

Section 75W Modification Application

Concept Plan MP10_0229 and Project Approval MP10_0230

461 Captain Cook Drive, Woollooware

Modifications to Woollooware Bay Town Centre Concept Plan and Stratum Subdivision

Submitted to Department of Planning and Environment
On Behalf of Cronulla Sutherland Leagues Club
and Bluestone Capital Ventures No. 1

February 2017 ■ 14352

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If the report is not signed below, it is a preliminary draft.

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Executive Summary

Background

Woollooware Bay Town Centre at 461 Captain Cook Drive, Woollooware (the Site) was the subject of a Part 3A Concept Plan Approval that was approved by the Planning Assessment Commission on 27 August 2012. The Concept Plan Approval provides for the establishment of a new mixed use centre on surplus land adjoining the Southern Cross Group Stadium, including the refurbishment of the Cronulla Sutherland Leagues Club, stadium upgrades, residential flat buildings, a retail centre, infrastructure and rehabilitation/revegetation of the Woollooware Bay foreshore.

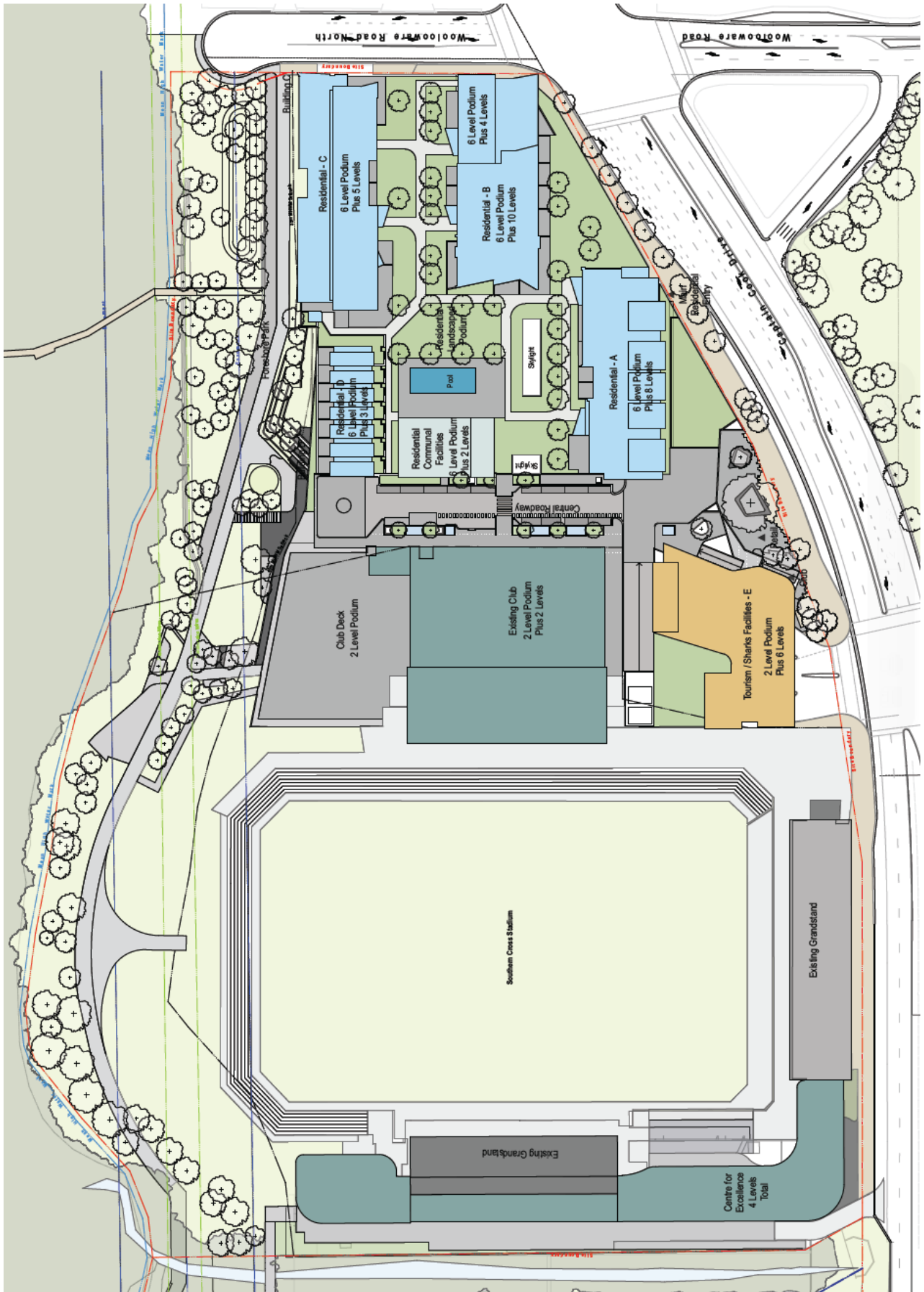
Since late-2014 the Proponent, Capital Bluestone, has been engaging with key stakeholders including the Cronulla Sutherland Leagues Club, Sutherland Shire Council, the local community and the project architects regarding the potential to enhance the eastern (Retail/Club) precinct of the town centre and to facilitate the development of a Sharks Centre of Excellence as part of the planned stadium upgrades. This modification application incorporates the outcomes of this consultation, and offers a number of significant improvements to the approved Concept Plan.

Proposed Modifications

In summary, this Modification Application seeks to modify the Concept Plan Approval as follows:

- Expand the range of land uses within the eastern precinct to provide a more comprehensive town centre with residential apartment buildings and tourist and visitor accommodation to complement the retail, club and community facilities already approved.
- Amend key development parameters in relation to the Concept Plan, including:
 - amending building envelopes for the eastern precinct to allow two additional levels of car parking above the podium, and six buildings ranging between 8 and 16 storeys (including podium);
 - increase the maximum GFA to 128,232m²;
 - increase the maximum GBA to 244,559m²; and
 - increase the number of car parking spaces within the eastern precinct from 770 spaces to 1078 spaces.
- Allow for the following development within the proposed building envelopes
 - Serviced apartment/hotel building providing 125 keys.
 - Three residential flat buildings and a small number of terrace houses comprising a total of 222 dwellings and associated amenities.
 - Landscaped podium with private communal open space, a resident's community space and swimming pool.
- Establish a building envelope and range of land uses for a new Sharks Centre of Excellence attached to the existing western (ET) grandstand of Southern Cross Group Stadium.
- Amendment to the landscape master plan to provide for the additional land uses.

In addition, this Modification Application seeks to concurrently amend the Project Approval to facilitate subdivision of approved Lot 315 to form separate stratum lots for the residential and tourist accommodation buildings.



Indicative master plan for eastern precinct and Southern Cross Group Stadium

Statutory Context

The Concept Plan and Project Approval for Woollooware Bay Town Centre were approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) by the Planning Assessment Commission under delegation from the (then) Minister for Planning by the Planning Assessment Commission. Part 3A of the EP&A Act was repealed in October 2011, however, transitional provisions were enacted that provide for the continuation of the Part 3A assessment and approval mechanisms for designated transitional projects, including Woollooware Bay Town Centre.

Section 75W of the EP&A Act permits a versatile approach in the modification of approvals under Part 3A, recognising that the nature, strategic context and opportunities provided by complex urban renewal projects change over time. The mechanism for this modification is explicitly intended to continue to apply to transitional Part 3A projects including the Woollooware Bay Town Centre Concept Plan and Project Approval.

The project, as it is proposed to be modified, continues to be for the development of a new mixed use town centre centred around the Southern Cross Group Stadium. Notwithstanding the additional built form and uses proposed, the project remains consistent with the intended outcome for this precinct and the proposed modifications do not give rise to any significant adverse environmental issues. As such this modification is well within the scope of s75W of the EP&A Act. Furthermore, the modification application will be subject to a process of environmental assessment, community input and independent determination that is similar to the original Concept Plan and Project Application.

This Modification Application relates to the Concept Plan Approval and Project Approval's stratum subdivision plan only, and further planning applications will be required to implement the (minor) changes to the approved Retail/Club podium and gain planning approval for construction of the Sharks Centre of Excellence, residential and visitor accommodation buildings proposed in this application. The Proponent will be required to submit a further S75W Modification Application to amend Project Approval MP 10_0230 in relation to the podium, and separate Development Applications to Sutherland Shire Council in relation to the remainder of the proposed development components.

Strategic Context

Since the approval of the original Part 3A Concept Plan in 2012, the strategic planning and urban development framework in Sydney has changed significantly. These changes include:

- Release of A Plan for Growing Sydney and the Towards Our Greater Sydney 2056 strategy update, providing additional emphasis on the need to increase housing supply, promote urban renewal in centres, increase the number of jobs close to housing;
- Release of the Draft South District Plan, which builds on the themes in the metropolitan plans, includes a specific direction to grow the region's tourism economy and indicates that annual dwelling production within Sutherland Shire will need to increase to three times recent levels of housing completions;
- Adoption of Sutherland Shire Council's Destination Management Plan 2015, which specifically identifies a need to facilitate the delivery of a new high quality hotel within the Sutherland Shire to "support larger events and weekend sports activities and tournaments"; and
- Gazettal of the Sutherland Shire Local Environmental Plan 2015, which designates Woollooware Bay Town Centres with a B2 Local Centre zone in which tourist and visitor accommodation and residential flat buildings are permitted with development consent across the site.

As a result of these strategic shifts, the ability to simultaneously fulfil identified strategic objectives and enhance the approved Concept Plan to create a more vibrant town centre that meets the housing, employment, retail, medical, leisure and entertainment needs of the existing and future community.

Environmental Assessment

The proposed modifications will deliver a number of significant benefits to existing and future residents of the community and visitors to Woollooware Bay Town Centre, including:

- Delivering a number of significant public benefits to the community, including a new community space for use by local groups, tourism facilities, greater emphasis on active travel programs and public transport, and new learning opportunities and increased activation of the Woollooware Bay Foreshore.
- Meeting an identified need for tourist and visitor accommodation within Sutherland Shire which will contribute to growing Sutherland Shire's stock of visitor accommodation, facilitating increased tourist expenditure and employment within the local economy, and assist in developing the Shire's profile as a tourist venue associated with its natural assets, sporting venues and local business activities.
- Supporting an additional 20 full time equivalent jobs in the hotel component and additional direct and indirect jobs within Woollooware Bay Town Centre to service the food, beverage, entertainment, conference and function room.
- Increasing opportunities for Sutherland Shire to develop as a destination for sports tourism by providing an integrated facility with on-site visitor accommodation, training field and facilities and sports medicine practitioners.
- Creating a vibrant town centre which directly integrates a range of land uses to support activity
- Increasing patronage of the new local public bus service (Route 985), which has been catalysed by the Woollooware Bay Town Centre development.
- Providing additional car-sharing vehicles within the centre to support reduced car usage.

In relation to the key environmental assessment issues:

- Visual impacts associated with the proposed modifications are considered to be acceptable, with the modification resulting in only minor impacts on district views towards the centre whilst closer views will benefit from a diversity of building forms, separation between buildings and design excellence befitting the nature and context of this local centre.
- Overshadowing associated with the proposed building envelopes will largely be confined within the site and adjoining road reserve for the majority of the year, with some limited overshadowing of Woollooware Golf Course and Woollooware High School. Overshadowing of the school is limited to only a small portion of the overall outdoor area during the lunchtime break during winter months, and would not significantly affect the ability of students to access natural lit spaces.
- Additional vehicular trip generation associated with the proposed development is capable of being accommodated within the existing capacity of the local road network (and approved upgrades), including key intersections at Woollooware Road, Captain Cook Drive and Gannons Road.
- A high level of residential amenity would be provided for future occupants of residential dwellings within the eastern precinct, with an initial assessment

indicating compliance with the design principles under SEPP 65 and the Apartment Design Guide.

- Ecological impacts associated with the modification would be minor and acceptable, given that the modification does not alter the approved building footprint, will continue to incorporate mitigation measures to reduce impacts such as bird-strike risk and will have a neutral or beneficial impact on water quality comparison to the approved Concept Plan.

Conclusion

The proposed modifications represent an opportunity to maximise the economic and community benefits of the Woollooware Bay Town Centre development by seeking to develop under-utilised areas (stadium back-of-house, eastern precinct airspace) to provide additional tourist accommodation, housing, medical and sporting infrastructure to meet the needs of the existing and future populations of Sutherland Shire. The proposed development is capable of being accommodated within the centre without giving rise to any significant additional environmental impacts, and will make a positive contribution to the establishment of a vibrant and genuine mixed use town centre. In light of the merits of the proposed modification, we have no hesitation in recommending that the proposed modifications to the Concept Plan and Project Approval for Woollooware Bay Town Centre be approved.

1.0 Introduction

This Modification Application is submitted to the NSW Department of Planning and Environment in relation to the Part 3A Concept Plan (MP10_0198) Approval (Concept Plan Approval) and Project Approval (MP10_0230) for 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).

The Concept Plan (MP10_0229) for Woollooware Bay was approved by the Planning Assessment Commission (as delegate of the Minister) on 27 August 2012. It provided for the development of a new mixed-use town centre on the surplus lands of the Cronulla Sutherland Leagues Club at 461 Captain Cook Drive, Woollooware, including redevelopment of the Leagues Club, a new retail centre, residential flat buildings, upgrades to Southern Cross Group Stadium and a new foreshore parkland. The Concept Plan established development parameters including land uses, building envelopes, development yield, traffic and parking requirements, infrastructure upgrades and environmental conditions. The Project Approval provided detailed development consent for the refurbishment of the Leagues Club and the development of a new retail centre, including stratum subdivision. As detailed in **Section 2.0**, the Concept and Project Approvals have been subsequently modified a number of times and detailed applications for development have been submitted to and approved by the NSW Department of Planning and Environment and Sutherland Shire Council.

In brief, this application seeks to amend the Concept Plan and Project Approval to facilitate the development of a new hotel/serviced apartment building with 125 rooms, three residential flat buildings and a number of terrace-style dwellings comprising 222 apartments above the Retail/Club precinct, and the construction of a new extension to the Western Stand for a new Cronulla Sutherland Centre of Excellence. Associated with these changes, the application also seeks to provide additional car parking and a landscaped podium roof above the approved retail centre. No changes are proposed the approved foreshore parklands as part of this application.

In summary, this Modification Application seeks the following modifications to the Concept Plan Approval:

- Expand the range of land uses within the eastern precinct to provide a more comprehensive town centre by including residential, hotel/serviced apartment accommodation and additional community uses.
- Include indicative building envelopes above the retail/club building for:
 - 1 x serviced apartment/hotel building providing 125 rooms.
 - 3 x residential flat buildings and a small number of terrace houses comprising a total of 222 dwellings and associated amenities.
 - Landscaped podium with private communal open space.
 - Additional car parking.
- Amend the maximum parameters for Gross Floor Area and Gross Building Area;
- Provide indicative building envelopes and land use for a Sharks Centre of Excellence adjoining the western grandstand; and
- Increase the number of car parking spaces within the eastern precinct from 770 spaces to 1,078 spaces.

In addition, this Modification Application seeks to concurrently amend the Project Approval to facilitate subdivision of approved Lot 315 to form separate stratum lots for the residential and tourist accommodation buildings.

This report has been prepared by JBA on behalf of Cronulla Sutherland Leagues Club and Capital Bluestone. The report describes the proposed modifications to the Concept Approval, outlines the justification for and purpose of the modifications, outlines community consultation undertaken to date and provides a detailed assessment of the potential environment impacts.

2.0 Background to Woollooware Bay Town Centre

2.1 Summary of Planning Approvals

On 27 August 2012, the Planning Assessment Commission (PAC) approved a Part 3A Concept Plan for the redevelopment of surplus land at Cronulla Sutherland Leagues Club for a new mixed use town centre comprising a mixed residential and retail development integrated with upgrades to the Leagues Club and Southern Cross Group Stadium. Since this time, Woollooware Bay Town Centre has been the subject of a number of further planning applications which have modified the Concept Plan Approval and obtained development approval for individual elements of the overall master plan. The Concept Plan, as currently approved, provides for:

- staging of proposal into three stages;
- use of the site for a mixed use development with associated public open space;
- indicative building envelopes, including residential flat buildings up to 14 storeys in height within the western precinct;
- parameters for Gross Floor Area (GFA) and Gross Building Area (GBA) as follows;
 - GFA: 61,370m² on the western (residential) precinct and 27,412m² on the eastern (retail/Club) precinct.
 - GBA: 115,402m² for the western precinct and 60,732m² for the eastern precinct.
- car parking requirements for residential and retail/Club uses within the town centre;
- road works to support the development;
- new foreshore parkland and riparian zone, including revegetation, public open space and pedestrian and cycle paths;
- landscaping and public domain upgrades;
- expansion of the western stadium;
- sales and marketing facilities; and
- superlot subdivision of Lot 11 DP 526492 into two allotments.

The Part 3A Project Application for the Retail and Club Precinct was approved by the PAC on 20 August 2013, and included approval for the stratum subdivision of the land. The Project Approval has been modified on a number of subsequent occasions, including two modification applications which were under assessment by the Department at the time of writing.

Figure 1 below shows the approved master plan for Woollooware Bay Town Centre, whilst **Figures 2** and **3** provide indicative photomontages of the approved development.

Table 1 below summarises the planning approvals and modifications in relation to Woollooware Bay Town Centre, whilst **Section 2.2** below describes the relationship between this application and other current planning applications in relation to the development.

