

15743
19 December 2016

Ms Caroline McNally
Secretary
NSW Department of Planning and Environment
Pitt Street
SYDNEY NSW 2000

Attention: Natasha Harras (Team Leader, Modification Assessments)

Dear Natasha,

**SECTION 75W MODIFICATION TO CONCEPT PLAN MP10_0229 AND PROJECT APPROVAL
MP10_0230
WOOLLOOWARE BAY TOWN CENTRE**

This Modification Application is submitted to the NSW Department of Planning & Environment on behalf of Bluestone Capital Ventures No.1 (the Proponent) in relation to the Part 3A Concept Plan (MP10_0229) and Project Approval (MP10_0230) for the eastern precinct of Woollooware Bay Town Centre in accordance with section 75W and Clause 3C of Schedule 6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This modification relates minor architectural design changes arising from design development and the staging of Construction Certificates and Occupation Certificates. This modification application should be read in conjunction with the following documents:

- Amended Architectural Drawings prepared by HDR Rice Daubney (**Attachment A**);
- Construction Operations Management Plan prepared by Solid Support and Capital Bluestone (**Attachment B**); and
- Traffic Statement prepared by McLaren Traffic Engineering (**Attachment C**).

1.0 BACKGROUND

1.1 Existing Approvals

On 27 August 2012, the NSW Planning Assessment Commission (PAC) approved Concept Plan Application MP10_0129 for the redevelopment of the Cronulla Sutherland Leagues Club site at 461 Captain Cook Drive, Woollooware. The approval included associated land for a new town centre with retail, entertainment, refurbishment of the Cronulla Sutherland Leagues Club, a new foreshore parkland and residential development.

On 22 August 2013, the PAC granted Project Approval to the Retail/Club Precinct (MP10_0230) for the following:

- partial demolition of the existing Leagues Club and other structures within the site;
- construction of a new retail centre with a full-line supermarket, food retail, mini-major tenancies, specially retail, dining tenancies and medical and leisure uses with a maximum gross floor area of 26,473.5m²;
- fitout of Levels 3 and 4 of the existing building for the Leagues Club;
- public domain works including new foreshore buffer to Woollooware Bay;

- infrastructure works providing access to the site off Captain Cook Drive (extension and realignment of Woollooware Road, signalisation of Woollooware Road I Captain Cook Drive and two new signalised intersections along Captain Cook Drive);
- provision of a shuttle bus service and new bus and taxi bays on Captain Cook Drive;
- stormwater management (including flood mitigation works) and site remediation works;
- loading docks and 770 on-site car parking spaces;
- development contributions; and
- stratum subdivision.

The Concept Plan and Project Approval have both been modified a number of times. Most recently, the NSW Department of Planning and Environment approved Modification 3 to the Project Approval and Modification 6 to the Concept Plan to facilitate amendments to the approved Retail/Club development to implement a range of architectural improvements proposed by HDR Rice Daubney to the original concept for the precinct.

1.2 Relationship with current modification applications

Concept Plan Modification 2 relates to the proposed development of airspace above the Retail/Club precinct for tourist and visitor accommodation and residential apartments, and the development of a new Sharks Centre of Excellence attached to the western grandstand of Southern Cross Group Stadium. Secretary's Environmental Assessment Requirements for this modification were issued by the NSW Department of Planning and Environment on 20 October 2016. The environmental assessment for Modification 2 will demonstrate the physical and operational relationship between the approved retail/club precinct and the newly proposed land uses. Should Concept Plan Modification 2 be approved, a further Section 75W Modification Application will be submitted to update the Retail Project Approval as required.

Concept Plan Modification 5 relates to the foreshore landscaping and riparian zone, and seeks to clarify a number of matters regarding the treatment and use of this area for public purposes. No changes are presently proposed to the landscape plans or conditions for the foreshore area as part of the Retail/Club modification that is the subject of this report. Should Concept Plan MOD 5 be approved, then future steps will be taken to align the foreshore landscaping approved under the Retail/Club Project Approval with the foreshore landscaping scheme approved under MOD 5.

