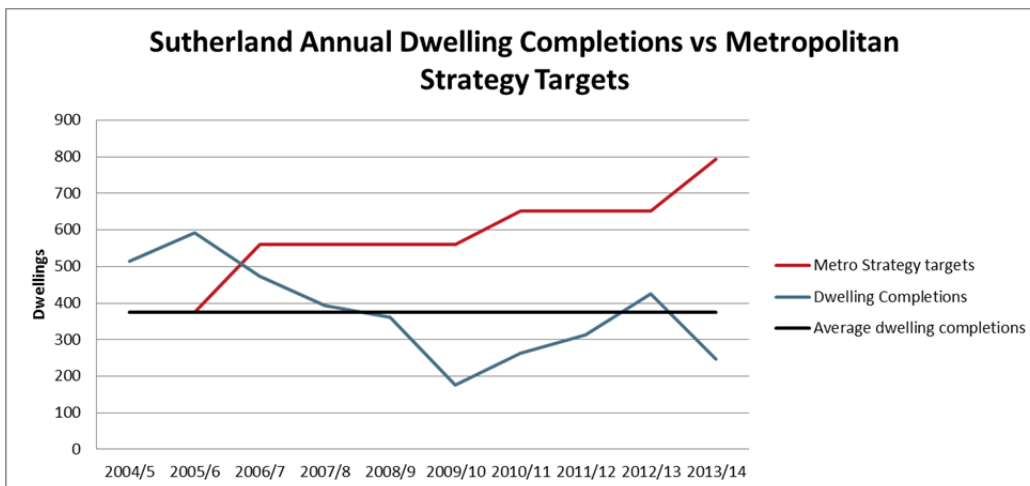


An analysis of the dwelling approvals and dwelling completions in the Sutherland Shire has been undertaken to determine how the LGA is tracking against the target established under the metropolitan strategies.

**Figure 5** below illustrates the dwelling approvals in the Sutherland Shire LGA compared to the dwelling target established under the metropolitan strategies. **Figure 6** below illustrates the dwelling completions in the Sutherland Shire LGA compared to the dwelling target established under the metropolitan strategies.



**Figure 5** – Sutherland Shire dwelling approvals vs housing target



**Figure 6** – Sutherland Shire dwelling completions vs housing target

As evidenced in the above figures, dwelling approvals and completions in the Sutherland Shire LGA have been variable, with some years in excess of the annual dwelling target, and other years falling below the annual target.

On average, the annual dwelling approvals in the Sutherland Shire LGA are at 552, below the approximate annual target of 794 which can be extrapolated from A Plan for Growing Sydney. The annual dwelling completions are further below the approximate annual dwelling target at 376 completions per year on average.

The Sutherland Shire LGA is falling short of the prescribed target in terms of approvals and dwelling completions. The addition of approximately 46 additional new dwellings at WBTC facilitated through the proposed modification will contribute to the Sutherland Shire LGA achieving the prescribed annual dwelling target. It must be noted that this target has been prescribed as a minimum total which must be achieved to house Sydney's growing population. There is nothing which precludes a dwelling target from being exceeded in any LGA.

Furthermore, it should be encouraged that the highest number of dwellings are provided in locations which can accommodate growth and are well supported by existing and planned infrastructure, such as the WBTC site. With the provision of additional dwellings over and above the minimum targets, it can be expected that Sydney will not only have a sufficient supply of housing for the population, the housing market will also become more affordable through increased competition.

The ideal of providing a more affordable housing market is supported in WBTC through the provision of a range of housing types, mixes and styles, allowing different price points in the current market to be met. The diverse mix of housing products provided in WBTC, particularly those facilitated by this modification, will ensure greater opportunities for people to enter the housing market.

### 5.3.2 Sutherland Shire Housing Strategy

The Sutherland Shire Housing Strategy released with the various draft iterations of the Sutherland Shire LEP 2013 seeks to accommodate an additional 10,100 dwellings by 2031. This target reflects the original Draft South Subregional Strategy and does not factor in the various updates, and target increases, which have occurred over the past six years.