Table 1 – Summary of planning approvals for Woollooware Bay Town Centre

Event	Date Approved	Details
Part 3A Concept Plan (MP10_0229)		
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"> – Amendment to the approved residential building envelopes; – Increase of the area of the outdoor deck of the Club; – addition of a Term of Approval relating to penthouse apartments and use of rooftop areas; – amendment to Future Environmental Assessment Requirement 2, 3 and 17; and – inclusion of a note within Schedule 3.
MOD 2	<i>Current application</i>	Modification to the retail/club precinct to allow for building envelopes for a hotel and approximately 220 residential apartments above the approved retail/club building and associated amendments.
MOD 3	14 March 2016	Modification relating to an increase in GFA/GBA and amendment to select building envelopes.
MOD 4	26 October 2015	Modification to amend the visitor and commercial parking rates to allow for a sharing of spaces in response to differing peak periods of demand.
MOD 5	Under assessment	Current modification regarding the landscaping scheme for the site.
MOD 6	2 August 2016	Design changes to retail precinct (concurrent with MP10_0230 MOD 3).
MOD 7	Under assessment	Design changes to retail precinct (concurrent with MP10_0230 MOD 4).
Part 3A Retail/Club Project Application (MP 2012-410)		
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 Woollooware 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 to amend the configuration of the retail and Club development on Levels 1, 3 and amend the approved stratum subdivision plans.
MOD 2	8 April 2016	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.
MOD 3	2 August 2016	Section 75W modification to Retail/Club Project Approval to revise the approved building's architectural expression, internal changes to retail configuration and extension of the upper car parking deck and roof.
MOD 4	Under assessment	Architectural design changes to approved retail building.
MOD 5	Under assessment	Amendment to stratum subdivision.
Stage 1 – Residential Precinct (DA13/0270)		
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	23 December 2014	Section 96 modification for the reconfiguration of two apartments, amongst other miscellaneous design changes and amendments to the wording of several conditions of consent.
MOD 2	23 December 2014	Section 96 modification to amend conditions 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	8 July 2015	Section 96 modification to amend configuration of apartments and car parking layouts.
MOD 5	10 August 2016	Section 96 modification to the provision of car parking within Stage 1.
MOD 6	27 September 2016	Section 96 modification to conditions relating to flood mitigation works.
Stage 2 – Residential Precinct (DA14/0598)		
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, car parking, provision of associated landscaping and public domain works, and extension/Augmentation of services and infrastructure.
Stage 3 – Residential Precinct (DA16/1068)		
Development Application	Under assessment	Stage 3 Residential DA for construction and use of 238 dwellings across three residential apartment buildings and terraces, associated podium car parking, landscaping and communal areas and four non-residential tenancies at ground level.



Figure 1 – Approved master plan for Woollooware Bay Town Centre



Figure 2 – Indicative photomontage of approved Leagues Club and retail development within eastern precinct



Figure 3 – Indicative aerial rendering of approved Concept Plan

2.2 Relationship to Current Modification Applications

2.2.1 Concept Plan MOD 5 – Foreshore Landscaping

The pending Concept Plan Modification 5 does not have any implications for the modification to the Retail/Club Precinct that is the subject of this application. It is noted that the proposed foreshore landscaping to be undertaken following MOD 5 will provide a recreational area for future residents and users of the Retail/Club Precinct, as well as function to protect the existing foreshore.

2.2.2 Project Approval MP10_0230 – Retail/Club

Current Approval

Modifications to the Project Approval for the Retail/Club precinct were approved by the NSW Department of Planning and Environment on 2 August 2016, to facilitate changes to the approved architectural design of the Retail and Club buildings resulting from a design review undertaken by HDR Rice Daubney. This design contemplates the future development above the Retail/Club podium, and would require minimal alteration to facilitate the proposed amendments to permit development above the podium as proposed in this application.

Mod 4 – Architectural Design

The Project Approval is currently the subject of a minor Section 75W Modification Application that is being assessed by the NSW Department of Planning and Environment. This modification relates to minor design changes to the retail component of the approved development and does not alter the future relationship between the podium and any development of the space above.

Should this application be approved, a further Section 75W Modification to the Project Approval would be submitted to the NSW Department of Planning and Environment to facilitate requisite changes within the podium building. Separate Development Application(s) would be submitted to Sutherland Shire Council in respect of the hotel/serviced apartment and residential buildings above the approved Retail/Club podium.

Mod 5 – Stratum Subdivision

Modification 5 to the Project Approval relates to correction an error and makes minor boundary adjustments to the approved stratum subdivision plan. It is necessary for this modification application to be finalised in a timely manner in order to facilitate the progression of the approved Retail/ Club precinct development.

Should this current application be approved, an amended subdivision plan will be able to be registered to reflect the proposed future development of the space above the Retail and Club precinct.

2.3 Part 3A Repeal

The *Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011* (Part 3A Repeal Act) commenced on 1 October 2011, closing the Part 3A assessment process for new projects and establishing transitional provisions under the EP&A Act for 'transitional Part 3A projects' including Woollooware Bay Town Centre. The Part 3A Repeal Act specifically provides for the continuance of the modification provisions under section 75W of the EP&A Act in regard to transitional Part 3A projects. Accordingly, the Concept Plan can continue to be modified within the scope of S75W of the EP&A Act.

Clause 3 of Schedule 6A of the EP&A Act also provides that any State Environment Planning Policy or other instrument made under or for the purposes of Part 3A, as in force on the repeal of that Part and as amended after that repeal, continue to apply, to and in respect of, a transitional Part 3A project.

3.0 Community Consultation

The Cronulla Sutherland Leagues Club and Capital Bluestone have undertaken extensive community consultation throughout the evolution of the Woollooware Bay Town Centre project. A significant number of meetings have been held with Councillors and staff of Sutherland Shire Council over the life of the project, as well as meetings with the Department, other government agencies, local community groups, businesses and individual residents. This ongoing engagement is described in detail in the Community Engagement Report prepared by Straight Talk at (**Appendix B**).

3.1 Background to Consultation

Throughout the planning and development of Woollooware Bay, Capital Bluestone have undertaken a significant amount of community consultation comprising over 700 meetings, presentations and briefings. Consultation in relation to this proposed modification has occurred during a long period of project development and community and stakeholder engagement. Initial presentations to stakeholders regarding the proposed modifications occurred in late-2014, with subsequent project development and further stakeholder consultation occurring in 2015 and 2016. This early engagement with the community and key stakeholders has informed the proponent's approach to this modification and the nature of the design proposals progressed by the project architect, Turners.

3.2 Stakeholder Engagement

The stakeholder engagement on the proposed modification during the early phases of the proposal involved:

- A letter inviting participation in a Display and Discuss session at the Cronulla Sutherland Leagues Club ('the club') was issued to all 10,000 Club members.
- A letter inviting participation in a Display and Discuss session at the club was issued to all 640 current owners in Stage 1, 2 and 3 of the residential precinct.
- A presentation by Capital Bluestone was given to the Board of the Cronulla Sutherland Leagues Club.
- A presentation by Capital Bluestone was given to the Sutherland Shire Council.
- A presentation was given to Mark Speakman MP, the State Member for Cronulla.

A meeting with the North Cronulla Precinct Committee was also arranged immediately following the Display and Discuss session at the club, however, the Committee's representative did not attend and so no briefing was able to be given.

A 'Display and Discuss' drop-in consultation session was held for Club members on 24 November 2014. 25 people attended and three feedback forms were completed. A second 'Display and Discuss' session was held for Stage 1 owners was held on 26 November 2014, with 44 people in attendance and 13 feedback forms completed.

From September 2016, stakeholder engagement has again been undertaken with key stakeholders to update them on the progress of the project and changes to the design. This included:

- A site tour and meeting with the General Manager of Sutherland Shire Council.
- A site tour and meeting with Mark Speakman MP.

- A presentation and discussion with Sutherland Shire Council Economic and Community Development team.
- A meeting with Project Youth, a local community organisation.
- A site tour and separate meetings with Sutherland Shire Council Councillors, Scott Morrison MP and the Principals of Woollooware High and Cronulla High.

In addition to this, close consultation with the board and management of the Cronulla Sutherland Leagues Club has been ongoing throughout the planning and design of the proposed modification.

3.3 Consultation Outcomes

The key issues raised throughout stakeholder engagement undertaken at the two Display and Discuss sessions in 2014 relate to traffic, height, parking and the ongoing use of the precinct as a sports centre.

Recent consultation undertaken in 2016 is generally positive, with stakeholders pleased to see the progress of the redevelopment of the site. In particular, the groups consulted were pleased with the impact that the development would have on providing surveillance to the adjoining parklands as well as the opportunities the site would offer for employment, training and tourism.

The comments received to date have been considered by the relevant specialist consults for the project and incorporated into the design response, which have determined the final proposed modifications.

3.4 Ongoing Engagement

Straight Talk have devised an ongoing engagement strategy to ensure that communication between the project team and the affected community is maintained. This may include:

- A project website at www.wbaycommunity.com.au;
- Posters and displays providing information on the proposed modification at key Council locations.
- Briefings with local stakeholders.
- Display of project information at the Cronulla Sutherland Leagues Club.
- Advertising in local publications and media outlets.
- A project newsletter.

4.0 Strategic Need and Justification for Modification

Following the approval of the Concept Plan, through consultation, design development and further planning, it has become evident that there are a number of reasons to revise the approved scheme for the eastern precinct to achieve the most appropriate development outcome for the site. The proposed modifications arise from a number of strategic influences, which are discussed in detail in the following sections.

4.1 Stronger Town Centre

Increasing housing close to centres and stations makes it easier to walk or cycle to shops or services; travel to work or other centres; reduces traffic congestion; and makes our neighbourhoods more community oriented.

Increasing the variety of housing available makes it easier for people to find a home that suits their lifestyle, household size and their budget.

Locating new housing in centres delivers a range of economic, environmental and social benefits to the community. Research by the Organisation for Economic Cooperation and Development (OECD) has similarly found that productivity benefits arise from a more compact city.

– A Plan for Growing Sydney 2014

The approval of the Concept Plan established Woollooware Bay as a new centre within the hierarchy of existing centres in Sutherland Shire, providing much-needed new retail services, a medical centre, leisure uses, an upgraded Cronulla Sutherland Leagues Club and increased housing diversity. During the planning assessment for the original Concept Plan, it was acknowledged by the PAC that Woollooware Bay will play an important role in the hierarchy of Sutherland Shire's centres. 'Bay Central' will deliver a mixed use precinct accommodating a range of major and specialty retailers, dining and takeaway food, community and recreational uses. The Stage 4 Residential/Hotel proposal will support this vision, increasing the range of uses within the eastern precinct and delivering a genuine mixed use precinct with high amenity.

During the assessment period, approximately 100 apartments were removed from the western precinct in order to address public concerns regarding the density of the residential precinct. At the time, the relocation of these apartments to the airspace above the Retail/Club Precinct was contemplated as an option to maintain the residential population of Woollooware Bay Town Centre. Due to the timing and financial pressure on the Cronulla Sutherland Leagues Club at the time of the original Concept Plan application, there was not sufficient time for the re-design and re-exhibition of the scheme to incorporate this amendment. The Stage 4 Residential/Hotel proposal now intends to progress this relocation.

During public exhibition of the Concept Plan and Preferred Project application, Sutherland Shire Council emphasised a concern that the centre did not have the potential to grow over time. In addition, Council officers raised concern that the project could be viewed as a standalone shopping centre isolated from the residential (western) precinct. Whilst the PAC ultimately disagreed with this issue, it was suggested that further design could provide an appropriate response to Council's concern. The Stage 4 Residential/Hotel proposal directly addresses this issue by integrating two new land uses within this precinct that will contribute to the activity and vibrancy of this centre throughout the day and evening.

As a result of these comments by the relevant authorities, the proposed amendments to the Concept Plan are considered to be consistent with the desired future character of the area, responsive to future growth in Sutherland Shire and will ultimately assist in creating a town centre that benefits from the close proximity of retail and recreation facilities alongside tourist accommodation and a residential community.

4.2 Tourism and Visitor Accommodation

Support the significant visitor economy at locations such as Cronulla Beach, Kyeemagh to Dolls Point, and Kamay Botany Bay National Park (including Captain Cooks Landing).

– A Plan for Growing Sydney 2014

The planning framework makes an important contribution to the local tourism sector by ensuring the full range of 'tourist and visitor accommodation' is permitted in all higher order centres and that Cronulla is supported as the Shire's premier tourism destination.

– Sutherland Shire Employment Strategy 2013

There is a need to introduce a larger scale and high quality branded accommodation property, providing at least 130-150 rooms and offering additional quality room stock for the Shire.

– Sutherland Shire Destination Management Plan 2015

At its meeting on 21 March 2016, Sutherland Shire Council voted to adopt the *Sutherland Shire Destination Management Plan* (Sutherland Shire Council and The Stafford Group) and the *Further Investigation into Visitor Accommodation Development Opportunities in the Sutherland Shire* report (2T Tourism Asset Services). These reports identify the delivery of new branded tourist and visitor accommodation as key priority to add to the critical mass of short-term accommodation, support larger tourism events and facilitate broader economic development within Sutherland Shire. Woollooware Bay Town Centre is directly identified in the Destination Management Plan as one of sites with the greatest potential to deliver this increase in visitor accommodation supply.

As noted in the Destination Management Plan, the provision of additional tourist and visitor accommodation within Sutherland Shire provides the opportunity to capture additional domestic and international overnight tourism to the region, and convert the high levels of day-visitation to overnight stays. This would provide a number of benefits, including flow-on economic and employment benefits to the region through tourism operators and local retail and service-sector businesses.

Providing new tourist and visitor accommodation at Woollooware Bay will expand the range of accommodation options for business travellers to the area. By facilitating a quality hotel in a location that benefits from the adjacent retail and dining offerings as well as a public transport connection to other local centres, Sutherland Shire will be able to take advantage of the activity that people travelling for business can bring to the area.

Locating new tourist and visitor accommodation at Woollooware Bay provides a unique opportunity to further capitalise on the attraction of Southern Cross Group Stadium, allowing visitors to stay overnight within the region in conjunction with games, and to broaden the range of uses for the stadium. In conjunction with the proposed Sharks Centre of Excellence, the visitor accommodation component has the potential to establish Woollooware Bay and Southern Cross Group Stadium as an attractive destination for sporting teams across codes, providing accommodation and training facilities in a single location. This has the potential to

deliver both direct and flow-on benefits to the local economy through increased recognition and market exposure for Sutherland Shire as a tourism destination.

4.3 Housing Diversity and Population Growth

Council wants to help make it easier for younger people leaving home and young families to set up home in the Sutherland Shire. Young families need affordable houses or larger flats to buy or rent. Many younger people want to live in smaller dwellings close to centres, for reasons of cost, convenience and access to social activities. Housing a wide range of age groups in the community helps to keep shops and businesses viable as well as supporting sporting groups, cultural and community organisations. It also enables key workers such as teachers, nurses and tradesman to live close to workplaces.

Increasing the population of centres brings more customers to local businesses. Well-designed new residential buildings also add new shops, cafes, restaurants and other businesses which can contribute to the revitalisation of centres, bringing more people and new business into the centre.

– **Sutherland Shire Housing Strategy 2013**

Sydney's population is forecast to increase by 1.74 million people between 2016 and 2036, requiring new housing to be delivered across the metropolitan area. This is approximately twice the rate of population growth that Sydney experienced over the 20 years between 1991 and 2011. As noted in **Section 4.6** below, the Draft South District Plan identifies a short-term housing supply target for Sutherland Shire that substantially exceeds rates of both housing completions and approvals over the past five years. The need to ensure the availability of new housing means that strategic planning must capitalise upon opportunities to deliver additional housing in suitable locations.

NSW 2021 and A Plan for Growing Sydney emphasise the need to concentrate new dwelling growth in existing and identified centres, in order to promote more efficient use of infrastructure, co-location of housing and jobs and improved urban amenity. Opportunities for urban renewal around existing and proposed public transport routes are identified as a key opportunity to facilitate growth. The Greater Sydney Commission's *Towards our Greater Sydney 2036* makes housing choice and diversity a metropolitan priority, and states that strategic planning should "prioritise new housing in places where daily needs can be met within walking distance or by public transport".

In approving the establishment of Woollooware Bay as a new centre within Sutherland Shire's existing hierarchy of centres, the PAC recognised the potential to create a genuine and successful mixed-use town centre and the suitability of the precinct for higher-density residential uses. With the approval of the Concept Plan resolving key issues such as the provision of public transport, the establishment of suitable transport and parking arrangements, foreshore setbacks and landscaping, the use of the airspace above the approved Retail/Club Precinct raises few additional issues in relation to the suitability of this location for additional housing.

The Stage 4 Residential/Hotel proposal would facilitate the delivery of approximately 222 additional dwellings within the footprint of the approved Retail/Club development. New residents would benefit from immediate proximity to retail services, a medical centre, a fitness and leisure centre, dining, entertainment, open space and public transport.

4.4 Supporting Local Jobs and Training

Employment self-containment means the ability of the local population to find employment within the local government area. Benefits of providing local jobs for local residents include reduced peak hour traffic, a better work-life balance, increased local spending and stronger local communities.

– **Sutherland Shire Employment Strategy 2013**

The Stage 4 Residential/Hotel and Sharks Centre of Excellence proposal will directly support the provision of an additional 20 full-time equivalent jobs in the hotel as well as additional direct and indirect jobs to service the food, beverage, entertainment, conference and function rooms, in addition to approximately 400 jobs already expected to be provided within the approved Retail/Club precinct.

The Sharks Centre of Excellence will support additional employment within Woollooware Bay Town Centre, and promote opportunities for further economic development through synergies with Southern Cross Group Stadium and the proposed tourist and visitor accommodation.

Sutherland Shire Council's 2013 Employment Strategy identified a need to increase opportunities for local employment. As noted in **Section 4.6.1**, the provision of local jobs is also a key objective in *A Plan for Growing Sydney* and the *Draft South District Plan*. The proposed modifications will support this objective through the provision of new opportunities for local employment within the hospitality and sports health sectors, as well as contributing to additional employment within the retail sector.

4.5 Transport and Access

The Woollooware Bay Town Centre development has acted as a catalyst for the provision of additional public transport in the locality, connecting the centre to existing transport nodes at Cronulla, Caringbah and Miranda. The commencement of Route 985 on 20 November 2016, ahead of the first residential occupation of Stage 1, will initially provide 272 trips across the week including 44 each weekday, 28 on Saturdays and 24 on Sundays. This service will provide a 6-minute journey to Caringbah Station, 9-minute journey to Cronulla Station and a 14-minute journey to Miranda. In addition to future residents and patrons of Woollooware Bay, the bus service also benefits residents of the surrounding communities in Caringbah, Miranda and North Cronulla who will benefit from additional public transport options.