2.0 DESCRIPTION OF PROPOSED MODIFICATIONS

2.1 Proposed Modifications

Design Amendments

As detailed in **Attachment A**, following further design development a number of generally minor design amendments have been made to the architectural design and building envelope:

- Removal of escalators to Captain Cook Drive and removal of architectural canopy structure;
- Expansion of medical centre tenancy into former ground floor community tenancy, and reconfiguration of end of journey facilities;
- External façade changes to retail building, primarily to car parking facades to ensure sufficient air flow to permit natural ventilation;
- Minor changes to western loading dock to ensure adequate vehicle manoeuvring space;
- Minor internal amendments to parking areas and retail tenancies;
- Amendments to plant room locations and sizing to reflect updated services advice;
- Reconfiguration of skylights above travelator void to increase natural light to the centre;
- Add new lift overrun to provide access to Level 4 car park;

- Increase in Gross Floor Area (GFA) from 27,412m² to 28,002m²; and
- Increase in Gross Building Area from 60,732m² to 61,108m².

Figures 1 to 3 illustrate the amended scheme from key public vantage points surrounding the site.

Lifts located adjacent to the Captain Cook Drive stairs, as well as the central travelators and secondary lifts, will continue to provide access to Levels 1 to 4 for all visitors to the centre.

The increases to GFA arise predominantly from improvements internal building efficiency and a minor increase associated with the new weather-proofed public lift access to Captain Cook Drive.

No changes are proposed to the foreshore landscaping area, final vehicular access and circulation paths, visitor parking provision or land uses approved under the Concept Approval and Project Approval.

The amendments to the GFA, GBA and building envelopes necessitate amendments to both the Concept Approval and Project Approval conditions and stamped plans, as set out in **Section 2.2**.



Figure 1 – Updated indicative photomontage view from Captain Cook Drive



Figure 2 – Updated indicative photomontage view from Captain Cook Drive



Figure 3 – Updated indicative photomontage from Woollooware Bay foreshore

Development Staging

In order to facilitate the orderly construction of the project, minimise off-site impacts and ensure that the Cronulla Sutherland Leagues Club is able to continue operating on the site throughout the construction phase, it is intended to construct the eastern precinct in the following stages:

- **Phase 1 – Enabling Works and Leagues Club**
 - Woollooware Road North extension
 - Temporary Leagues Club car park and pedestrian access to Leagues Club
 - Stage 1 internal fitout works to Leagues Club – relocation from Level 1/2 to Level 3/4
 - Temporary Leagues Club loading dock
 - Temporary fire access for Leagues Club
 - Level 3 Club Deck
- **Phase 2 – Infrastructure and Retail Centre Construction**
 - Construction of new Woollooware Road/ Captain Cook Drive intersection
 - Temporary vehicular access arrangements for Woollooware Drive North
 - Upgrades to Captain Cook Drive
 - Construction of new retail centre, including conversion of existing Level 1 and 2 of Leagues Club building
- **Phase 3 – Centre Completion and Foreshore Landscaping**
 - Completion of Leagues Club and Retail loading docks
 - Stage 2 internal fitout works to Leagues Club – final Level 3/4 fitout works
 - Completion of retail car parking
 - Foreshore landscaping works
 - Removal of temporary facilities (access, loading dock, pedestrian hoarding etc.)
 - Completion of retail centre and tenant fitouts
 - Traffic signalisation to be made operational

Additional detail of the construction phasing, including provisions for temporary access, game-day stadium and Leagues Club operations and waste management, is provided in the Construction Operations Management Plan provided at **Attachment B**.

In order to facilitate the staged construction, **Section 2.2** seeks to amend the conditions of the Project Approval in order to permit the issuing of staged Construction Certificates and Occupation Certificates.