The latest iteration of the Draft Sutherland LEP 2013 provides for 6,284 additional dwellings in centres to 2031. This capacity is generally consistent with the target of 10,100 additional dwellings from 2004-2031, and excludes the growth of targets which has occurred since the release of the Draft South Subregional Strategy. A submission was made by the proponent on the latest Draft Sutherland LEP 2013 requesting that further investigation be undertaken into providing additional dwellings in new centres, such as the WBTC, to reach the expected housing targets and contribute to satisfying the demand for new houses in Sydney. Council's response to this submission was provided in a response to submissions discussion paper on the Housing Strategy which stated:

*While it is evident that the current housing strategy does not meet these revised targets under the DSSLEP2013, there is no scope under the current LEP to review the housing strategy. Any future preparation of an LEP however will require Council to review its housing strategies and housing numbers and it is at this time that new centres such as Woollooware will be investigated.*

There is an acknowledgment by Council that if a clear direction of housing targets is provided there will be a need to identify areas to accommodate additional dwellings. Although no clear direction has been provided by the State Government, it is considered highly desirable to provide additional dwellings in new centres where there will not be any adverse impacts and services and facilities are already provided. This is in light of constant increases to dwelling targets across the Sydney metropolitan area which implies that the target for the Sutherland Shire LGA has been increased. The proposed modification to facilitate approximately 46 additional dwellings is such an instance of allowing for additional dwellings in an identified centre.

Furthermore, there has been a clear demand from the Sutherland Shire population for new housing. Over 95% of purchasers in Stages 1 and 2 have been local residents, indicating that there is strong demand for new housing, particularly different styles of housing from the traditional detached house and land package. The proposed modification will facilitate a greater number of people within the Sutherland Shire having an opportunity to enter the housing market, or reside in a different style of dwelling, freeing up larger detached dwellings to the market.

## 5.4 Summary of Strategic Justification

In summary, the proposed modification to the WBTC Concept Plan will facilitate approximately 46 additional dwellings above the original indicative scheme, contributing to rectifying the shortfall of dwellings in Sydney and the desire to provide housing in established centres with high access to services and facilities and which are serviced by public transport.

The provision of additional dwellings at the Woolooware Bay Town Centre is consistent with all the relevant strategic planning documents established to guide the growth of Sydney, including the NSW 2021: A Plan to Make NSW Number One and A Plan for Growing Sydney. The proposal has significant planning merit and is consistent with these strategies as it will:

- Contribute to the delivery of a liveable centre through integrating land use planning with other appropriate uses such as a retail shopping centre, large areas of opens and sporting facilities. The Woolooware Bay Town Centre is well serviced by transport with a dedicated shuttle bus set to operate from occupation of the first residential stage of development. Potential for a new public bus route to pass the site will be promoted by the delivery of additional dwellings, increasing demand for such a service. The delivery of the Concept Plan will also enhance connections to local and regional pedestrian and cycle routes, completing an integral link along the Woolooware Bay foreshore. The provision of additional dwellings at the site will allow more people to live in such a high amenity location, contributing to making Sydney connected, growing the new centre and providing people with easy access to services and facilities.
- Contribute to providing new housing to meet Sydney's growth, in particular the achievement of the dwelling targets envisaged for the South Subregion. A Plan for Growing Sydney does not set subregional targets, but increases the overall dwelling target by 22%, requiring the Sutherland Shire LGA to deliver at least an informed approximate of 794 dwellings per year. Currently dwelling approvals in the Sutherland Shire LGA are below this target at 541 dwellings approved on average per year since 2004/5. The provision of approximately 46 additional dwellings at the Woolooware Bay Town Centre will contribute to the achievement of the target specified for the Sutherland Shire LGA and Sydney as a whole.
- Continue to deliver a mix of well-designed housing that meets the needs of Sydney's growing population and the needs of the Sutherland Shire population. Currently, 95% of purchasers in Stages 1 and 2 have been from within the Sutherland Shire area, illustrating a clear demand for a varied mix of housing in the locality. The addition of 46 additional new dwellings and proposed modifications to the envelopes will add further diversity to the size, mix and style of dwellings to satisfy this demand. In turn, this will provide greater opportunities for more people, particularly those in the Sutherland Shire LGA, to enter the housing market.