The Stage 4 Residential/Hotel proposal would further enhance the patronage and viability of the new bus service, and potentially generate sufficient demand to warrant more frequent services. By supporting the efficient utilisation of public transport services, and potentially supporting more frequent services, the Stage 4 Residential/Hotel proposal has the potential to deliver a significant public benefit whilst promoting non-car travel options within the locality.

A Green Travel Plan (**Appendix J**) has also been prepared to encourage residents, staff and visitors to Woollooware Bay Town Centre to reduce private vehicle usage and utilise a range of alternate travel modes including public transport, cycling, car-share, car-pooling and walking. The Green Travel Plan is being implemented within the first residential stages (completed and under construction) and will be implemented for all future stages. This plan is intended to reduce car usage associated with the centre, providing benefits including reduced congestion, reduced air pollution and positive health outcomes for residents and visitors.

As noted in **Section 6.6** of this report, local intersections and site access points are capable of accommodating additional trips associated with the proposal without significant adverse impacts.

4.6 Strategic Planning Policy

4.6.1 A Plan for Growing Sydney

Housing growth

A Plan for Growing Sydney is the new strategic vision for Sydney's metropolitan area over the next 20 years. Recognising the challenge of accommodating an additional 1.74 million people in Sydney by 2036, who will require 664,000 new homes and 689,000 new jobs, the plan sets out the broad vision and principles to guide this growth. Importantly, this will require more diverse housing choices throughout Sydney. The fastest growing household types will be single-parent families, young and 'empty-nester' couples and lone person households, who typically prefer smaller housing typologies with low maintenance and good amenity. Strong demand for this type of housing has already been demonstrated by the demand from local Sutherland Shire residents for new apartments at Woollooware Bay Town Centre.

Centre-based growth

Woollooware Bay Town Centre will provide a range of retail, leisure, medical, entertainment and recreational opportunities to residents of both the new development and the surrounding area. A Plan for Growing Sydney continues long-standing government policy to concentrate new density within existing centres and corridors. This modification presents an opportunity to provide additional uses that will further strengthen the centre, as well as additional residential dwellings that will allow more people to benefit from the high level of amenity resulting from living close to these uses.

Employment

Along with a need to provide additional housing, there is also a need to promote employment and economic growth to support a larger city. For the South District, the metropolitan plan identifies a need to support employment activities at Taren Point and to increase opportunities for expansion of the visitor economy. The proposed hotel/serviced apartment feature of this modification has the potential to support both of these objectives, providing accommodation to support business travel, sports tourism and general tourism.

Community

A Plan for Growing Sydney recognises that a strong community is fostered through a range of complementary land uses that include residential, commercial, education and recreational development that are connected to public transport, public space and other basic infrastructure such as water and electricity. By providing such land uses in conjunction with infrastructure improvements, centres can create a place where people can gather and meet. It is also recognised that an important element of building a strong community is building a safe community using the principles of Crime Prevention Through Environmental Design.

The proposed modification seeks to strengthen the existing community that is being developed at Woollooware Bay Town Centre by adding to the range of uses that will create a lively and safe town centre. By providing dedicated community facilities for sports training, youth groups and other community activities in a centre that also provides retail and dining opportunities, additional homes, tourist and visitor accommodation and a connection to Woollooware Bay, it is considered that the proposed modification will facilitate a strong community that benefits

from a range of uses and will incorporate continual passive surveillance to ensure safety. In this way, the proposed modification strives to meet the objectives for building a strong and safe community outlined in A Plan for Growing Sydney.

Transport-oriented

As noted in **Section 4.5**, a public bus service has now commenced at Woollooware Bay which has been catalysed by the Concept Plan Approval. Providing new housing in locations that maximise utilisation of transport services is consistent with a number of reoccurring themes in the metropolitan plan, and delivers a range of metropolitan-scale benefits including reduced congestion, improved air quality and positive health outcomes.

4.6.2 Draft South District Plan

The Draft South District Plan was released by the Greater Sydney Commission on 21 November 2016, and is intended to guide strategic land use decisions and inform assessments. The Plan is centred around three planning principles established under A Plan for Growing Sydney:

- Increasing housing choice around all centres through urban renewal in established areas;
- Stronger economic development in strategic centres and transport gateways; and
- Connecting centres with a networked transport system.

The Stage 4 Residential/Hotel proposal directly responds to these principles by:

- Increasing housing choice within Woollooware in a centre-based location, providing the opportunity for a mix of new dwelling types in close proximity to retail services, community uses and recreational opportunities;
- Supporting the economic development of the region by increasing the supply of tourist and visitor accommodation within the region; and
- Increasing patronage of the newly-established 985 bus service connecting Woollooware Bay to Caringbah, Cronulla and Miranda.

Action 3.7 of the District Plan aims to 'grow the District's tourism economy'. The provision of 125 additional rooms adjacent to Southern Cross Group Stadium and in close proximity to Cronulla increases the capacity of the Sutherland Shire to accommodate both event-based and general tourism to the region. This approach is also consistent with the Sutherland Shire Destination Management Strategy as noted in **Section 4.2** above.

The tourist and visitor accommodation component of the project will directly provide 20 additional local jobs as well as additional direct and indirect jobs to service the food, beverage and other uses, whilst the Stage 4 Residential/Hotel development will also indirectly support additional employment within the retail and Leagues Club operations through increased turnover. This will increase the number of jobs available to residents of Sutherland Shire, increasing opportunities for local employment close to home (the 30-minute city concept).

The District Plan establishes a 5-year housing supply target of 5,200 dwellings (1,040 per annum), with a 20-year target across the South District of 83,500 dwellings. Over the five years to June 2016, dwelling completions within Sutherland Shire averaged only 544 dwellings per annum and dwelling approvals averaged only 699 dwellings per annum. As illustrated in **Figure 4** below, there is a significant gap between the actual levels of housing completions and approvals over the past five years and the dwelling target established under the District Plan. In any case, the provision of additional housing supply within the Stage 4

Residential/Hotel proposal is a substantive opportunity to contribute toward the longer-term housing supply target on a well-located site.

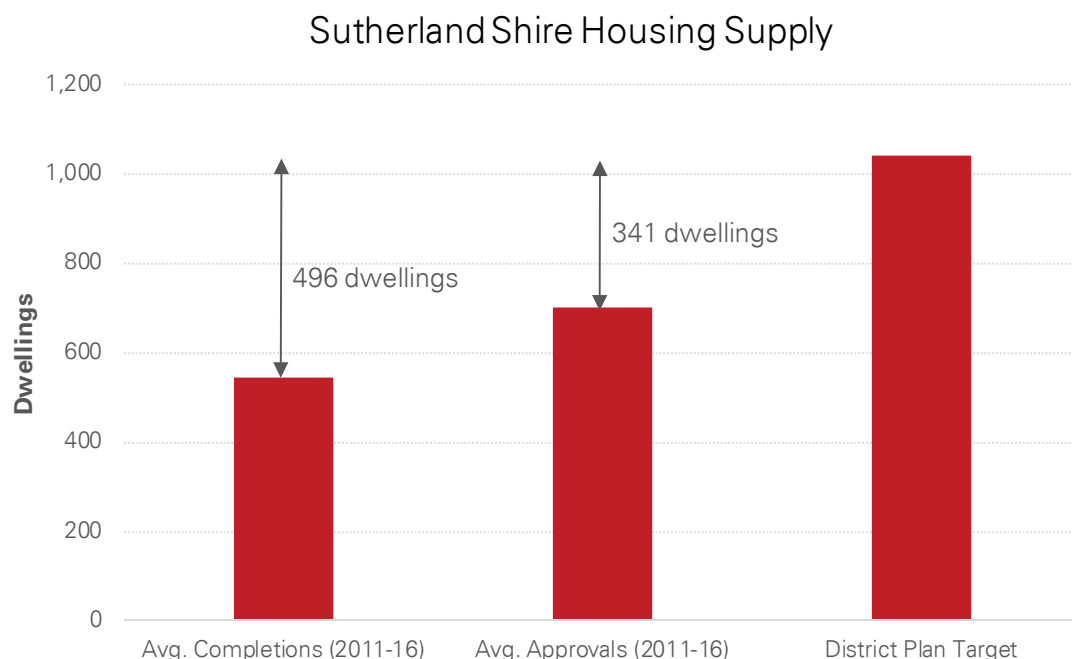


Figure 4 – Summary of recent dwelling completion and approval rates with District Plan housing supply targets

Source: NSW Department of Planning and Environment, Greater Sydney Commission

4.7 Summary of Strategic Justification

In accordance with the strategic plans and policies outlined above, the proposed modification will:

- facilitate a stronger town centre with a more diverse mix of land uses, increasing the productivity, liveability and sustainability of Woollooware Bay Town Centre;
- meet an identified demand for additional high-quality tourist and visitor accommodation within the Sutherland Shire, and provide synergies with Southern Cross Group Stadium and the proposed Sharks Centre of Excellence to provide new opportunities for sports tourism within the region;
- promote housing diversity to suit a range of household types and lifestyles, and contribute to housing supply to meet the future housing needs of the community;
- provide additional opportunities for local employment within Woollooware Bay Town Centre within the hospitality, sports health and retail sectors; and
- aligns with the strategic planning directions set out in *A Plan for Growing Sydney* and the *Draft South District Plan*.

5.0 Proposed Modifications

5.1 Description of Proposed Modifications

This application seeks to modify the approved Concept Plan in order to facilitate the development of new hotel/visitor accommodation and residential flat buildings above the approved Retail/Club podium and to deliver a new Cronulla Sutherland Centre of Excellence attached to the existing Western Stand of Southern Cross Group Stadium.

Specifically, this modification seeks to:

- Expand the range of land uses within the eastern precinct to provide a more comprehensive town centre with residential apartment buildings and tourist and visitor accommodation to complement the retail, club and community facilities already approved.
- Amend key development parameters in relation to the Concept Plan, including:
 - amending building envelopes for the eastern precinct to allow two additional levels of car parking above the podium, and six buildings ranging between 8 and 16 storeys (including podium);
 - increase the maximum GFA to 128,232m²;
 - increase the maximum GBA to 244,559m²; and
 - increase the number of car parking spaces within the eastern precinct from 770 spaces to 1078 spaces.
- Allow for the following development within the proposed building envelopes
 - Serviced apartment/hotel building providing 125 keys.
 - Three residential flat buildings and a small number of terrace houses comprising a total of 222 dwellings and associated amenities.
 - Landscaped podium with private communal open space, a resident's community space and swimming pool.
- Establish a building envelope and range of land uses for a new Sharks Centre of Excellence attached to the existing western (ET) grandstand of Southern Cross Group Stadium.
- Amendment to the landscape master plan to provide for the additional land uses.

The proposed amendments to the Concept Plan, along with indicative floor plans, are detailed in the Architectural Design Report (**Appendix C**), Urban Form Diagrams and Architectural Drawings (**Appendix D**) prepared by Turner and Amended Landscape Master Plan prepared by ASPECT Studios (**Appendix E**). **Figure 5** below illustrates the indicative roof plan and layout of proposed development above the retail/club podium, whilst **Figures 6** and **7** provide an illustration of the proposed above-podium development and the Cronulla Sutherland Centre of Excellence respectively. The following sections of this chapter provide additional details regarding the proposed development and operational parameters for which approval is sought under this modification application.

In addition, this Modification Application seeks to concurrently amend the Project Approval to facilitate subdivision of approved Lot 315 to form separate stratum lots for the residential and tourist accommodation buildings as discussed at **Section 5.9**, in accordance with the amended stratum subdivision plan prepared by David Tremain of Harrison Friedman & Associates (**Appendix V**).

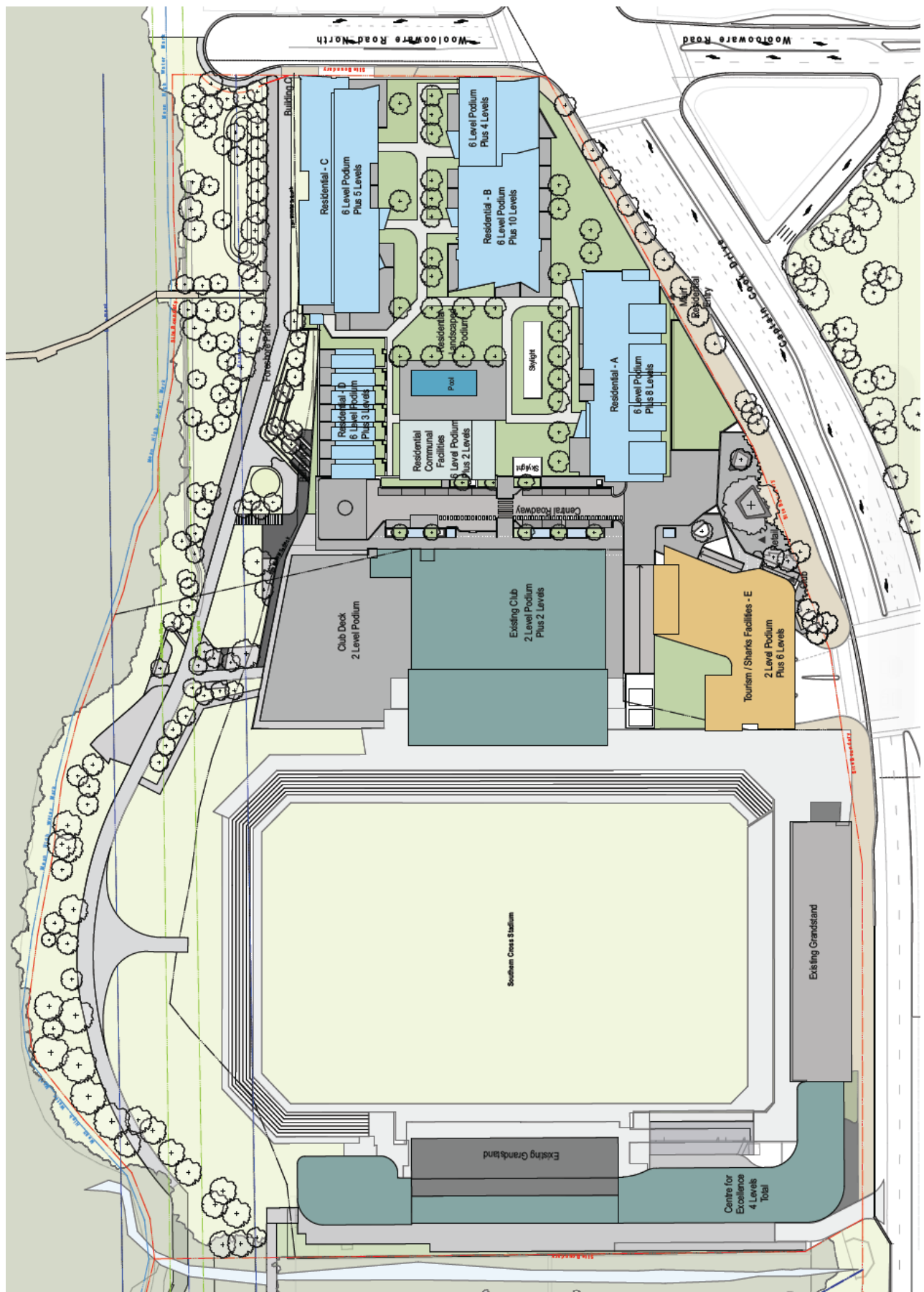


Figure 5 – Indicative master plan for eastern precinct and Southern Cross Group Stadium
Source: Turner



Figure 6 – Indicative photomontage of aerial view toward eastern precinct from the north-west
Source: Virtual Ideas

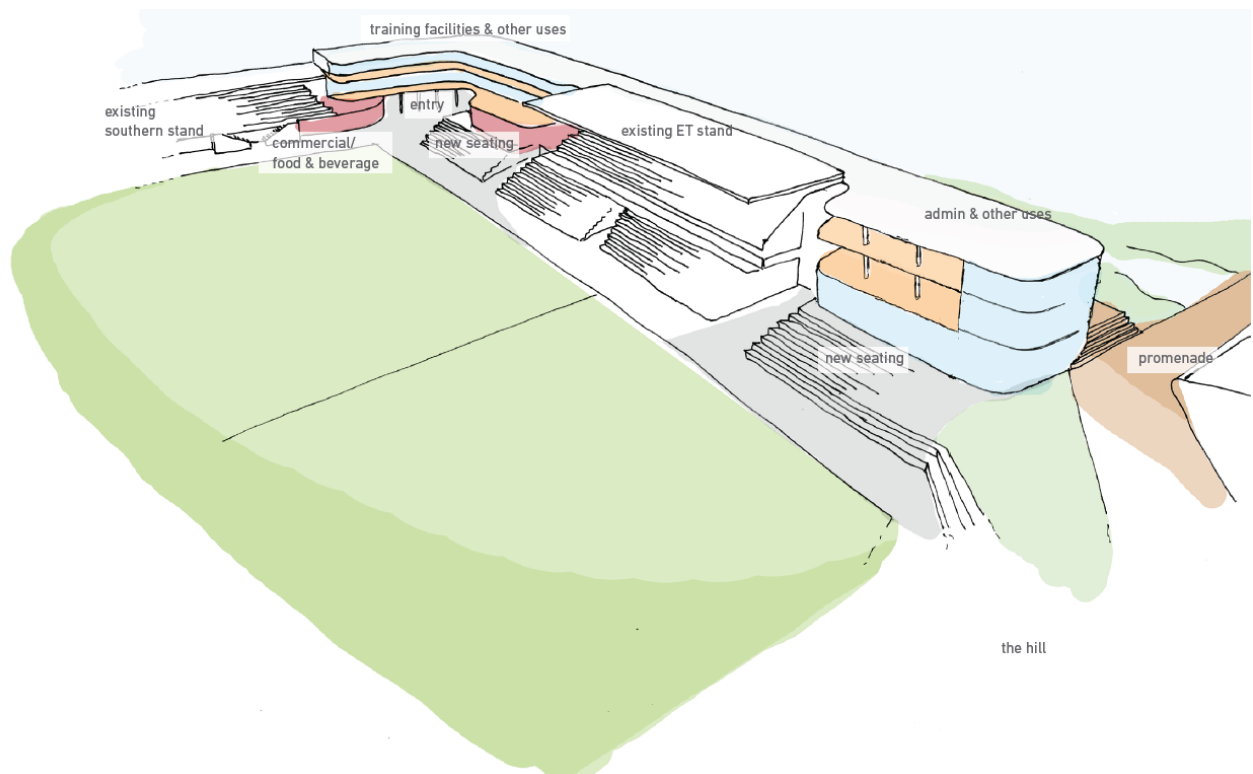


Figure 7 – Indicative massing model of proposed Sharks Centre of Excellence
Source: Turner

5.2 Numerical Overview

Table 2 provides a comparison of the key development statistics under the current Concept Plan Approval (as modified) to what is proposed under this modification application.