2.2 Modifications to Conditions

The modifications described in **Section 2.1** necessitate amendments to both the Concept Plan and Project Approvals. Words proposed to be deleted are shown in ~~**bold italics strike through**~~ and words to be inserted are shown in **bold italics**.

CONCEPT APPROVAL MP 10_0229

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 to Concept Plan (MP10_0229) prepared by JBA Urban Planning Consultants Pty Ltd dated 11n June 2015, and the Response to Submissions prepared by JBA Urban Planning Consultants Pty Ltd, dated 12 October 2015, and the Section 75W to Concept Plan (MP10_0229) and Project Approval (MP10_0230) prepared by JBA Urban Planning Consultants dated 16 February 2016 and additional information provided on 9 June 2016, **and the Section 75W to Concept Plan (MP10_0229) and Project Approval (MP10)0230) prepared by JBA Urban Planning Consultants dated 15 December 2016** and the following drawings:

Concept Plan Drawings prepared by Scott Carver Pty Ltd HDR Rice Daubney			
Drawing No.	Revision	Name of Plan	Date
DA21	A	Urban Form Control Diagram - Site Plan	12/02/2016
	B		19/09/2016
DA22	A	Urban Form Control Diagram - Level 1	12/02/2016
	B		19/09/2016
DA23	A	Urban Form Control Diagram - Level 2	12/02/2016
	B		19/09/2016
DA24	A	Urban Form Control Diagram - Level 3	12/02/2016
	B		19/09/2016
DA25	A	Urban Form Control Diagram - Level 4	12/02/2016
	B		19/09/2016
DA26	A	Urban Form Control Diagram - Roof	12/02/2016
	B		19/09/2016

A3. Maximum Gross Building Area I Gross Floor Area

The maximum Gross Building Area for the development shall not exceed ~~176,134m²~~ **176,510m²**, comprising:

- 115,402m² for the Residential Precinct; and
- ~~60,732m²~~ **61,108m²** for the Retail and Club Precinct.

The maximum Gross Floor Area for the development shall not exceed ~~88,712m²~~ **89,372m²**, comprising:

- 61,370m² for the Residential Precinct; and
- ~~27,412m²~~ **28,002m²** for the Retail and Club Precinct.

The maximum area for the outdoor deck areas shall not exceed ~~1,908m²~~ **1,827m²** comprising:

- ~~1,055m²~~ **1,827m²** for the Club; and
- ~~853m² for the Retail.~~

PROJECT APPROVAL MP 10_0230

A1. Development Description

Development approval is granted only to carrying out the development described in detail below:

- (a) partial demolition of the existing Leagues Club and other structures within the site;
- (b) construction of a new retail centre with a full-line supermarket, food retail, mini-major tenancies, speciality retail, dining tenancies and medical leisure uses with a maximum gross floor area of ~~27,412m²~~ **28,002m²**;
- (c) fitout of Levels 3 and 4 of the existing building for the Leagues Club;
- (d) public domain works including new foreshore buffer to Woollooware Bay;
- (e) infrastructure works providing access to the site off Captain Cook Drive (extension and realignment of Woollooware Road, signalisation of Woollooware Road / Captain Cook Drive and two signalised intersections along Captain Cook Drive);
- (f) provision of a shuttle bus service and new bus and taxi bays on Captain Cook Drive;
- (g) stormwater management (including flood management works) and site remediation works;
- (h) loading docks and 770 on-site car parking spaces;
- (i) development contributions; and
- (j) stratum subdivision.

A2. Terms of Approval

The proponent shall carry out the project in accordance with the following documentation;

- (a) Environmental Assessment (EA) and supporting documents prepared by JBA Planning dated March 2013;
- (b) Preferred Project Report and Response to Submissions and supporting documentation prepared by JBA Planning, dated May 2013; and
- (c) Section 75W letter prepared by JBA dated 16 January 2014 and the additional information dated 29 January 2014;
- (d) Section 75W report prepared by JBA dated 16 February 2016 and the additional information dated 9 June 2016; ~~and~~
- (e) Section 75W report prepared by JBA dated 15 December 2016; and**
- (f) The following drawings, except for:
 - a. Any modifications which are Exempt or Complying Development; and
 - b. Otherwise provided by the condition of this approval.