- Strengthen the delivery of the Woollooware Bay Town Centre as a well-designed and active centre. The Woollooware Bay Town Centre has significant attractors in terms of the immediate access to open space, the proximity to Woollooware Bay, the ease of access to beaches such as Cronulla and the integration with a new retail shopping centre. The provision of additional dwellings in such a location will increase the number of people with access to these high quality facilities and natural amenity and assist in supporting the new centre.
- Contribute to the creation of a socially inclusive place that promotes social, cultural and recreational opportunities. The Woollooware Bay Town Centre is benefited with a range of communal facilities and access to open space, including pools, saunas, gyms, landscaped podiums, fitness nodes (future), a foreshore park (future) and access to new regional pedestrian and cycle pathways. The provision of approximately 46 new apartments will increase the number of people located within close proximity to such opportunities, as well as access to public transport, services and facilities.

## 6.0 Environmental Assessment

This chapter contains an assessment of the environmental effects of the proposed development as described in the preceding chapters of this report. The additional floor space sought as part of this application will be limited to the approved envelopes, therefore not resulting in any additional view or overshadowing impacts not already assessed in the original Concept Plan. Those matters which require further assessment are outlined below.

### 6.1 Built Form and Urban Design

#### 6.1.1 Urban Design

The proposed modifications to the Concept Plan primarily relates to administrative matters regarding the allowable quantum of GFA and GBA. This additional GFA/GBA is sought to directly ensure that the envisaged built form of the original Concept Plan can be fulfilled.

The completion of the Concept Plan under the current GFA and GBA parameters is considered to result in a substandard built form and would comprise the Concept Plan vision. The remaining floor space available within the Concept Plan parameters would result in the loss of an entire building, require a rearrangement of all building envelopes or would significantly reduce building heights. Any of these options would have adverse impacts on the original vision which sought to provide a comprehensive master planned redevelopment of the site with building envelopes which facilitated a high quality amenity in terms of views, solar access and cross ventilation.

The composition of Stage 3 is important in forming a relationship with Stages 1 and 2. The arrangement of buildings within Stage 3 has been developed to maximise the availability of views and to ensure that solar access is maximised to each building in its own right. The loss of any of these buildings, or their significant rearrangement, would result in a layout which appears ad-hoc and overall, would disrupt the balance of development across the Residential Precinct.

Furthermore, any significant redesign of these building envelopes would result in a comprised built form which impacts on the amenity received by each individual building. Whilst amenity is explored further in **Section 6.2**, it is important to note the relationship between urban design and amenity. The proposed modifications to the building envelopes seek to maximise amenity and provide a refined response to the established building layouts. These envelope modifications comprise a simple “push and pull” to facilitate an enhanced urban design outcome which is generally consistent with the approved built form. The core principles approved in the Concept Plan have been retained in the slightly modified building envelopes.

The provision of the additional GFA/GBA and enhancements to the building envelopes will ensure that a premium outcome is facilitated on the site with a significantly high quality amenity offered to new residents. Furthermore, it will have significant benefit in assisting the achievement of the original vision, as well as facilitating the provision of a number of facilities to benefit the wider community.

### 6.1.2 Active Frontages

Contributing to the use of a greater GFA in Stages 1 and 2 has been the provision of active uses on the lower levels within the podium. The podium was largely envisaged as car parking within the original indicative scheme, with little to no floor space provided in this portion of the envelopes. The end outcome of providing more GFA at the lower levels is illustrated in **Figure 7** which illustrates the approved development on the site with ground level terrace style apartments and commercial tenancies providing a high quality interface.

Whilst the provision of lower ground uses, such as commercial suites, residential amenities, lobbies and apartments has enhanced the ground plane of the Residential Precinct, it has resulted in a large absorption of GFA in the podium rather than in the tower, minimising the ability to fulfil the approved envelopes and necessitating the additional GFA sought under the proposed modification.