Table 2 – Comparison to approved Concept Plan

Development Component	Approved	Proposed	Difference
Total GFA	88,712m ²	128,232m ²	+39,520m ²
Western (residential) Precinct GFA	61,370m ²	No change.	No change.
Eastern (Retail/Club) Precinct GFA*	27,412m ²	66,862m ²	+39,450m ²
Total GBA	176,134m ²	244,559m ²	+68,425m ²
Residential Precinct GBA	115,402m ²	No change.	No change.
Retail and Club Precinct GBA*	60,732m ²	129,157m ²	+68,425m ²
Club Outdoor Deck	1,827m ²	No change.	No change.
Car Parking Spaces	770	1078	+308

*Breakdown of components is provided at **Table 3**

Table 3 provides a breakdown of the key numeric information associated with the development.

Table 3 – Numeric overview of development components

Development Component	Proposed
Gross Floor Area (GFA)	
Retail and Community GFA	24,194m ²
Hotel GFA	8,149m ²
Club GFA	5,512m ²
Residential GFA*	23,508m ²
Total Commercial, Club + Residential GFA	61,363m ²
Centre of Excellence GFA	7,793m ²
Total GFA	69,156m ²
Landscaping	
Communal Open Space	5,332m ²
Total Landscaped Area	3,498m ²
Car Parking (Indicative – subject to dwelling mix)	
Residential Parking	258 spaces
Retail Parking	770 spaces
Total Car Parking	1,078 spaces
Dwellings (Indicative – subject to dwelling mix)	
Building A	76
Building B	80
Building C	59
Building D	7
Total Dwellings	222
Hotel	
Total Rooms	125

*GFA includes additional 10% to allow for future design tolerance.

5.3 Built Form

This application seeks to modify the approved Urban Form Control Diagrams to provide for maximum building envelopes for the additional land uses. The amended building envelopes would allow for:

- A podium between two and six storeys above ground level, accommodating the approved retail, club and car parking facilities as well as additional car parking.
- Future expansion of the existing stadium to accommodate club, recreation and community facilities rising to four storeys above ground level.
- A hotel building above the existing retail podium, rising to a total of eight storeys above ground level.
- A residential apartment building rising to a total of 14 storeys above ground level facing Captain Cook Drive.
- A residential apartment building rising to a total of 16 storeys above ground level at the corner of Captain Cook Drive and Woollooware Road North.
- A residential apartment building rising to a total of 11 storeys facing Woollooware Bay.
- A residential building for terrace-style dwellings, rising to a total of nine storeys above ground level facing Woollooware Bay.
- A landscaped podium at Level 7.
- Residential communal facilities at Level 8 in the centre of the podium.

Figures 8 and 9 show the proposed building envelopes illustrated in the Urban Form Diagrams submitted at **Appendix D**.

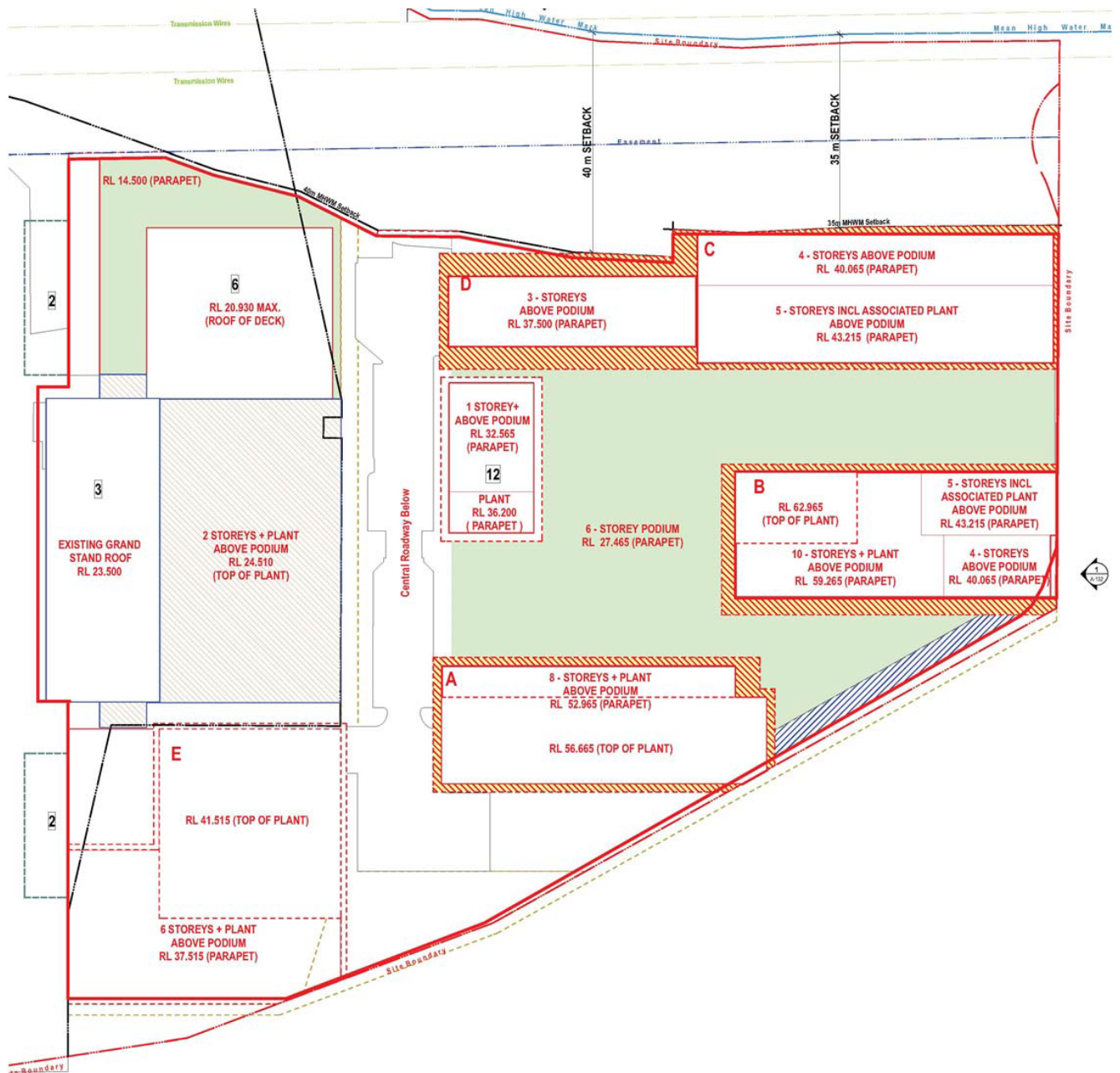


Figure 8 – Proposed building envelopes for residential, communal facilities and tourist visitor accommodation
Source: Turner

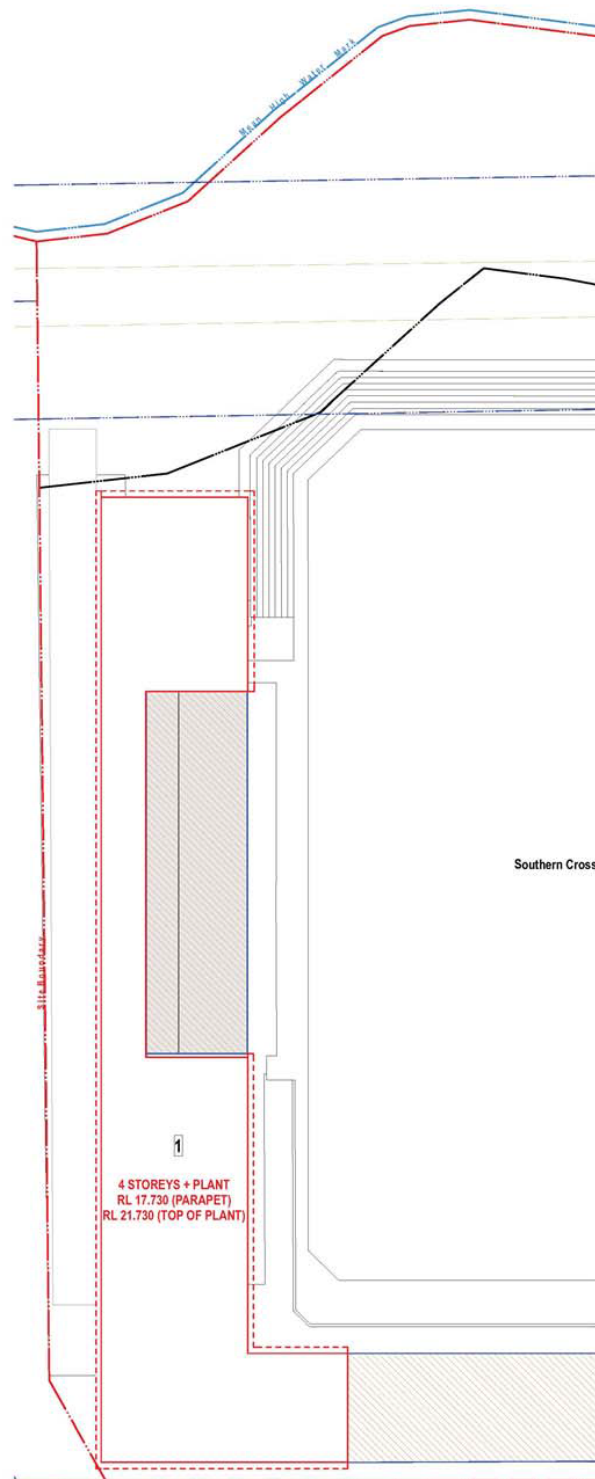


Figure 9 – Proposed building envelope for the Sharks Centre of Excellence
Source: Turner

5.4 Land Uses

Tourist and visitor accommodation, residential flat buildings, health consulting rooms and commercial premises are permissible with development consent on the site under the B2 Local Centre zone which applies to the site under the Sutherland Shire Local Environmental Plan 2012. The nature of the proposed uses, and their relationship with the approved development, are outlined in further detail below. A summary of the proposed land uses by level is provided for the eastern precinct in **Table 4** below.

Retail Centre

No change is proposed to the approved retail centre, accommodated in Levels 1 – 2 of the podium, with the exception of the introduction of lobbies at ground level and throughout the podium for access to the proposed residential buildings above and additional lift cores to connect the tourist visitor accommodation with the south-western loading dock.

Cronulla Sutherland Leagues Club

No changes are proposed to the new Leagues Club facility as part of this modification application. Parking for the use of members and staff will continue to be provided within the podium and/or the Sharks Centre of Excellence building in accordance with the conditions.

Cronulla Sutherland Centre of Excellence

An expansion to the existing stadium is proposed to accommodate recreation facilities associated with club as well as additional commercial space across a four-storey building.

Tourist and Visitor Accommodation and Sharks Regional Accommodation Centre

The proposed tourist and visitor accommodation is proposed to comprise a six storey building located above the approved retail/childcare tenancies within the south-western corner of the podium fronting Captain Cook Drive. This facility will comprise a reception area and business centre (meeting and conference rooms) at the first level and then five levels of accommodation above provided 125 keys.

The first level of the tourist and visitor accommodation building will also include a separate and discrete accommodation facility for use by training squad members and players visiting from the Club's regional affiliates. The facility will include a reception, four apartments (6 bedrooms) for player accommodation, a communal living and leisure area and a multi-purpose training facility/ team meeting area.

Residential Apartments

Three residential apartment buildings and a fourth building to accommodate terrace-style dwellings are proposed above the retail centre. These buildings will accommodate a total of 222 dwellings, with residential parking provided in the podium at Levels 5-6 and communal open space provided in the rooftop courtyard at Level 7.

Table 4 – Summary of approved/proposed land uses by level

Level	Proposed Land Uses (new uses in <i>italics</i>)
Ground Floor (Level 1)	<ul style="list-style-type: none"> ▪ Supermarket (minor) ▪ Specialty retail and commercial ▪ Gymnasium/leisure centre ▪ Retail pedestrian entrance ▪ Combined Leagues Club and hotel/services apartment pedestrian entrance ▪ <i>Residential lift lobby</i> ▪ Through-site link from Captain Cook Drive to Woollooware Bay foreshore parklands ▪ Cafe ▪ <i>Residential bike storage and change facilities</i> ▪ Retail car parking (enter via Woollooware Road) ▪ Loading Dock 1 (enter via Captain Cook Drive) ▪ Loading Dock 2 (enter via Woollooware Road)
Level 2	<ul style="list-style-type: none"> ▪ Supermarket (major) ▪ 45-50 retail tenancies, including food retail and restaurants ▪ Medical centre ▪ Veranda (north-facing) with outdoor dining

Level	Proposed Land Uses (new uses in <i>italics</i>)
Level 3	<ul style="list-style-type: none"> ▪ Cronulla Sutherland Leagues Club (lower level) ▪ Club deck/outdoor terrace ▪ 2 x multi-purpose community spaces (min. 500m² total) ▪ Club function rooms ▪ Hotel/serviced apartment foyer ▪ Upper level street ▪ Offices for Supermarket (major) ▪ Upper level street ▪ <i>Hotel/serviced apartment lobby and business centre</i> ▪ <i>Sharks Regional Accommodation Facility</i> ▪ <i>Retail/Leagues Club/hotel/serviced apartment car parking</i>
Level 4	<ul style="list-style-type: none"> ▪ Cronulla Sutherland Leagues Club (upper level) ▪ <i>Hotel/serviced apartment rooms</i> ▪ <i>Retail/Leagues Club/hotel/serviced apartment car parking</i>
Level 5	<ul style="list-style-type: none"> ▪ <i>Hotel/serviced apartment rooms</i> ▪ <i>Residential apartments (approx.. 6 north-facing apartments)</i> ▪ <i>Retail/Leagues Club/hotel/serviced apartment car parking</i> ▪ <i>Residential car parking</i>
Level 6	<ul style="list-style-type: none"> ▪ <i>Residential apartments (approx.. 6 north-facing apartments)</i> ▪ <i>Hotel/serviced apartment rooms</i> ▪ <i>Residential car parking</i>
Level 7	<ul style="list-style-type: none"> ▪ <i>Landscaped podium</i> ▪ <i>Lift lobbies for each residential building</i> ▪ <i>Residential apartments</i> ▪ <i>Residential amenities, including BBQ area, community roof, pool</i>
Levels 8-12	<ul style="list-style-type: none"> ▪ <i>Residential apartments</i>
Level 13-16	<ul style="list-style-type: none"> ▪ <i>Residential apartments (Building C only)</i>

5.5 Transport, Access and Parking

Public Transport

Since the original Concept Plan Approval, a new public transport service has commenced to connect Woollooware Bay Town Centre with surrounding centres and public transport nodes. As noted in **Section 4.5**, the commencement of Route 985 on 20 November 2016, ahead of the first residential occupation of Stage 1, will initially provide 272 trips across the week including 44 each weekday, 28 on Saturdays and 24 on Sundays. This service will provide a 6-minute journey to Caringbah Station, 9-minute journey to Cronulla Station and a 14-minute journey to Miranda. In addition to future residents and patrons of Woollooware Bay, the bus service also benefits residents of the surrounding communities in Caringbah and North Cronulla who will benefit from additional public transport options. It is expected that the additional population and visitation of Woollooware Bay Town Centre associated with the proposed modification may support the provision of additional services as further development occurs. A GoGet Car Share Pod will also be located within the retail centre car park, providing an alternative mode of transport to future residents and visitors to the centre.

Vehicular Access and Parking

Parking for the residential dwellings is proposed to be located across two additional levels of parking (Levels 5 and 6) above the approved Retail/Club parking levels. Level 5 would also include parking for the retail/Club precinct to ensure that the 770 spaces required for these uses under the existing approval are provided within the centre. Residents would typically enter the site via the western signalised intersection, travel via the ramp directly to Level 3, drive along the central roadway before proceeding via another ramp to the residential parking levels. Access to the residential parking ramp will be secured via a boom gate or roller-shutter or similar to ensure safety and security is maintained.

Parking for residential dwellings is proposed to be provided in accordance with the rates established for the residential precinct under the Concept Plan Approval, being:

- 1 space per 1 bedroom apartment
- 1 space per 2 bedroom apartment
- 2 spaces per 3 bedroom apartment
- 1 visitor space per 5 apartments

Parking for the tourist visitor accommodation, business centre and Sharks Regional Accommodation Facility will be provided from the existing allocation of 770 spaces required under the current Concept Plan Approval.

50 additional spaces will be provided at grade within the undercroft of the Sharks Centre of Excellence. Access to this parking would be via a left-in, left-out arrangement only with no additional modifications required to the approved road infrastructure works.

Bicycle Parking and Bike Share Scheme

Bicycle parking for staff and visitors to the non-residential uses will be provided in accordance with the Draft Sutherland Development Control Plan 2015 (Draft DCP). This requires a total of 49 bicycle spaces to be provided for staff and visitors. The development meets this requirement, providing:

- 10 bicycle racks (2 bicycles each) adjacent to the foreshore path.
- 8 bicycle racks (2 bicycles each) on the Captain Cook Drive footpath entry.
- 13 secure storage spaces for staff with associated end-of trip facilities, located at ground floor adjacent to the staff amenities and loading dock.

Bicycle parking for the residential component of the development will be provided in accordance with the rates used to calculate bicycle parking for Stage 3 of the western precinct, being as follows:

- 1 bicycle rack per 5 units for tenants.
- 1 bicycle rack per 20 units for visitors.