Architectural Drawings prepared by HDR Rice Daubney			
Drawing No.	Revision	Name of Plan	Date
DA10	C	Level 1	09/06/2016 05/12/2016
DA11	C	Level 2	09/06/2016 05/12/2016
DA12	C	Level 3	09/06/2016 05/12/2016
DA13	C	Level 4	09/06/2016 05/12/2016
DA14	C	Roof	09/06/2016 05/12/2016
DA15	C	Gross Building Area Plan / Schedule	09/06/2016 05/12/2016
DA16	E	Gross Floor Area Plan / Schedule	09/06/2016 05/12/2016
DA17	C	South And East Elevations	09/06/2016 05/12/2016
DA18	C	North And West Elevations	09/06/2016 05/12/2016

Architectural Drawings prepared by HDR Rice Daubney			
Drawing No.	Revision	Name of Plan	Date
DA19	C	North South And East West Sections	09/06/2016 05/12/2016
DA20	C	Materials	09/06/2016 05/12/2016

INSERT AT PART C, BEFORE CONDITION C1:

C0. Staged Construction

The development may be carried out in stages with the relevant conditions being satisfied prior to the issue of Construction Certificates for each stage as follows

- **Phase 1 – Enabling Works and Leagues Club**
 - *Woollooware Road North extension*
 - *Temporary Leagues Club car park and pedestrian access to Leagues Club*
 - *Stage 1 internal fitout works to Leagues Club – relocation from Level 1/2 to Level 3/4*
 - *Temporary Leagues Club loading dock*
 - *Temporary fire access for Leagues Club*
 - *Level 3 Club Deck*
- **Phase 2 – Infrastructure and Retail Centre Construction**
 - *Construction of new Woollooware Road/ Captain Cook Drive intersection*
 - *Temporary vehicular access arrangements for Woollooware Drive North*
 - *Upgrades to Captain Cook Drive*
 - *Construction of new retail centre, including conversion of existing Level 1 and 2 of Leagues Club building*
- **Phase 3 – Centre Completion and Foreshore Landscaping**
 - *Completion of Leagues Club and Retail loading docks*
 - *Stage 2 internal fitout works to Leagues Club – final Level 3/4 fitout works*
 - *Completion of retail car parking*
 - *Foreshore landscaping works*
 - *Removal of temporary facilities (access, loading dock, pedestrian hoarding etc.)*
 - *Completion of retail centre and tenant fitouts*
 - *Traffic signalisation to be made operational*

Any reference to ‘A Construction Certificate’ or ‘An Occupation Certificate’ relates to the first Construction Certification and/or Occupation Certificate.

3.0 ENVIRONMENTAL ASSESSMENT

The following sections provide an assessment of only those matters considered to warrant further assessment due to the nature of the modifications proposed. This section should be read in conjunction with the original Concept Plan Environmental Assessment prepared by JBA dated September 2011 and the original Project Application Environmental Assessment prepared by JBA dated March 2013.

3.1 Built form and urban design

The proposed design modifications necessitate minor modifications to the approved Urban Form Control Diagrams to reflect the amended building envelope. The most significant changes to the envelope are the provision for a lift overrun up to approximately RL 24 AHD servicing the central

core of the retail centre to allow for access to the Level 4 parking area, and the lifting of parapets and the pop-up skylights above the central retail travelators which extend approximately 1.5m higher than the main roof slab level. Both of these elements are located within the centre of the site and are set well back from the building edges, minimising their visual prominence within the centre.