**Figure 7** – Approved ground level activation

*Source: Turner*

### 6.1.3 Overshadowing

The proposed minor increases in the maximum allowable parapet and plant height for Buildings B and C will not result in any significant overshadowing impacts not yet assessed under the original Concept Plan Approval. The majority of overshadowing will be contained within the site and no impacts will occur to any surrounding uses. The future applications for the detailed design of the buildings will address overshadowing impacts in detail.

## 6.2 Amenity

The additional GFA/GBA and minor envelope modifications sought to accomplish the built form of Stage 3 will provide a high level of amenity to future residents. The key aspects of amenity are explored below and further in the SEPP 65 Design Report prepared by Turner (refer to **Appendix B**).

### 6.2.1 Solar Access/Cross Ventilation

The indicative scheme prepared by Turner illustrates:

- A total of 89% of apartments in Stage 3 will receive two hours of solar access between 9:00am and 3:00pm on June 21, comprising:
  - 69% for Building A;
  - 98% for Building B; and
  - 100% for Building C.
- A total 87% of apartments in Stage 3 will receive natural cross ventilation, comprising:
  - 76% for Building A;
  - 84% for Building B; and
  - 100% for Building C.

All buildings within Stage 3 will comply with/exceed the relevant 'Rules of Thumb' from the Residential Flat Design Code (RFDC).

### 6.2.2 Views

As well as enhancing the solar access and cross ventilation achieved by each building, the proposed modifications to the building envelopes will enhance availability of views to a wider range of apartments, further contributing to the amenity of apartments in Stage 3. There has been a clear intention to maximise views through the reduction of the step height in Building B and the provision of a single apartment within the approved maximum plant height at the top of the building. An example of views available from the WBTC site is illustrated at **Figure 8**.

The provision of a communal space at the top of Building B also enables these premium views to be distributed to all residents across the Woolooware Bay Town Centre. Each resident within the Residential Precinct will have access to this facility and will have the ability to take in the views offered by the tallest building on the site.



Figure 8 – Views available from the upper levels of Stage 2

Source: Turner

### 6.2.3 Building Separation

The proposed modifications to the building envelopes ensure that building separation distances are maintained. All building separation distances have been provided in accordance with the RFDC, in particular between the northern portion of Building B and the southern façade of Building A, as illustrated in **Figure 9**.



Figure 9 – Building separation distances

Source: Turner

### 6.2.4 Holistic Amenity

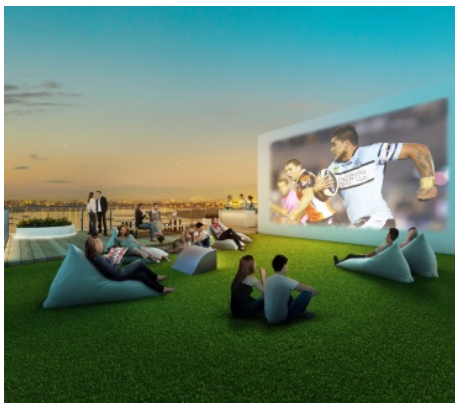
In considering amenity as a holistic measure of a range of factors, the site is offered a substantially high level of amenity. The following characteristics of the site and the development combine to ensure a high quality amenity will be enjoyed by future residents:

- The site is located on Woollooware Bay with opportunities to appreciate the foreshore and associated ecological qualities;
- The Residential Precinct is located in close proximity to the new Retail/Club development which will offer a range of retail services and facilities including a fresh food marketplace, medical and wellness centre, health club, specialty stores, cafés and restaurants ;
- New services and facilities will be provided within the Residential Precinct including a café in Stage 2 and commercial/retail tenancies and a childcare in Stages 1 and 3;