The application of these rates results in a provision of bicycle parking spaces for residential development which is in excess of the number required by the Draft DCP. The detailed provision of bicycle parking and storage for the residential component will be resolved through detailed development applications to Sutherland Shire Council for each building.

In addition to this, the proponent is committed to establishing a bike share scheme as part of the project in collaboration with Sutherland Shire Council (detailed at **Appendix K**). The bike share scheme will provide 10 bicycles and helmets at three locations, being Woollooware Bay, Cronulla Beach and Woollooware Station. Through the provision of a total of 30 bikes as part of the bike share scheme, it is intended to encourage the use of bicycles along the foreshore bike path that connects Cronulla to Homebush as well as enable a connection to public transport.

Sutherland Shire Council have expressed support for the project and Capital Bluestone are committed to three years of funding in order to allow the bike share scheme to proceed.

Overall, bicycle parking for residents, staff and visitors will be provided in accordance with the appropriate rates and the provision of the bike share scheme

will result in an additional 30 bikes in the area to service the needs of local residents.

Wayfinding and Circulation

Figure 10 illustrates the wayfinding and circulation strategy for the residential component of the proposed modification. Residential apartments will share a single street-level lobby addressing Captain Cook Drive, located adjacent to the approved bus stops. Lifts from this lobby will provide a direct connection to the landscaped podium, where residents and visitors will be able to walk to their respective building. A single lift will also provide access from the resident's communal building to Level 3 (central roadway) to facilitate a direct access to the retail/Leagues Club precinct.

Lift cores for individual buildings will commence from the first residential parking level, with individual lift lobbies for each building/core on each resident parking level and the landscaped podium.

Pedestrian circulation for the retail centre and Leagues Club will not be affected by the proposed modification, whilst the Visitor Accommodation and Sharks Regional Accommodation will be accessed via the same route as for the Leagues Club from Captain Cook Drive.

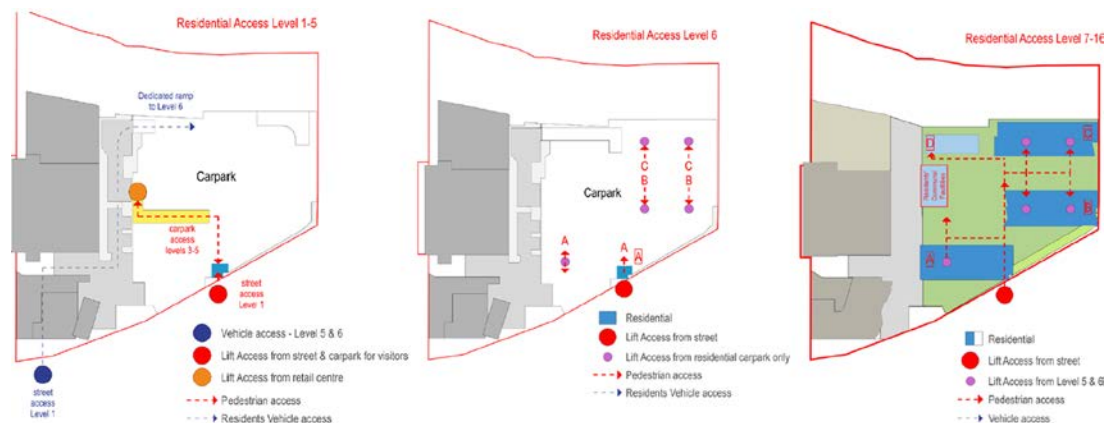


Figure 10 – Residential wayfinding and access
Source: Turner

5.6 Landscaping

Amended Landscape Master Plan Drawings have been prepared by Aspect Studios to complement the existing approved landscaping plans for the Retail/Club Precinct, which includes landscaping and street activation along Captain Cook Drive, the Woollooware Bay foreshore and the Level 3 central roadway area. Further modifications to the foreshore landscaping are the subject of a separate modification to the Concept Plan Approval as noted in **Section 2.2.1** of this report.

Level 4

Level 4 landscaping incorporates a planted ledge at the interface with Captain Cook Drive as well as a green wall treatment on the northern façade facing the future foreshore park.

Level 4 also incorporates a courtyard for the use of hotel guests, which will feature seating and planting. **Figure 11** shows the landscape scheme for Level 4.



Figure 11 – Level 4 Landscape Scheme
Source: Aspect Studios

Level 7

The Level 7 podium will provide the primary communal open space for residents and includes a range of features to provide amenity. These include active and passive recreation opportunities through the provision of lawn, a community garden area, bench seating and a barbeque area.

Level 7 also includes a pool set on an elevated deck. Trees and mass planting will be provided across the podium and connected by a number of internal pathways, as shown in **Figure 12**.



Figure 12 – Level 7 Landscaping Scheme

Source: Aspect Studios

5.7 Game Day and Major Event Management

No changes are proposed to the approved arrangements for management of travel to the site during game days at Sharks Stadium. The proposed allocation of 200 retail/club parking spaces on match days within the Retail/Club Precinct car park will be facilitated through the use of a parking management system, with 609 car parking spaces available for retail staff, club staff and club patrons.

The Concept Plan Approval and subsequent detailed planning approvals have put in place a Game Day Management Plan (formerly the Peak Event Management Plan and Satellite Parking Management Plan) to enhance the accessibility of the stadium. This includes the introduction of game day shuttle buses servicing Heathcote, Sutherland, Caringbah, Cronulla and Woollooware.

The Game Day Management Plan was trialled on a limited basis during the 2014 season and has been progressively implemented over subsequent seasons as construction has progressed. Consultation will be carried out with all relevant stakeholders during the life of the development to continue the refinement of the Game Day Management Plan.

On game days, residents of the Retail/Club Precinct will continue to be able to enter and exit the site by car as per normal.

5.8 Developer Contributions

The Concept Approval requires development contributions to be paid to Council in accordance with the requirements of the applicable S94 or S94A Contributions Plan at the time of approval. The PAC's determination for the Retail/Club Project Application (MP10_0230) requires a total contribution equivalent to 1% of the cost of the development to be paid to Council in cash or equivalent works in kind.

It is anticipated that additional contributions for non-residential development (Centre of Excellence and serviced apartments/hotel) would be levied at this 1% rate, whilst development contributions for the residential component would be paid in accordance with Council's S94 residential development contributions plan as has occurred for Stages 1-3 of the western residential precinct. This is consistent with the approved Concept Plan.

5.9 Stratum Subdivision

It is proposed to concurrently modify Project Approval MP 10_0230 in order to facilitate the re-subdivision of approved Lot 315, which comprises the vertical area above the currently approved retail centre, into two separate lots to separate the proposed residential and hotel uses. Should this modification be approved, the amendment of the stratum plan will enable subdivision of Lot 315 to facilitate the timely commencement of the residential and hotel portions of the Eastern Precinct whilst minimising disruption to the Leagues Club and retail centre.

The amended stratum subdivision plan prepared by David Tremain of Harrison Friedman & Associates is provided at **Appendix V**. Accordingly, we request that Condition A2 of the Terms of Approval for MP10_0230 be amended to insert the new stratum subdivision plan (Version 23) into the approval.

6.0 Environmental Assessment

In accordance with section 75W(3) of the EP&A Act, the Secretary of the Department of Planning and Environment issued the requirements for the preparation of the Environmental Assessment for this Modification Application on 20 October 2016. A copy of the Secretary's Environmental Assessment Requirements (SEARs) is included at **Appendix B**.

Table 5 provides a detailed summary of the individual matters listed in the DGRs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

The following sections provide our assessment of the key environmental and planning issues relating to the proposed modifications to the Concept Plan.

Table 5 – Secretary's Environmental Assessment Requirements

Requirement	Location in Environmental Assessment	
General		
Notwithstanding the key issues specified below, the EA must include an environmental risk assessment to identify the potential environmental impacts associated with the development.	Appendix G.	
Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include: <ul style="list-style-type: none">adequate baseline data;consideration of potential cumulative impacts due to other development in the vicinity; andmeasures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.	Refer to following sections.	
The EA must be accompanied by a report from a qualified quantity surveyor providing: <ul style="list-style-type: none">a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the EP&A Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived;an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; andcertification that the information provided is accurate at the date of preparation.	Provided under separate cover.	
Key Issues	Report / EA	Technical Study
1) Relevant EPIs, policies and guidelines to be addressed The EA shall address the statutory provisions applying to the site contained in all relevant environmental planning instruments (EPIs), including: <ul style="list-style-type: none">State Environmental Planning Policy (Infrastructure) 2007;State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide;State Environmental Planning Policy (Building Sustainability Index: Basix) 2004;NSW State Priorities; andSutherland Shire Local Environmental Plan 2015.	Section 6.3 Section 6.6 Section 6.13 Section 4 Section 6	Appendix D Appendix N
The EA shall also address relevant planning provisions, goals and strategic planning objectives in the following: <ul style="list-style-type: none">A Plan for Growing Sydney;NSW Long Term Transport Master Plan;Sydney's Bus Future;	Section 4 Section 6	Appendix J

Requirement	Location in Environmental Assessment	
<ul style="list-style-type: none"> ▪ Sydney's Cycling Future; ▪ Sydney's Walking Future; ▪ Development Near Rail Corridors and Busy Roads - Interim Guideline; ▪ Guide to Traffic Generating Developments; ▪ Guide to Traffic Management – Part 12; Traffic Impacts of Development (AUSTROADS); ▪ NSW Bicycling Guidelines; ▪ NSW Planning Guidelines for Walking and Cycling; ▪ Crime Prevention Through Environmental Design (CPTED) Principles; ▪ Australian Standard (AS) 2021: 2015 Acoustics – Aircraft noise intrusion – Building siting and construction; ▪ Our Shire, Our Future - Sutherland Shire Community Strategic Plan; and ▪ Sutherland Shire Council Development Control Plan. 	Section 6.12	Appendix I
<p>2) Comparison with the Concept Approval (MP10_0229)</p> <p>The EA shall:</p> <ul style="list-style-type: none"> ▪ demonstrate how the proposed modification can be assessed and determined within the scope of Section 75W of the Environmental Planning and Assessment Act 1979, and in particular demonstrate and address any environmental impacts beyond those already assessed for the concept approval; ▪ provide a comparative assessment of the proposed modification against the approved scheme (qualitative and quantitative), including comparison plans clearly identifying the proposed amendments in plan and elevation, and provide a rationale for the amendments and an analysis of benefits / impacts, including measures to mitigate any potential impacts; and ▪ outline and justify any proposed changes to the existing terms of approval, future assessment requirements and commitments. 	<p>Section 6</p> <p>Section 5.2</p> <p>Section 6.6</p> <p>Section 5.1</p>	<p>Appendix D and E</p> <p>Appendix U</p> <p>Appendix A</p>
<p>3) Pre-submission consultation statement</p> <p>The EA shall describe the pre-submission consultation and community engagement process, issues raised and how the proposed development has been amended in response to these issues. A short explanation should be provided where amendments have not been made to address an issue.</p>	Section 3	Appendix C
<p>4) Design excellence, built form and public domain</p> <p>The EA shall:</p> <ul style="list-style-type: none"> ▪ demonstrate how the proposed modification to the concept plan is capable of achieving design excellence in future detailed applications; ▪ address the height, bulk and scale of the proposed development within the context of the locality. In particular, detailed envelope/height and contextual studies should be undertaken to ensure the proposal integrates with the local environment, including significant wetlands and the public domain; ▪ justify that the height, scale and density of the proposed development is informed by a detailed urban design analysis, including consideration of access to public transport for the new residential, serviced apartment and hotel uses; ▪ include a comparative height study to demonstrate how the proposed building heights relate to the height of the existing, approved and proposed developments in the immediate vicinity of the site, including consideration of solar impacts on nearby properties and public domain areas; ▪ include a visual and view analysis to and from the site from key vantage points; including Woollooware Bay, Towra Point Nature Reserve, Captain Cook Drive, the corner of Bate Bay Drive and Sanderson Street and from Woollooware Road; ▪ include consideration of various options for the siting, orientation and massing of the proposed building envelopes, together with a comparative analysis demonstrating key strengths and weaknesses 	Section 6	Appendix D

Requirement	Location in Environmental Assessment	
<p>of each option; and</p> <ul style="list-style-type: none"> address the design quality with specific consideration of the massing, building envelope setback, building articulation, landscape concepts, integration with the street level, safety by design, design of the public domain and integration with existing pedestrian / bicycle connections. 		
<p>5) Land Use</p> <p>The EA shall address the relevant metropolitan and local strategies in relation to the proposed mix of land uses, including justification for the proposed residential, serviced apartments and hotel floor space.</p>	Section 4	-
<p>6) Public benefit, contributions and/or Voluntary Planning Agreement</p> <p>The EA shall address the provision of public benefit, services and infrastructure in consultation with key stakeholders including Sutherland Shire Council, local community groups and other relevant agencies in consideration of a public benefit offer that is commensurate with the scope of the proposal and that reflects the needs of the community.</p> <p>The EA shall also provide details of any Voluntary Planning Agreements or other legally binding instrument proposed to facilitate this development as agreed between relevant public authorities and the proponent.</p>	Section 5.8, 6.6	Appendix C, Appendix U
<p>7) Internal residential amenity</p> <p>The EA shall:</p> <ul style="list-style-type: none"> demonstrate that the concept proposal is capable of complying with SEPP 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide, including justification for any compliance / non-compliance; address any impacts associated with the electricity transmission easement and the transmission towers and wires upon future dwellings; and address any potential impacts associated with game day events on the proposed residential amenity. 	Section 6.7	Appendix D
<p>8) Public domain/ open space</p> <p>The EA shall:</p> <ul style="list-style-type: none"> detail the type, function and character of the various private, communal and public areas associated with the proposed modification. Pedestrian circulation and linkages between each space should also be demonstrated; address any public domain improvements, pedestrian linkages and street activation (where proposed as part of the modification); demonstrate that the proposal will continue to provide publicly accessible pedestrian and cycle access to Woollooware Bay as identified in the Sutherland Shire Bicycle Plan; and demonstrate how the design of proposed structures and the treatment of public domain and open spaces will <ul style="list-style-type: none"> maximize safety and security in accordance with the Crime Prevention Through Environmental Design (CPTED) principles ensure access for people with disabilities minimise potential for vehicle, bicycle and pedestrian conflict 	<p>Section 5, Section 6</p> <p>Section 6.11</p>	<p>Appendix D</p> <p>Appendix G</p>
<p>9) Transport and accessibility</p> <p>The EA shall include a traffic and transport assessment taking into account any changes in relation to:</p> <ul style="list-style-type: none"> current daily and peak hour vehicle, public transport, pedestrian and bicycle movements and existing traffic and transport facilities provided on the surrounding road network; details of estimated total daily and peak hour trips likely to be generated by the proposed development, including vehicle, public transport, pedestrian and bicycle trips; existing and future performance of key intersections providing access to the site, and any upgrades (roads/intersections) required as a result of the development, supported by appropriate modelling and analysis; cumulative impacts of traffic volumes from the proposal, together with 	Section 6.5	Appendix H

Requirement	Location in Environmental Assessment	
<p>existing and approved developments in the area and potential conflict with traffic movements generated by existing uses;</p> <ul style="list-style-type: none"> ▪ appropriate provision, design and location of on-site bicycle parking, and how bicycle provision will be integrated with the existing bicycle network; ▪ details of the proposed number of car parking spaces and compliance with appropriate parking codes and justify the amount of car parking provided on the site, including 'game day' parking arrangements; ▪ details of service vehicle movements and site access arrangements, including vehicle type; and ▪ measures for residents and visitors to make sustainable transport choices, including measures to: <ul style="list-style-type: none"> – improve public transport use and accessibility (in particular given the site's location in relation to public transport opportunities); – integrate with existing pedestrian and bicycle linkages within the area; and – implement a new or revised location specific sustainable travel plan. 		
<p>10) Noise and vibration assessment</p> <p>The EA shall address the issue of noise and vibration impacts and provide detail of how these will be managed and ameliorated during construction and operation of the multiple uses across the full site. An acoustic assessment should be undertaken to identify potential noise conflicts, cumulative impacts and management strategies, to inform and support the proposed land uses.</p>	Section 6.9	Appendix J
<p>11) Air Quality</p> <p>The EA shall:</p> <ul style="list-style-type: none"> ▪ document how emissions, odours and dust will be prevented or minimised; ▪ show compliance with the requirements of the POEO Act and its regulations; and ▪ show how ambient air quality will be maintained or improved. 	Section 6.18	-
<p>12) Ecologically sustainable development (ESD)</p> <p>The EA shall:</p> <ul style="list-style-type: none"> ▪ identify how best practice ESD principles will be incorporated in the design of the development, and include innovative and best practice proposals for environmental building performance. 	Section 6.14	Appendix N
<p>13) Drainage and stormwater</p> <p>The EA shall:</p> <ul style="list-style-type: none"> ▪ address any potential impacts on the riparian land along the southern shore of Woollooware Bay and the watercourse on the site; and ▪ provide information on the sewage management arrangements. 	Section 6.9	Appendix O
<p>14) Flora and fauna</p> <p>The EA shall:</p> <ul style="list-style-type: none"> ▪ identify and address any potential impacts of the proposed modification on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats and steps taken to mitigate any identified impacts to protect the environment, both marine and land, in accordance with the Department of Environment and Climate Change (DECC) 'Threatened Species Assessment Guidelines 2007'. In this regard, the EA shall include a detailed survey (using a variety of survey methods by a suitably qualified person) of the migratory bird habitat, and determine whether and how they are using the site and adjoining areas, and assess any potential impact or threat to the population; ▪ describe mitigation and management options that will be used to prevent, control, abate or minimise identified impacts on Towra Point Aquatic Reserve associated with the proposed modification. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented; and 	Section 6.8	Appendix M

Requirement	Location in Environmental Assessment	
<ul style="list-style-type: none"> as the Towra Point Nature Reserve is protected under RAMSAR, the Commonwealth Department of Sustainability, Environment, Water, Population and Communities should be consulted to ascertain whether the proposed development triggers the need for an assessment and approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. 		
15) Utilities The EA shall: <ul style="list-style-type: none"> document consultation with relevant agencies on the existing capacity and requirements of the development to provide utilities, including any staging of infrastructure works, and set the potential for the proposal to impact on any water, stormwater or wastewater infrastructure. 	Section 6.9	Appendix O
16) Staging The EA must include details regarding the staging of the proposed development including details of subsequent Project Applications and Construction Staging	Section 6.18	Appendix E
17) Statement of Commitments The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project.	Appendix A	
18) Consultation The EA shall consult with Sydney Airport and detail how aviation safety will be maintained.	Section 6.15	Appendix T
Plans and Documents	Report	Technical Study
The EA must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the EP&A Regulation 2000. Provide these as part of the EA rather than as separate documents. In addition, the EA must include the following: <ul style="list-style-type: none"> site analysis plan; site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings; locality / context plan; building envelopes showing the relationship with proposed and existing buildings in the locality; architectural drawings (to a usable scale at A3); plans, elevations, sections and photomontages clearly showing the proposed amendments compared to the concept approval; schedule of proposed gross floor area per land use; shadow diagrams; wind impact assessment; assessment against SEPP65 and the Apartment Design Guide; ESD statement; pre-submission consultation statement; traffic and parking assessment; visual and view impact analysis and photomontages; physical model (should Council require this); public domain plans, including a landscape master plan; and geotechnical and structural report. 	Section 6.16 Section 6.7 Section 6.14 Section 3 Section 6.5 Section 6.4 Section 5.6 Section 6.11	Appendix D and E Appendix Q Appendix D Appendix N Appendix C Appendix J Appendix E Appendix E, F Appendix S
Consultation		
During the preparation of the EA, you are required to consult with the relevant local, State or Commonwealth Government authorities, service providers, and the local community.	Section 3	Appendix B

6.1 Relevant Legislation

6.1.1 *Environmental Planning and Assessment Act 1979*

As outlined in **Section 1.0**, the Concept Plan Approval (MP 10_0229) and Project Approval (MP10_0230) for Woollooware Bay Town Centre were issued in accordance with Part 3A of the EP&A Act, which has since been repealed. Notwithstanding the repeal of Part 3A, the EP&A Act includes transitional provisions for Concept Plans and Project Applications approved under Part 3A to allow for modifications to be assessed and determined as though Part 3A had not been repealed.