Amendments to the external façade treatments, as detailed in **Attachment A**, consist of changes to material treatments, particularly in the vicinity of car park openings. In order to achieve natural ventilation requirements for car parking areas, it is necessary to reduce the extent of louvers to the north-eastern and northern façade and instead increase the areas of open façade and open panelling to increase air flow volumes. As amended, the materials and façade treatments will continue to express the intended architectural character of the building as detailed in the February 2016 modifications, providing for a series of strongly articulated building facades comprising a mixture of materials which respond to the local setting. The removal of screening louvers from the upper levels of the northern portion of the eastern façade are considered to be acceptable as these account for only a small portion of the façade and will assist in delivering a significant reduction in energy use by facilitating the natural ventilation of these car parking levels.

In light of the above, the proposed modifications to the built form and architecture are considered to be minor in nature, generally consistent with the original Project Approval as most recently modified in August 2016, and will not result in any adverse environmental impacts.

3.2 Access and circulation

The replacement of the Captain Cook Drive escalator with a public lift will continue to ensure that an accessible path of travel is available for visitors entering the centre from Captain Cook Drive. Visitors entering from this location will have a range of options to access the retail and Leagues Club areas, including the lift, stairs and the travelators located within the central building core.

The staging of the issuing of Construction Certificates and Occupation Certificates is necessary to ensure that staged construction and occupation of spaces within the precinct can occur to minimise disruption to Club operations, including parking arrangements, and allow for the orderly development of the site. The Construction Operations Management Plan provided at **Attachment B** provides additional detailing demonstrating how adequate vehicular and pedestrian circulation within the site, and suitable paths of ingress/egress to the site, will be achieved during the staging of construction.

3.3 Construction impacts and management

The proposed construction staging methodology outlined in Section 2.1 and the Construction Operations Management Plan provided at **Attachment B** will ensure that the Leagues Club is able to continue operating throughout the construction phase as originally outlined in the Project Application, including the provision of on-site parking, loading and pedestrian access for Club patrons during regular operations and game-days. The ability to implement staged Construction and Occupation Certificates for the development will ensure that the Club is able to stage its operations from the existing Level 1 and 2 spaces to its new premises on Levels 3 and 4.

Staging of the Woollooware Road North, intersection and Captain Cook Drive road works will also ensure that local traffic disruption is minimised during the construction of the new retail/club precinct. Delivering the Woollooware Road North component during the first phase of development will ensure that access is provided to the Club and the adjoining Fitness First and service station premises for the duration of the more complex Woollooware Road/ Captain Cook Drive intersection upgrade.

Overall, the staging of construction for both on and off-site works will ensure that construction impacts of the approved development are appropriately mitigated.

3.4 Traffic and parking

McLaren Traffic Engineering have prepared a Supplementary Traffic and Parking Impact Assessment to accompany this modification application (**Attachment C**). The primary impacts of the proposed modification assessment, as they relate to the parking demand and traffic generation, are a reduction in supermarket, Leagues Club and community room areas and an increase in specialty shops, medical centre and dining areas.

Maximum parking demand for the modified development is calculated as being 601 spaces during the Saturday midday peak period, which is well within the 770 car parking spaces required to be provided within the development. **Table 1** below summarises the impact of the modification on traffic generation during peak periods in comparison to the approved development, illustrating that the changes will not result in any additional impacts on the local road network.

Table 1 – Projected trip generation from approved and modified development

Peak Period	Approved Traffic Generation	Modified Traffic Generation	Change
Friday PM	1,500 trips per hour	1,427 trips per hour	-73 trips per hour (-4.8%)
Saturday Midday	1,464 trips per hour	1,465 trips per hour	+1 trip per hour (<0.1%)

4.0 CONCLUSION

The proposed amendments are generally minor in nature and are the result of further development of the architectural design and construction programming. The changes maintain the overall architectural character of the development as most recently modified in August 2016, and will ensure that construction works will minimise disruption to Leagues Club patrons, game-day operations and local traffic movements. Overall, these changes are considered to be positive and will assist in the delivery of a high quality and attractive centre that serves the needs of the existing and future community without giving rise to any additional environmental impacts.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4961 or moliver@jbaurban.com.au.

Yours faithfully,



Michael Oliver
Principal Planner