- There is an abundance of new and existing open space within and surrounding the site in the form of the revitalised waterfront park, the new pocket park, Solander Playing Fields and Woollooware Golf Course;
- Residents are provided with significant new resort-style amenities including:
  - A rooftop cinema on Esplanade;
  - Three pools including two outdoor pools (one on the shared Stages 1-2 podium and the other at the roof level of Building B) and one indoor lap pool;
  - Spa, sauna, treatment room and multipurpose room in Esplanade;
  - BBQ and seating areas associated with the two outdoor pools on the podium and Building B respectively;
  - Extensive vegetated gardens and relaxation spaces on the podium rooftops;
- Generous lobby spaces provided to each building which include click-and-collect facilities in certain locations which enable the delivery of groceries direct to residents; and
- A new transport link will be provided in the form of a shuttle bus to surrounding railway stations, as well as the potential for a new public bus service to cater to the demand of the wider catchment.

**Figure 10** illustrates some of the amenities which will be available to future residents.



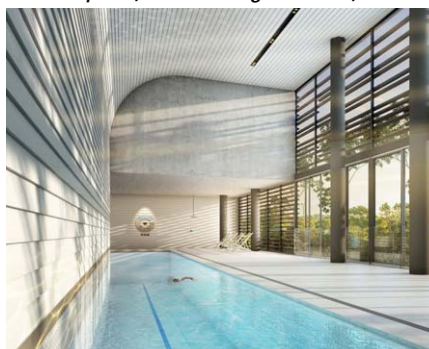
*Rooftop Cinema*



*Outdoor pool (Between Stages 1 and 2)*



*Gym Facilities*



*Indoor pool (Building F)*

**Figure 10** – Residential facilities

Overall, there are significant amenities provided to future residents. These amenities are over and above what would ordinarily be provided in similar developments and are in excess of those ever envisaged in the original Concept Plan approval. In addition to the physical spaces available to residents, the development achieves the amenity benchmarks established in the RFDC and Draft ADG, ensuring that solar access and natural ventilation are high and the internal comfort of apartments is prioritised.

Whilst the additional GFA/GBA sought as part of this modification will not necessitate any further amenities/facilities over and above that already approved and to be proposed, the proposed modification will facilitate the delivery of a high quality facility on the rooftop of Building B. Furthermore, as illustrated by the indicative scheme, the amenity to be received in these apartments will remain high in terms of solar access and natural ventilation.

## 6.3 Traffic and Transport

McLaren Traffic Engineering prepared a suite of Traffic and Parking documents for the original Concept Plan. These documents determined an appropriate car parking rate for the site, and undertook an analysis of the potential traffic impacts of the redevelopment. The approved Concept Plan includes a number of parameters related to traffic and parking including:

- A maximum number of car parking spaces, capped at 883 spaces in the Residential Precinct, excluding on-street car parking spaces;
- A range of parking rates for different land uses, including residential apartments and visitor spaces;
- A requirement to provide a regular shuttle bus service to Woollooware railway station; and
- A requirement for a Travel Access Guide (TAG)/ Green Travel Plan

These parameters are not proposed to be modified under this application. It should be noted that a concurrent modification application to the WBTC Concept Plan is under assessment which seeks to allow for a sharing of commercial/visitor spaces in accordance with the Sutherland Development Control Plan 2006. Overall, the maximum cap of 883 car parking spaces is not proposed at this time to be amended under any application.

McLaren has undertaken a review of the proposed modification (refer to **Appendix C**), considering the potential implications of the additional residential floor space. The key components of the traffic and parking implications of the modification application are outlined below.

### 6.3.1 Car Parking

As outlined above, no modification is sought to the maximum parking cap permitted under the Concept Plan approval. McLaren has undertaken an analysis of this maximum parking cap and determined that the total of 883 spaces was determined on an earlier iteration of the Concept Plan, where approximately 700 dwellings were proposed.

Throughout the original Concept Plan assessment, the indicative mix of apartments fluctuated whilst the provision of parking remained consistent, assessing a worst-case scenario for the development and a quantum of parking which was considered to fit within the parameters of the two storey podium. In light of this, the proposed modification application does not result in an exceedance of the cap of 883 spaces, as outlined in the Traffic Report provided at **Appendix C**.