Under Section 3B(1) of Schedule 6A of the EP&A Act, a Concept Plan and Project Approval may be modified in accordance with the provisions of section 75W of the Act as though this section had not been repealed.

In accordance with S75W(3), the proponent requested that the Secretary issue environmental assessment requirements for the proposed Concept Plan Modification on 23 September 2016. These were issued by the Department on 20 October 2016.

The Minister's (and consequently his delegate's) ability to modify a concept plan application is unfettered, and the Minister may vary any condition of the original determination. Notwithstanding this, it is considered that the proposed modification is appropriate given that:

- the Concept Approval will still be for a new mixed use town centre with a range of land uses to meet the housing, retail, leisure, entertainment and open space needs of the current and future community;
- the modifications relate to improvements to the integration of land uses, will complement the already approved land uses and facilitate the delivery of an integrated town centre in response to submissions made in relation to the original Concept Plan assessment process;
- the additional development proposed is capable of being accommodated within the existing site without the need for substantive additional infrastructure on or in the vicinity of the site;
- the modifications do not give rise to any additional environmental impacts that were not raised in the original Concept Plan environmental assessment, and appropriate measures can be incorporated into the detailed design of the development to ensure that any impacts will be minimised and mitigated.

Objects of the Act

Table 5 provides an assessment of the proposed development against the objects of the EP&A Act.

Table 6 – Consistency with the objects of the EP&A Act (Section 5)

Object	Comment
To encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.	The proposal will contribute to the proper management, development and conservation of the artificial resources of the site. In particular, design features and the operation of the proposed development have been outlined in the ESD Report (see Appendix L). These measures will be implemented throughout the construction and operational phases of the proposal, and existing artificial resources and infrastructure will be retained where practicable.

Object	Comment
	The proposal will promote the social and economic welfare of the community by providing additional employment and living opportunities that will positively contribute to the vitality of the Woollooware Bay Town Centre.
To encourage the promotion and co-ordination of the orderly economic use and development of land.	The proposed modification promotes the orderly economic use of land in providing additional residential, retail /commercial and community space to meet local demand within an established Town Centre. It will promote the highest and best use of the site, with adequate infrastructure to support this growth.
To encourage the protection, provision and co-ordination of communication and utility services.	The proposal will provide additional community spaces with independent and flexible multipurpose spaces that will in turn activate and enhance the security of public open spaces and the Town Centre.
To encourage the provision of land for public purposes.	The proposal supports the provision of a high quality public domain that is effectively integrated with the proposed developments.
To encourage the provision and co-ordination of community services and facilities.	The proposal will provide additional open space and community rooms that will enable the new and existing community to interact in recreational pursuits.
To encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats.	The proposal for additional GFA will utilise an existing approved building and will not adversely impact any significant flora, fauna and ecological communities located in the broader vicinity of the site.
To encourage ecologically sustainable development.	The proposed development is in accordance with the principles of Ecologically Sustainable Development, as set out in Schedule 2 of the EP&A Regulation 2000. This is further considered in Section 6.13 of this modification application.
To encourage the provision and maintenance of affordable housing.	The proposal increases housing diversity and supply to meet local demand, thereby contributing to the ability of local residents to access suitable and appropriately priced housing.
To promote the sharing of the responsibility for environmental planning between different levels of government in the State.	Extensive consultation has been undertaken with various levels of government and government agencies during the preparation of the original Concept Plan application, and all government agencies will be afforded the opportunity for further input into the development process during the public exhibition period.
To provide increased opportunity for public involvement and participation in environmental planning and assessment.	The proposal supports the involvement of the Sutherland Shire Council, stakeholders, and the broader community in the planning process through upfront community consultation that has informed this proposal. This is further discussed in Section 3 of this application.

6.1.2 *Environmental Protection and Biodiversity Conservation Act 1999 (Commonwealth)*

Towra Point is a declared Ramsar wetland site, the protection of which is a matter of national environmental significance under Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The Woollooware Bay Town Centre project was referred to the Commonwealth prior to the determination

of the Concept Plan application as a precautionary measure. On 17 May 2011 the (then) Department of Sustainability, Environment, Water, Population and Communities determined that the proposal is not a controlled action requiring approval under the EPBC Act. As the proposed changes do not alter the approved building footprints or foreshore treatment of Woollooware Bay, and the general scale and nature of development proposed is consistent with that already approved within the Woollooware Bay Town Centre, the proposed modification does not raise any matters of national environmental significance that would require further approval or referral under the EPBC Act.

6.2 Compliance with Environmental Planning Instruments

6.2.1 State Environmental Planning Policy 55

A Remediation Action Plan prepared by DLA Environmental (February 2013) was prepared as part of the Stage 1 Retail/Club Project Application, which was considered and determined to be acceptable as part of the Project Approval issued by the Planning Assessment Commission in August 2013. This RAP demonstrates that the site can be appropriately remediated through an on-site capping and contamination strategy, which will be undertaken prior to any construction works within the precinct. This proposal does not seek consent for any new buildings, but rather will build on top of the existing approved retail centre, which ensures the proposal will remain consistent with the approved remediation strategy.

6.2.2 State Environmental Planning Policy 65

Refer to **Section 6.6** and Architectural Design Statement (**Appendix D**).

6.2.3 State Environmental Planning Policy – Infrastructure

SEPP Infrastructure provides a list of development that must be referred to the RTA (now RMS). It is considered that the proposal will require referral as the modification sought is of a relevant size and capacity to be considered traffic generating development under Schedule 3 of the SEPP Infrastructure. A Traffic and Parking Impact Assessment has been prepared by McLaren Traffic Engineering and included at **Appendix H**.

Further discussion of traffic impacts as result of the development are discussed at **Section 6.6**.

6.3 Built Form

Building Massing and Height

The proposed modification seeks to include envelopes for three residential flat buildings ranging between 11 and 16 storeys, a series of two-storey terrace apartments above the podium and an 8-storey tourist visitor accommodation building. Buildings A, B, C and E each incorporate architectural elements that follow through for the full vertical height of the building, breaking up the bulk and mass of the podium structure and allowing the centre to read as a collection of integrated buildings. These elements will contribute to the creation of a built form that is consistent with the place's role as a genuine town centre, rather than as a stand-alone retail development. The Cronulla Sutherland Centre of Excellence would be four storeys in height and integrated with the existing grandstands.

The building massing and height proposed in this modification is considered to be appropriate as it:

- Provides a diverse range of building heights, breaking up the bulk and mass of the building form and creating an interesting profile for the centre.
- Provides for additional articulation and activation of the approved podium by providing for additional land uses access the ground plane and allowing the upper level building elements to extend down to the ground through the podium façade.
- Supports the creation of a truly integrated town centre incorporating a wide range of land uses which are directly integrated in terms of physical connections and operations and which is consistent with the high level of amenity provided within the centre, including immediate proximity to regular public transport, retail services, a medical centre, public open space, leisure and entertainment facilities.
- Is generally consistent with the residential building heights already approved for the western precinct of Woollooware Bay Town Centre, with building envelopes permitting up to 15 storeys in height.
- Allows for the delivery of more slender building envelopes by providing a diversity of heights whilst providing sufficient yield to enable the feasible delivery of the additional parking, landscaped podium and communal resident facilities.
- Facilitates a strong residential amenity outcome with solar access, building separation and natural ventilation levels consistent with the Apartment Design Guide whilst maximising the opportunities for views from all apartments.
- Provides for an attractive and functional architectural response to the western grandstand of Southern Cross Group Stadium which contributes to the activation of this space during non-event periods through the delivery of the Sharks Centre of Excellence.
- Does not give rise to any unacceptable overshadowing or visual impacts.

The building envelopes for which approval is sought will allow for the delivery of a high quality building architecture that responds to the local context and character of Woollooware Bay Town Centre. The completion of the Stage 1 Residential development in December 2016 provides an indication of the high quality architectural outcomes which have been achieved by the proponent and project architect within the context of the existing Concept Plan approval.

Overshadowing

The proposed modifications would give rise to some additional overshadowing, primarily of the adjoining road reserve, Woollooware Golf Course and Woollooware High School, as illustrated in the Shadow Diagrams prepared by Turner (**Appendix D**) and at **Figure 13**. Between the Spring Equinox and the Autumn Equinox overshadowing will generally be contained within the site and the adjoining road reserve, with only a small portion of the shadows cast extending to the boundary of Woollooware High School during afternoon (3pm).

At the winter solstice (worst-case), shadow would extend onto the western open space area of Woollooware High School during the afternoon period, extending onto the Block A building after 2pm. Overshadowing during Woollooware High School's lunch period (12:54pm to 1:24pm) at the winter solstice would be limited to only the north-western corner of the western open space area. This area of the school's grounds is already shaded by existing vegetation, and the school will continue to benefit from large areas of unshaded hard and soft-surface open space areas. Given that the area of overshadowing affects only a small portion of the school's outdoor space, and is generally limited to winter months, this is considered to be a minor impact which is acceptable within the context.

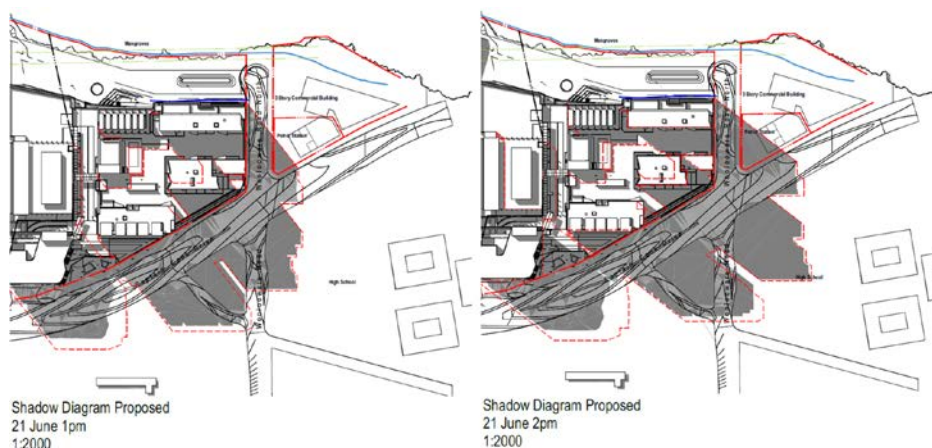


Figure 13 – Overshadowing during the winter solstice (21 June) at 1pm and 2pm

6.4 Views and Visual Impact

The Concept Approval established Woollooware Bay as a new centre within the Sutherland Shire, acknowledging the mix of uses and the high level of existing and new amenity provided as part of the development. Taller residential buildings building forms of up to 15 storeys are currently provided for within the western residential precinct as part of the current Concept Approval, which is commensurate with the building heights already present in other Sutherland Shire centres, such as Miranda and Cronulla.

As part of the original Concept Plan approval, a Visual Impact Assessment was prepared which demonstrated that the proposed development would not have a significant visual presence within the landscape viewed from prominent locations in the area. These views have been updated to reflect the amended building envelopes proposed as part of this application.

Significant Views

The views from prominent locations such as Captain Cook Bridge, Woollooware Bay and Castlewood Avenue show that the proposed development will have minimal visual impact on the existing landscape. **Figures 14** and **15** show the proposed development in the context of northerly water views from Captain Cook Bridge and Woollooware Bay near Towra Point. These figures demonstrate that the proposed development will have an insignificant visual presence within the broader landscape of Woollooware Bay as viewed from these perspectives.



Figure 14 – View to the subject site (as proposed) from Captain Cook Bridge
Source: *Virtual Ideas*



Figure 15 – View to the subject site (as proposed) from water near Towra Point
Source: *Virtual Ideas*

Figure 16 shows an image taken from a second level balcony of a residence in Castlewood Avenue with a view to the north, showing the proposed scheme with a wide angle lens to locate the development with the context of the actual landscape views from this point. **Figure 17** shows a view from Woollooware Road looking north towards Woollooware Bay.

These locations provide the ability for an indicative assessment of the impact on residential water views towards Woollooware Bay. The images clearly demonstrate that whilst the proposed development will obscure a small portion of the distant water views enjoyed from these locations, the overall scale and proportion (and hence visual impact) of the proposed development is minimal within the context of the landscape. Extensive water and landscape views are retained. The viewpoint in **Figure 16** also demonstrates the insignificant visual impact of modified Concept

Plan scheme development in comparison to the more immediate visual intrusions by existing development within the foreground.



Figure 16 – View to subject site (as developed) from Castlewood Avenue
Source: Virtual Ideas

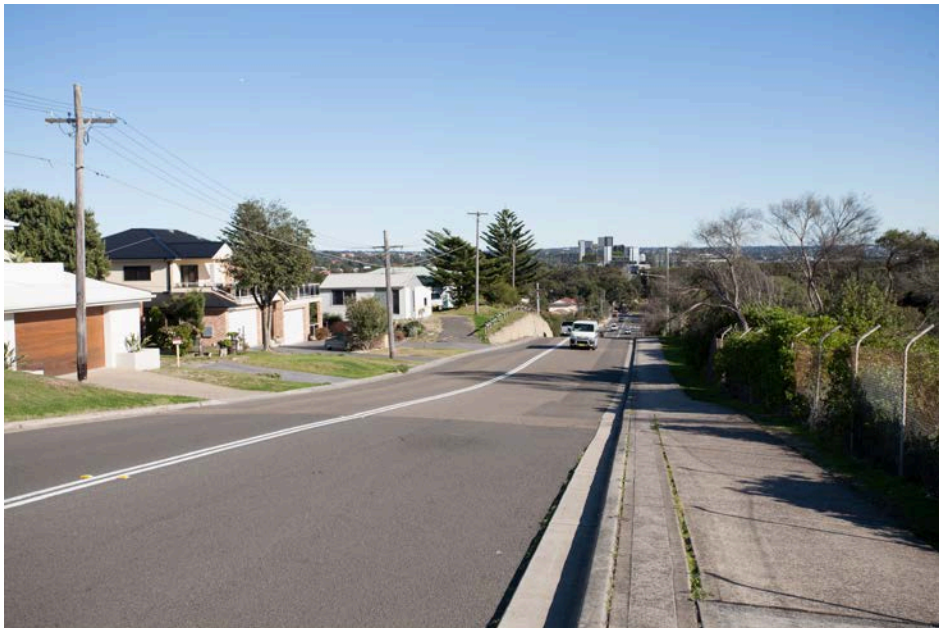


Figure 17 – View to the proposed development from Woollooware Road
Source: Virtual Ideas

Response to Local Context

The proposed modifications would facilitate the delivery of additional building height and massing above the development approved for the eastern precinct. The approved development comprises a large-footprint building approximately 19.5 metres in height across the majority of the eastern precinct. As shown in **Figure 18** and **19**, the proposed buildings will sit above this podium, providing an increased sense of articulation and a more organic 'town centre' form with a collection of buildings above. During development of the proposed modification, and following feedback from key stakeholders during the early consultation phase,

significant design consideration has been attended to a need to provide discernable separation between buildings above the podium to provide views through the site and break up the building massing. **Figure 18** illustrates the effect of the central roadway in providing a substantive north-south visual break in the building massing when viewed from the north. Similarly, the separation between Buildings A and B, and Buildings B and C, allows for perceived breaks between these buildings when viewed from the south-east and east, being the nearest existing neighbouring residential areas and key approaches along Woollooware Road and Captain Cook Drive. As illustrated in **Figure 19**, a clear northern view toward Woollooware Bay will continue to be maintained along the alignment of Woollooware Road.

At a closer scale, the visual impact of the proposed additions will be minimised by a diversity of architectural forms and responses, strong building articulation and high quality facades associated with the tourist visitor accommodation and residential buildings. The additions will make a positive contribution to the aesthetic of the centre by clearly signalling the intent for the centre to act as a genuine mixed use town centre, rather than as a stand-alone retail development. Combined with the high quality public domain and landscaping works approved and proposed for the immediate curtilage of the buildings, the visual impact of the proposed additions is considered to be negligible and will have a positive impact in comparison to the approved development for the site.