Based on the approved development for Stages 1 and 2 and the indicative mix for Stage 3, a total of 876 spaces will be provided within the Residential Precinct, below the maximum of 883 spaces. As this maximum cap has been assessed and deemed appropriate under the original Concept Plan, it is not expected that the additional GBA/GFA will result in any adverse parking impacts.

### 6.3.2 Traffic Assessment

#### Trip Generation

In light of the additional GBA/GFA sought under the proposed modification and accompanying indicative mix, McLaren has undertaken an assessment of the potential traffic generation. This assessment is required as the previous assessment with the original Concept Plan had utilised an indicative mix of 597 apartments and a smaller proportion of commercial floor space, whilst the up-to-date indicative mix includes 643 apartments and a larger quantum of commercial floor space to provide active along key frontages.

Based on the current indicative scheme, McLaren expects there to be a minor increase of 46 trips generated in the Friday PM peak period and 4 trips in the Saturday midday peak.

#### Intersection Analysis

McLaren has provided an updated analysis of the surrounding intersection performance. Since the assessment of the original Concept Plan, the software utilised to undertake this analysis has been updated. In calculating the current intersection performances, McLaren has identified an error in the original analysis related to the intersection of Gannons Road and Captain Cook Drive. The lane disciplines for the roundabout had been incorrectly assigned in the original assessment, and when correctly assigned, it appears that capacity is increased on a particular leg by approximately 70%.

This intersection was previously identified as the worst, being well above capacity. The corrected analysis has identified that the intersection is near capacity, but the degree of saturation will allow for some spare capacity.

#### Assessment

Based on the expected additional trip generation resulting from the proposed modification, and in light of the corrected intersection analysis, McLaren has determined that the surrounding intersections do not reach capacity; average delays will not be greater than 70 seconds; and no intersection will have a level F service. Cumulatively, there will be a minor increase in delays as a result of additional trips, but the surrounding road network will generally function similar to the approved situation. As such, McLaren has determined that the proposal is supportable from a traffic perspective.

## 6.4 Social Considerations/Public Benefit

### 6.4.1 Community Uses

The provision of the additional GFA/GBA will assist in the delivery of significant social benefits, including envisaged uses such as a childcare centre and a Men's Shed. These two new uses will contribute to the achievement of a truly mixed use development, and will foster a greater sense of community spirit amongst future residents and the wider community.

These uses, particularly the childcare centre, are envisaged to benefit the wider community, offering facilities which are currently lacking and in demand in the local area.

The provision of these facilities will bring significant public benefits at no cost to the wider community or Council. The child care centre is envisaged to provide 45 child care places, catering to the local area demand and creating approximately 7-10 job opportunities (depending on age categories).

The Men's Shed is a facility which will directly benefit the Woollooware Bay Town Centre community, providing a comfortable environment for men to express their feelings and find companionship. The Men's Shed is expected to be established and operated similarly to the practices of the Australian Men's Shed Association (AMSA).

Men's Sheds are designed to advance the well-being and health of males through creating an environment which facilitates discussion and allows men to be productive, contribute to the community and maintain an active mind and body. There is an acknowledgement in the Men's Shed philosophy that some males have difficulties sharing feelings and emotions, therefore the environment of a Men's Shed is welcoming and facilitative of mateship and comfort. A variety of activities including carpentry, relaxation, cooking and the use of computers are available in Men's Sheds.

Whilst this facility will be restricted to use by residents of the Residential Precinct and their guests, it will play the same role as other community Men's Shed facilities across Sydney.

The provision of these community driven uses absorb a proportion of GFA/GBA which could otherwise be accommodated as residential apartments. In effect, the provision of these uses inhibits the delivery of additional apartments which could achieve the same principles of street activation. If the building envelopes were not able to be fulfilled, there would be a preference to maximise residential yield with the remaining GFA available. This would result in an outcome with less community driven uses, overall impacting on the social benefits provided by the development.