Figure 18 – Indicative view from Captain Cook Drive to the proposed development looking east
Source: *Virtual Ideas*



Figure 19 – Indicative view of the proposed development looking north along Woollooware Road
Source: *Virtual Ideas*

6.5 Transport, Traffic and Parking

A Traffic and Parking Impact Assessment (TPIA) has been prepared by McLaren Traffic Engineering (**Appendix H**) to assess the impacts of the proposed modification with regard to local transport networks, parking and internal vehicular circulation.

Parking and Access

The proposed residential parking rate is consistent with the rate approved under the Concept Plan for Stages 1-3 of the residential precinct. Based on the indicative development yield, this will require the provision of 258 parking spaces for residents. Visitor parking (45 spaces) is proposed to be catered for within the publicly accessible Club/retail parking levels, allowing for ease of visitor access and accounting for dual-use of the additional land uses present within the centre.

Parking rates for the tourist visitor accommodation and business centre have been estimated based on the rates established in the Draft Sutherland Development Control Plan 2015 and based on surveys of other facilities. Maximum parking demand for these facilities is projected to be 128 spaces based on the indicative floor plans and expected operational parameters. Parking for these facilities will be provided within the publicly accessible Club/retail parking levels.

The TPIA concludes that, including parking provision for 45 residential visitor parking spaces and 128 spaces for patrons of the tourist visitor accommodation and business centre, the total maximum accumulated parking demand within the centre is expected to be 765 spaces (excluding resident parking) during the Saturday midday peak period as illustrated in **Table 7**. As such, the additional parking demand generated by the proposed modification is able to be accommodated within the 770 parking spaces provided for this purpose.

Bike parking will be provided for the proposed residential, tourist visitor accommodation and business centre uses in accordance with the Draft Sutherland Shire Development Control Plan 2015

Table 7 – Peak parking demand

Period	Maximum Retail Demand	Residential Demand	Total Maximum Demand
Friday before 5.30pm	639	258	897
Friday after 6.30pm	660	258	918
Saturday midday	717	258	975
Total parking provided	770	258	1,028

Local Road Network

The TPIA utilises trip generation rates provided in the RMS 'Guide to Traffic Generating Developments' and additional traffic studies to estimate the expected traffic generation of the project as it is proposed to be modified. **Table 8** below compares the projected trip generation for the eastern precinct only, based on the approved development and proposed modification to the Concept Plan. This traffic modelling indicates that there would only be an additional 126 trips per hour during the weekday peak period associated with the proposed modification, representing an 8.4% increase on currently approved trip generation.

Table 8 – Projected change to traffic generation from eastern precinct

Period	Current Approval	Proposed Modification	Change
Friday PM peak (5-6pm)	1,500 trips per hour	1,626 trips per hour	+126 trips per hour (8.4% increase)
Saturday Midday	1,454 trips per hour	1,568 trips per hour	+92 trips per hour (7.8% increase)

It is noted that the proposed residential components of the modification application would represent only a small fraction of the total traffic generation from the eastern precinct, being:

- 4% of weekday PM traffic generation from eastern precinct; and
- 1.1% of Saturday midday traffic generation from eastern precinct.

This fraction reduces even further when traffic generation from the approved western precinct is taken into account.

Access to the additional parking for the residential and tourist and visitor accommodation will be primarily via the western access signals to Captain Cook Drive, which are approved under the Retail/Club Project Approval MP 10_0230. Access will also be possible from the east via Woollooware Road North and the major Captain Cook Drive intersection upgrade undertaken via the proponent in accordance with the existing Concept Approval. The TPIA assesses the impact of the additional trips generated on key local intersections, being:

- Captain Cook Drive | Western Retail Signals
- Captain Cook Drive | Woollooware Road
- Captain Cook Drive | Gannons Road

Updated traffic counts were undertaken by McLaren Traffic Engineering in November 2016 in order to update existing traffic movements and take into account the cumulative impact of other development activity within the locality, whilst also accounting for approved future development in locations such as Kurnell. The outcomes of the traffic modelling contained in the TPIA indicate that:

- The Captain Cook Drive | Western Retail Signals intersection will operate at Level of Service (LoS) A under both the approved and proposed modification to the Concept Plan. LoS A is defined as 'good operation' by the RMS.
- The Captain Cook Drive | Woollooware Road upgraded intersection will operate at a LoS B during both the Friday PM and Saturday Midday peaks periods. There would be a slight increase in delays during the Friday PM peak as a result

of the proposed modification. LoS B is defined as 'good with acceptable delays and spare capacity' by the RMS.

- The Captain Cook Drive | Gannons Road intersection would operate at LoS C during both the Friday PM and Saturday Midday peaks. This represents a slight worsening of this intersection from LoS B (as approved) to LoS C (as proposed) during the Friday PM peak. LoS C is defined as 'satisfactory' operation by the RMS.

Whilst there would be slight increases to delays at key local intersections as a result of the additional development generated by the proposed modifications, the modelled intersections will all continue to perform at LoS C 'Satisfactory' during critical peak periods.

In light of the above, it is considered that the proposed modification will have an acceptable impact on the local road network and is capable of being accommodated within existing infrastructure.

Public Transport

As committed to in the original Concept Plan application, the proponent has worked with Transport for NSW and local bus operator Transdev to ensure that the site is able to be provided with a regular local bus service connecting Woollooware Bay Town Centre with local centres and public transport nodes. As noted in **Section 4.5**, public bus Route 985 commenced on 20 November 2016, ahead of the occupation of the first residential dwellings on the site, and connecting the centre directly to Cronulla, Caringbah and Miranda. Prior to this, a shuttle bus provided by the proponent allowed residents to access public transport at the surrounding centres.

As such, it is considered that the provision of new public transport on the site is capable of servicing the additional demand generated by this proposal, and that the modification would have a positive impact by supporting the NSW Government's investment in public transport services to this location.

6.6 Social and Community Benefits

The proposed modifications to the Woollooware Bay Town Centre Concept Plan will deliver a number of significant public benefits to the community, including a new community space, tourism facilities, greater emphasis on active travel programs and public transport, and new learning opportunities and increased activation of the Woollooware Bay Foreshore. The proponent has provided a letter outlining these benefits and commitments as part of this application, which is provided at **Appendix K**.

Community Space and Activities

The recent modification to Project Approval MP10_0230 (Mod 3) included a 'community' space on Levels 1 and 2 of the retail building with frontage to Captain Cook Drive. This community space was included as part of the previous modification in anticipation of the current proposed modification, in order to ensure that the community benefit associated with the spaces could be realised for future residents, workers and visitors to the centre as well as the surrounding community. There is currently no requirement under the Concept Plan or Project Approval for these community facilities to be provided within the town centre.

As part of the current Modification Application, it is intended to relocate this space and formally designate the area as a facility for community use. The intention for the community rooms is that they are set up as flexible and collaborative spaces which can be utilised by a range of groups. The rooms will be fitted out with a commercial grade kitchen, IT, amenities, and moveable walls to create flexible

spaces and secured storage to allow multiple groups to share the space. The Proponent has already consulted with a number of community organisations who have expressed interest in utilising this space, including:

- Sutherland Shire Family Services, who offer a range of services including domestic violence counselling, youth and family support programs;
- Touched By Olivia, with whom the Sutherland Shire's first 'inclusive playground' is being delivered within the foreshore parkland adjoining the western residential precinct;
- Project Youth, who have an interest in utilising the space to run youth hospitality training to provide qualifications and pathways to employment, and which could be conducted in conjunction with the operations of the Cronulla Sutherland Leagues Club and the proposed visitor accommodation;
- Space 44, who provide a platform to showcase local artists within the community; and
- University of the Third Age, who offer community courses, lectures and classes for adult learning.

Letters of support from a number of these organisations are provided at **Appendix U**. The proponent has also liaised with Sutherland Shire Council's community services team, who have confirmed that there are a number of other community groups and organisations which could be programmed into this space for regular usage.

This new community space represents a significant public benefit associated with this modification application, and a new Statement of Commitment for the ongoing provision of this space within the town centre is proposed to be included in the Concept Approval as detailed in **Appendix A**.

Tourism and Economic Development

As noted in **Section 4.2**, the provision of tourist visitor accommodation at Woollooware Bay Town Centre has been directly identified as a desirable outcome in Sutherland Shire Council's Destination Management Plan 2015. The Mayor of Sutherland Shire Council has written in support of this facility being provided at Woollooware Bay (**Appendix U**). The provision of this accommodation will deliver a number of economic benefits to the broader Sutherland Shire area, including:

- on-site employment associated with operation of the accommodation;
- increased overnight tourism to the Sutherland Shire, resulting in additional direct tourist expenditure in a wide range of sectors including entertainment, tourist activities, hospitality services, food/dining and retail which will benefit local businesses through increased demand for services and turnover; and
- increasing the tourism profile and awareness of Sutherland Shire as a destination, and contributing toward broader increases in tourism and economic development within the region.

Providing this facility at Woollooware Bay also represents a unique opportunity to capitalise on opportunities to integrate with and build upon event-based tourism associated with the Cronulla Sutherland Leagues Club and Southern Cross Group Stadium. This includes the potential to convert day visits for events (e.g. football matches) into overnight or weekend stays which incorporate broader tourist activity throughout the Shire, as well as the ability to attract touring sports teams and other sporting-related travel which would benefit from the unique co-location of accommodation, sports training facilities, medical facilities and retail services.

In addition to the tourism-related community benefits associated with the proposed modifications, the Sharks Centre of Excellence will also support additional specialised employment within Sutherland Shire in the sports health field. Synergies between these activities, approved medical facilities within Woollooware Bay Town Centre and associations with the Cronulla Sutherland Leagues Club have the potential to deliver high quality and unique sports and health services which are not currently available within the local area.

Active Travel and Public Transport

Engagement with car share provider GoGet has been undertaken by the proponent throughout the project development phase, and GoGet have written in support of the proposal to include car sharing within the development (**Appendix U**). In light of this, it is proposed to amend Condition 10 to include a commitment to the provision of car parking spaces within the centre for use by a car share provider, to be accessible for use by residents, staff, visitors and the general public. Car share has a number of benefits, including lower demand for parking and car ownership, reduced car utilisation and congestion, and higher public transport usage.

The proponent has also been consulting with Sutherland Shire Council in relation to a potential investment in a bike sharing pilot scheme within the Shire, with potential bike stations at Woollooware Bay, Cronulla Beach, Cronulla Mall and other locations connected to the Shire's bike network. Woollooware Bay is ideally placed to contribute toward this pilot program, given its strong connectivity to existing bicycle and shared paths. This pilot has the potential to provide a positive and healthy recreational program for the benefit of the broader community.

As noted in **Sections 4.5** and **5.5**, the proposed modifications will contribute to the utilisation of the NSW Government's recent investment in providing a public bus service to Woollooware Bay, which was itself catalysed by the approved development. This service benefits existing communities in Cronulla, Woollooware, Caringbah and Miranda and provides additional public transport options for residents of the surrounding community. Additional development at Woollooware Bay is expected to contribute to greater patronage and, potentially, increased frequency if warranted by demand. This is considered to represent a benefit to both the centre and the surrounding community.

Foreshore Learning and Activation

The revegetation of the Woollooware Bay foreshore area, which has previously comprised a landfill capped with asphalt car parking and turf, is a transformative environmental project that will contribute to the environmental qualities of the waterways and wetlands of Woollooware Bay. The proponent is committed to forming a partnership with Greening Australia to build upon this unique project to deliver on-site learning opportunities to primary and secondary-school students as well as the broader community. This will include the provision of fixed signage and learning nodes, with an integrated app-based learning system, to provide education regarding wetlands and waterways through organised visits and day-to-day visitation.

The proposed modifications to the Concept Plan also improve the activation of the foreshore area within the eastern precinct, with new residential apartments providing casual surveillance of the foreshore area throughout the day and evening. This will contribute to a safer environment in this location, reducing opportunities for crime and improving perceptions of safety to encourage visitation to and interaction with this space. This is considered to be a positive design measure that maximises both the community and environmental outcomes of this project.

6.7 Residential Amenity

An Architectural Design Statement and SEPP 65 compliance assessment have been prepared by Turner for the proposed modification and envisioned future development (refer to **Appendix D**). The design statement outlines how the precinct has been designed to achieve a town centre atmosphere, integrating the character of the existing mangroves and benefitting from the public domain provided by the shared central roadway.

The design of the future residential component deliberately fragments the large retail podium with the effect that each residential building is clearly defined within the streetscape. This design is complemented by the proposed landscaping scheme, which seeks to blend with the existing mangroves which characterise the area. This is achieved through a planted ledge along the southern edge of the podium, as well as landscaping throughout the shared central roadway. The shared central roadway has been deliberately designed to provide a direct view to Woollooware Bay from the entrance to the precinct on Captain Cook Drive. The shared roadway has the benefit of providing visitors with easy access into the retail centre, residential precinct as well as the existing stadium.

A preliminary assessment of the potential future development on the site against the relevant criteria of the Apartment Design Guide ('ADG') is provided at **Table 9**. This preliminary assessment demonstrates that future development would be capable of achieving the key design criteria of the ADG and a detailed assessment would be undertaken as part of a future application.

Table 9 – Preliminary Apartment Design Guide assessment

Design Criteria			Proposal
Part 3 Siting the Development			
3D Communal and Public Open Space			
– <i>Objective</i> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping			✓
<i>Design Criteria</i> – Communal open space has a minimum area equal to 25% of the site			✓ The site benefits from a variety of communal open spaces, including 1,700m ² at Level 3 and 3,600m ² on the Level 7 podium. Upon completion of the foreshore landscaping (subject to a future separate application), the total communal open space provided to residents of the future development will exceed 25% of the site area.
– Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)			Capable of compliance.
3E Deep Soil Zones			
– <i>Objective</i> Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.			✓
<i>Design Criteria</i> – Deep soil zones are to meet the following minimum requirements:			✓
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)	Deep soil planting in raised planter boxes will be accommodated on the Level 7 podium, as well as throughout the future foreshore park. As a result, the provision of deep soil zones is expected to exceed the minimum 7% requirement.
Less than 650m ²	-	7%	
650m ² – 1,500m ²	3m		
Greater than 1,500m ²	6m		
Greater than 1,500m ² with significant existing tree cover	6m		

Design Criteria	Proposal												
3F Visual Privacy													
<div>– Objective</div> <div>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</div>	✓												
<div>Design Criteria</div> <div>– Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</div> <table><tr><td>Building Height</td><td>Habitable rooms and balconies</td><td>Non-habitable rooms</td></tr><tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table>	Building Height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	✓ <div>Future development will be capable of providing the required separation distances. All buildings will be designed to ensure that there is no direct sightlines between apartments.</div>
Building Height	Habitable rooms and balconies	Non-habitable rooms											
Up to 12m (4 storeys)	6m	3m											
Up to 25m (5-8 storeys)	9m	4.5m											
Over 25m (9+ storeys)	12m	6m											
3K Bicycle and Car Parking													
<div>– Objective</div> <div>Car Parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas</div>	✓												
<div>Design Criteria</div> <div>– For development in the following locations:<div><div>▪ on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</div><div>▪ on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</div></div></div> <div>– The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</div> <div>The car parking needs for a development must be provided off street.</div>	✓												
Part 4 Designing the Buildings													
4A Solar and Daylight access													
<div>Objective</div> <div>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space</div>	✓												
<div>Design Criteria</div> <div>– Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.</div>	✓ <div>The indicative plans achieve a minimum of 2 hours of solar access to 70% of living spaces and balconies.</div>												
<div>– In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.</div>	N/A												
<div>– A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter.</div>	✓												
4B Natural Ventilation													
<div>– Objective</div> <div>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents</div>	✓												
<div>Design Criteria</div> <div>– At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</div>	✓ <div>The indicative plans achieve a minimum of 60% of naturally cross ventilated apartments.</div>												
<div>– Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</div>	✓												
4C Ceiling Height													
<div>– Objective</div> <div>Ceiling height achieves sufficient natural ventilation and daylight</div>	✓												

Design Criteria	Proposal												
access													
<p><i>Design Criteria</i></p> <p>– Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1"> <tr> <th colspan="2">Minimum ceiling height</th></tr> <tr> <td>Habitable rooms</td><td>2.7m</td></tr> <tr> <td>Non-habitable</td><td>2.4m</td></tr> <tr> <td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr> <tr> <td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr> <tr> <td>If located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr> </table> <p>–</p> <p>These minimums do not preclude higher ceilings if desired.</p>	Minimum ceiling height		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use	<p>✓</p> <p>As shown on the illustrative plans, the proposed building envelopes will be capable of compliance with the minimum ceiling height requirements.</p>
Minimum ceiling height													
Habitable rooms	2.7m												
Non-habitable	2.4m												
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area												
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope												
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use												
4D Apartment Size and Layout													
<p><i>Objective</i></p> <p>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</p>	✓												
<p><i>Design Criteria</i></p> <p>– Apartments are required to have the following minimum internal areas:</p> <table border="1"> <tr> <th>Apartment Type</th><th>Minimum internal area</th></tr> <tr> <td>Studio</td><td>35m²</td></tr> <tr> <td>1 bedroom</td><td>50m²</td></tr> <tr> <td>2 bedroom</td><td>70m²</td></tr> <tr> <td>3 bedroom</td><td>90m²</td></tr> </table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.</p>	Apartment Type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	✓		
Apartment Type	Minimum internal area												
Studio	35m ²												
1 bedroom	50m ²												
2 bedroom	70m ²												
3 bedroom	90m ²												
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	<p>✓</p> <p>The indicative plans show that future development will be capable of compliance.</p>												
<p><i>Objective</i></p> <p>Environmental performance of the apartment is maximised</p>	✓												
<p><i>Design Criteria</i></p> <p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p>	✓												
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	✓												
<p><i>Objective</i></p> <p>Apartment layouts are designed to accommodate a variety of household activities and needs</p>	<p>✓</p> <p>Future detailed design will be capable of compliance.</p>												
<p><i>Design Criteria</i></p> <p>– Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).</p>	✓												
– Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	✓												
Living rooms or combined living/dining rooms have a minimum width of:	✓												
<ul style="list-style-type: none"> 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments 													
<ul style="list-style-type: none"> The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts. 	✓												
4E Private Open Space and Balconies													
<p><i>Objectives</i></p> <p>Apartments provide appropriately sized private open space and balconies to enhance residential amenity</p>	<p>✓</p> <p>Future detailed design will be capable of compliance.</p>												
– <i>Design Criteria</i>	✓												