### 6.4.2 Developer Contributions

The additional GFA/GBA and subsequent 46 apartments within the remaining building envelopes will increase the amount of developer contributions which are to be delivered under the WBTC development. As outlined in **Sections 6.2** and **6.4**, the expected demand of residents will be satisfied through the delivery of significant community infrastructure as part of the Residential Precinct and adjoining foreshore park. The range of facilities provided within the Residential Precinct is above and beyond the ordinary range of facilities provided in new developments and will essentially satisfy all demands of residents, reducing the burden of surrounding community infrastructure provided by Council.

The development of the new centre will also involve the delivery of the new retail/club centre which will provide a wide range of services and facilities catering to new residents of the Residential Precinct as well as members of the wider community. The two precincts of the WBTC will be linked by the delivery of a new pedestrian and cycle pathway which will integrate into the regional pedestrian/cycle network along the Woollooware Bay foreshore. A new shuttle bus will also be provided to surrounding railway stations, benefiting the wider community with a reliable and connector transport link.

Despite the significant investment being undertaken by the proponent in new community infrastructure, regional pedestrian/cycle paths and services and facilities in the new centre, section 94 contributions have been paid for Stage 1 of the Residential Precinct. Currently a Voluntary Planning Agreement (VPA) is being negotiated between the proponent and Council. Until such time as an agreement is in place, it is expected that section 94 contributions can continue to be paid to facilitate the development of the Residential Precinct, with an opportunity to credit these to future VPA discussions. This approach is consistent with the current planning framework provided under the EP&A Act.

A recently determined modification to the Discovery Point Concept Plan included the provision of additional GFA to fill the approved building envelopes, similar to the proposed modification application. The Planning Assessment Commission (PAC) determined the application and provided the following comment on developer contributions and public benefit:

*Whilst the Commission acknowledges that the proposal will result in significant financial benefit to the Proponent, it considers that the extent of material public benefits provided by the Proponent is significant and will benefit the broader community. The Commission also agrees with the Department's assessment that the proposal will generate minimal additional demand for community facilities, pedestrian and cycle facilities, and open space. Given that the Council will receive full Section 94 contributions for the extra dwellings, the Commission considers that further contributions from the Proponent are not warranted.*

The proposed modification application poses a similar outcome, with the delivery of significant community benefits and full section 94 contributions, in lieu of a VPA if unable to be finalised. As such, it is considered that the proposal is acceptable from a public benefit and contributions perspective.

## 7.0 Conclusion

This Section 75W modification seeks approval for amendments to the WBTC Concept Plan, namely the provision of additional GFA/GBA and amendments to the approved building envelopes.

These amendments are proposed in light of the ongoing development and delivery of separate stages in the Concept Plan. Following the delivery of the majority of stages within the Concept Plan, it has been identified that there is insufficient GFA/GBA to provide the built form as envisaged under the Concept Plan. Furthermore, ways in which to increase the amenity of future residents have been identified through minor amendments to the building envelopes of Buildings B and C.

The assessment contained within this report has determined that there will not be any adverse environmental impacts resulting from the proposed modifications. The proposed modifications will facilitate the final stage of development within the WBTC Concept Plan. The proposal has significant planning merit as it will:

- facilitate the completion of the WBTC Concept Plan in its entirety, achieving the built form envisaged under the approved Concept Plan;
- contribute to securing WBTC as one of Sydney's newest town centres, being a true reflection of a modern mixed use development;
- directly contribute to resolving the critical shortfall of housing in Sydney through the provision of approximately 46 additional apartments in a location with new services and facilities, as well as significantly high amenity;
- encourage sustainable living practices by providing approximately 46 additional apartments with direct access to a transport link, regional cycle and pedestrian links, and in close proximity to services and facilities; and
- offer approximately 46 additional apartments in a location afforded with significant amenity, including direct access to natural amenities such as the Woollooware Bay foreshore, foreshore park and Solander playing fields; and access to various communal facilities including gyms, pools, a rooftop cinema, BBQ facilities, gardens and enclosed community spaces.

Due to the significant merit of the proposed modifications and the lack of any adverse environmental, social and economic impacts, the modifications are appropriate and supportable.