Design Criteria			Proposal															
<div>– All apartments are required to have primary balconies as follows:</div> <table><tr><td>Dwelling Type</td><td>Minimum Area</td><td>Minimum internal area</td></tr><tr><td>Studio apartment</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartment</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartment</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartment</td><td>12m²</td><td>2.4m</td></tr></table> <div>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</div>			Dwelling Type	Minimum Area	Minimum internal area	Studio apartment	4m ²	-	1 bedroom apartment	8m ²	2m	2 bedroom apartment	10m ²	2m	3+ bedroom apartment	12m ²	2.4m	
Dwelling Type	Minimum Area	Minimum internal area																
Studio apartment	4m ²	-																
1 bedroom apartment	8m ²	2m																
2 bedroom apartment	10m ²	2m																
3+ bedroom apartment	12m ²	2.4m																
<div>– For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.</div>			✓															
4F Common Circulation and Spaces																		
<div>Objective</div> <div>Common circulation spaces achieve good amenity and properly service the number of apartments</div>			<div>✓</div> <div>Future detailed design will be capable of meeting the requirements relating to common circulation and spaces.</div>															
<div>– Design Criteria</div> <div>– The maximum number of apartments off a circulation core on a single level is eight.</div>			✓															
<div>– For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</div>			✓															
4G Storage																		
<div>Objective</div> <div>Adequate, well designed storage is provided in each apartment</div>			<div>✓</div> <div>Future detailed design will be capable of providing the requirements for storage.</div>															
<div>– Design Criteria</div> <div>– In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</div> <table><tr><td>Dwelling Type</td><td>Minimum Area</td></tr><tr><td>Studio apartment</td><td>4m²</td></tr><tr><td>1 bedroom apartment</td><td>6m²</td></tr><tr><td>2 bedroom apartment</td><td>8m²</td></tr><tr><td>3+ bedroom apartment</td><td>10m²</td></tr></table> <div>–</div> <div>At least 50% of the required storage is to be located within the apartment.</div>			Dwelling Type	Minimum Area	Studio apartment	4m ²	1 bedroom apartment	6m ²	2 bedroom apartment	8m ²	3+ bedroom apartment	10m ²	✓					
Dwelling Type	Minimum Area																	
Studio apartment	4m ²																	
1 bedroom apartment	6m ²																	
2 bedroom apartment	8m ²																	
3+ bedroom apartment	10m ²																	

6.8 Biodiversity, Flora and Fauna

The Concept Plan and subsequent detailed planning applications for the site have assessed the potential impacts of development on the site for flora, fauna and ecological communities in the locality. This has included potential impacts on the Woollooware Bay wetlands, including the Towra Point Ramsar site. These assessments, which have been undertaken in accordance with the requirements of the *Threatened Species Conservation Act 1995* and the relevant Office of Environment and Heritage (OEH) guidelines, have found that the Woollooware Bay Town Centre development would not result in any significant impacts on local ecology that cannot be mitigated through appropriate measures.

It is noted that a decision was made by the Commonwealth Government on 17 May 2011 that redevelopment of the site is not a controlled action and no further assessment or approval would be required under the *Environmental Protection and Biodiversity Act*. It is recommended that the Department of Environment and Energy is notified of the proposed modification.

It is also noted that the proposed modification does not propose any change to future foreshore landscaping or the protection of the mangroves and Towra Point. Potential impacts on these ecological environments and compliance with the

relevant guidelines are currently being assessed by the NSW Department of Planning and Environment and other government agencies as part of a separate modification application.

EcoLogical Australia conducted ecological surveys on three separate occasions between 2011 – 2012 with reference to previous studies, available databases and the input of a migratory bird specialist from OEH. As a result of these detailed surveys, three potential issues requiring mitigation were identified in the Concept Plan assessment. Strategies to mitigate these impacts have been put in place as part of subsequent detailed planning application as detailed in the following sections.

EcoLogical Australia have reviewed the proposed modification to the Concept Plan (**Appendix K**) and, in light of the fact that the proposed modification does not alter the overall development footprint and maintains the approved foreshore setback, no additional impacts are expected with the continuation of established mitigation measures.

Bird Strikes

It was highlighted in the original Concept Plan Application that the subject site is in close proximity of migratory birds habitat located on the mudflats of Woollooware Bay and to the north of the site. Accordingly, any future development must be designed to respond to the migratory pattern of these threatened species of birds. Eco Logical have reviewed the indicative building plans and find that the proposed design seeks to reduce potential for bird strike by featuring a variety of window and external wall treatments and styles, rather than a uniform reflective façade. The existing conditions of the Concept Approval require the submission of detailed information at the Development Application stage responding to the design measures to mitigate potential bird strikes, and this requirement would be maintained for future detailed application in relation the development proposed by this modification application.

Noise

In EcoLogical's assessment of the original Concept Plan Application and subsequent DAs, it was concluded that construction works would generate greater noise levels than what is presently experienced in the adjacent mangrove habitat areas, but would not significantly impact the Towra Point Aquatic Reserve. During operation, it noted that noise associated with the proposed loading dock and various plant equipment located at the northern end of the retail centre are likely to have ongoing impacts on fauna inhabiting the nearby mangroves. As fauna inhabiting the mangroves are likely to already be accustomed to elevated noise levels from the existing stadium and car park, the degree to which any additional operational noise would impact on fauna is negligible.

EcoLogical considers that fauna inhabiting Towra Point Aquatic Reserve are unlikely to be affected by the construction or operational noise from the precinct due to the impact of noise attenuation over distance. As noise impacts on fauna are likely to be highest during construction, a number of construction management controls have been specified for this eastern portion of the Woollooware Town Centre, as follows:

- Where possible, machinery and equipment should be selected to reduce noise emissions.
- Construction works should be limited to daylight hours, consistent with standard conditions that specify construction works should be limited to 7.00am and 6.00pm Monday to Friday and between 8.00am and 4.00pm Saturdays. This will protect the foraging periods of fauna at dusk and dawn.

- In accordance with standard practice, acoustic emissions associated with construction works should meet the EPA noise emission criteria.
- The proximity of construction works to mangrove habitat should be limited during the months of October to January when significant fauna is likely to be breeding.
- Vegetation should be provided between the retail facility and the mangroves to minimise operational noise impacts.
- Construction works within the shell of the building should be acoustically treated with ductwork lining, acoustic silences, time switches and acoustic screens.
- Noise monitors could be installed at sensitive locations within Towra Point Aquatic Reserve to determine if noise from the precinct is detectable and if further mitigation measures are necessary.

Stormwater

The EcoLogical assessment has confirmed that the proposed modifications will remain generally consistent with the original retail proposal in relation to potential impacts on water quality. Given the proposed modifications will occur on top of the approved retail/commercial building and club foundations below, the impervious surfaces onsite remain the same and as such the volume of runoff will remain similar to the original proposal. In addition to this, the proposed communal open space area as part of the Level 7 podium that will act as a biofilter and aid stormwater filtration.

The proposal will also use the approved system of stormwater infrastructure works determined by the original retail proposal, which proposes to channel stormwater to the western side of the stadium before reaching the bay. Accordingly, it is concluded that aquatic impacts can be expected to be similar to that of the original retail/commercial precinct proposal.

This is confirmed by the Infrastructure Assessment prepared by Calibre Consulting (**Appendix O**), which demonstrates that the proposed modification and resultant development would have no impact on the quantity or quality of water discharged from the site.

6.9 Stormwater, Flooding and Utilities

As extensively discussed, the proposed modification to the Concept Plan seeks to allocate additional GFA on top of the approved on-ground building envelope for the retail precinct. Accordingly, the assessment of the original proposal in regard to stormwater, flooding and sea level rise will remain relevant for this proposed modification.

Calibre have prepared an assessment of the impact of the proposed amendment on existing infrastructure arrangements, attached at **Appendix M**. In response to key issues relating to drainage, stormwater and utilities, the impacts of the proposed amendment are as follows:

- Stormwater discharge: The original concept plan proposed to drain the site towards the existing stormwater drainage system in Captain Cook Drive. It is now proposed to discharge stormwater to the north towards Woollooware Bay. This would have the impact of relieving the load on the existing stormwater infrastructure and reducing the potential impact of flooding in the area. The modified proposal does not change the catchment area and will have no impact on the quantity or flow rate of water discharged.
- Stormwater quality: All stormwater from the site will be treated before discharge using primary, secondary and tertiary treatment. The standard of

treatment would be consistent with the requirements of Sutherland Shire Council and the Department of Primary Industries - Fisheries. As a result of this, there will be no reduction in the quality of water discharged from the site as a result of the proposed amendment.

- Flood evacuation: During a flood event, residents will not be affected by flooding as all residential dwellings are located above the peak flood level. It is considered that evacuation would not be necessary except in the case of a medical emergency. An evacuation route that would be clear of the 100-year flood event is proposed via the car park access from Woollooware Road North.
- Water supply: Water main upgrades have been completed in Captain Cook Drive to service the Woollooware Bay Town Centre. The increased water demand as a result of the proposed modification has been taken into account as part of the water main upgrade and it is confirmed by Sydney Water that the infrastructure can supply water to meet anticipated demand.
- Sewage reticulation: A sewer extension will be provided from the existing sewer in Captain Cook Drive to service the precinct. The anticipated occupancy of the future development has been provided to Sydney Water and it has been confirmed that the extension will have sufficient capacity to supply the future development.
- Electrical supply: The maximum demand that could be anticipated as a result of the proposed modification has been taken into account in the design of new substations and switch rooms within the site and in an application to Ausgrid. It has been confirmed by Ausgrid that the network has adequate capacity to supply anticipated demand for electricity.
- Telecommunications: The National Broadband Network (NBN) has committed to servicing the proposed development.
- Gas: Jemena has confirmed that existing gas infrastructure in the area will be able to adequately supply the development.

6.10 Noise and Vibration

The proposed modification would result in a comprehensive town centre with a mix of uses with different functions and characteristics in terms of both noise generation and sensitivity. These different characteristics have been considered in the development of an indicative centre layout to inform the amended building envelopes. Acoustic Logic have prepared a Noise Impact Assessment (**Appendix J**) to examine the noise and vibration impacts associated with the proposed modifications as well as potential for noise impacts to surrounding sensitive receivers.

The existing environmental noise sources affecting the site are traffic noise from Captain Cook Drive and noise generated from the adjoining stadium on game day.

6.10.1 Construction

The Noise Impact Assessment presents the predicted noise levels from a number of activities on the site during construction at certain areas in the vicinity of the site. In particular, the assessment considers potential construction noise impacts on Towra Point Aquatic Reserve and finds that there will no additional noise and vibration impact to this sensitive area.

Construction noise associated with the proposed development will be intermittent and generally limited in duration, and it is considered that appropriate construction management methods can be implemented to ensure that any adverse impacts of construction noise are minimised. These include:

- Preparation of a Noise Management Plan in accordance with the Environmental Protection Authority Noise Guideline.
- Implement a complaints handling register and community consultation system.
- Educate employees and contractors in noise reduction techniques and site etiquette.
- Operate plant in a quiet and efficient manner by turning machinery off when not in use.
- Investigate use of alternative machinery or processes where there is the potential for excessive noise to be generated.
- Implement acoustic barriers or screens to reduce noise.
- Utilise silencing devices where necessary.
- Utilise rubber mats in material handling areas to minimise noise impacts.

The Noise Impact Assessment also presents the relevant noise and vibration criteria which should be contained within a future Noise Management Plan.

6.10.2 Operation

Traffic Noise

The Noise Impact Assessment finds that the required internal noise level criteria will be achievable for the future development and that the external façade can be acoustically treated where necessary to ensure internal noise levels comply with the relevant noise criteria. To this extent, it is considered that traffic noise will have minimal impact on the future development and that acoustic treatments can be incorporated into future detailed design where necessary.

In relation to surrounding receivers, it is found that development as modified will have minimal impact. Traffic noise generated by the proposed development was assessed against the relevant standards for internal noise amenity and found that any increase in traffic noise would remain compliant with the relevant criteria.

The investigation into noise associated with additional traffic movements revealed that any increased traffic flows would result in a minor noise increase to the existing area and would not adversely impact on the amenity of surrounding sensitive receivers.

Stadium Noise

The results of the acoustic assessment find that any noise impacts arising from sporting events at the stadium can be appropriately mitigated through acoustic treatment to ensure that internal noise levels comply with the relevant noise criteria. This is relevant to residential dwellings as well as any potential impacts on the hotel.

Mechanical Plant Noise

The acoustic assessment finds that acoustic treatments to appropriately mitigate potential noise impacts from mechanical plant can be incorporated into the future detailed design of the development. As the mechanical plant has not yet been selected, a detailed noise impact assessment has not been undertaken, however it is noted that lining ductwork, acoustic silencers, variable speed controllers, time switches and acoustic screens are able to effectively mitigate any mechanical plant noise emissions.

Impact on Towra Point Aquatic Reserve

The acoustic assessment considers any potential noise and vibration impacts on Towra Point Aquatic Reserve and the fauna it provides habitat to. Based on the

proximity of the reserve to the site, it is considered that there will be no additional impact as a result of the proposed modified development. This is previously addressed in further detail at **Section 6.8**.

Noise Conflicts

It is noted that the design of the precinct will minimise any noise conflicts, in particular any acoustic impact to existing and future residential properties. In addition to this, acoustic treatments can be implemented where necessary and it is recommended that:

- Deliveries and waste removal are limited to day-time hours.
- Tenancies within the retail centre should not be permitted to play music externally.

Cumulative Impacts and Management Strategies

The acoustic assessment finds that the proposed modification will result in minor changes to existing noise levels and that, where necessary, the detailed design of the development can incorporate acoustic treatments to effectively mitigate any potential noise impacts.

It is recommended that a future Noise Management Plan incorporate a number of construction management and site etiquette practices to minimise any noise impacts during construction.

In order to mitigate any potential noise impacts arising from traffic, stadium or other external noise sources, it is recommended that acoustic treatments such as upgraded glazing is incorporated into future detailed design.

Where there is potential for noise conflicts, the following is recommended:

- Deliveries and waste removal from loading docks and delivery areas should be limited to day-time hours.
- Tenancies within the retail centre should not be permitted to play music externally.

Overall, the Noise Impact Assessment finds that the modified proposal will enable future development to comply with all relevant noise and vibration criteria.

6.11 Structural Engineering

A Structural Engineering Statement provided by Aurecon (refer to **Appendix Q**) confirms that the additional structural loading from the future car park, residential and hotel structures will be incorporated into the design of the structure and foundations of the first stage of retail works to allow the future proposed uses to be built above without additional strengthening. The statement also confirms that the work has been designed in accordance with the relevant provisions of the standard buildings codes and in accordance with accepted engineering practice and principles.

6.12 Crime and Public Safety

A Crime Prevention Through Environmental Design Report (CPTED Report) prepared by JBA (**Appendix G**) investigates the nature of recorded crime in the area as well as safety and security measures to be implemented throughout the proposed development.

The CPTED Report presents the most common crimes in the Sutherland Shire LGA. According to the report, Woollooware Bay is not located in a crime hotspot.

It is found that the site currently benefits from a consistent level of surveillance due to the Club building and car park, with ongoing surveillance offered by passing motorists on Captain Cook Drive. The approved redevelopment for the retail/club facility will enhance opportunities for natural surveillance within and surrounding the site by increasing the activity in the area. It is noted that some parts of the development will include walls which are blank and lack surveillance, such as the loading dock. As the design of the loading dock is determined by its function, it is considered that this built form outcome is unavoidable and that alternative surveillance methods can be incorporated to ensure safety of the area.

The future development proposed as part of this modification will allow for greater opportunities for casual surveillance from the residential apartment and hotel building over the retail development. The future apartments will offer surveillance around the entire site and where there is not direct overlooking, there is likely to be sight lines available around the development to ensure that a feeling of natural surveillance is achieved. In addition to this, pedestrians accessing the podium rooftop, Leagues Club entrance and hotel lobby and passing vehicles on the central road way will increase passive surveillance and improve feelings of safety.

A review of the proposed design demonstrates that the access points that have been provided for each component of the development are appropriately situated to ensure that passive surveillance will occur and that there will be clear sightlines around these areas.

Dedicated off-street parking will help reduce the opportunity for vehicle theft, however it should ensure that internal structures do not obscure sightlines by providing a linear car parking layout and adequate lighting.

It is also noted that the provision of retail and other non-residential uses throughout the precinct will act as a crime deterrent by providing a consistent level of activity throughout the day and evening. This provides a sense of territorial reinforcement, as the area will be well-populated and maintained.

The overall redevelopment of the site will significantly improve the condition of the site, which is currently affected by litter and graffiti and lacks consistent level of passive surveillance. The redevelopment of the site will contribute to redefining the image of the area and therefore encourage residents and visitors to feel a sense of ownership of the place. It is considered that this feeling of ownership can have a significant impact on feelings of safety, as well as influence local confidence and individual decisions to either withdraw or engage in community life.

Taking into account the most commonly occurring crimes and the design of the proposed development, it is considered that the Crime Risk Assessment Rating of the proposed future redevelopment is 'medium'. As a result of this, the following recommendations are made:

- The future residential car parking area should be secured from the retail/club car park through either physical barriers or an electronic key card entry system.
- General layout of the development should provide a legible environment to improve wayfinding.
- Landscaping should incorporate principles of safe design, focussing on permitting sight lines and reducing opportunities for concealment.
- All lighting proposed in future detailed applications should meet the minimum Australian Standards.
- High quality lighting should be provided throughout all publicly accessible areas within the development and footpaths surrounding the building. Lighting in

public areas should be adequate to permit facial recognition, informal surveillance and reduce the threat of predatory crime.

- Lobbies should be designed to prevent concealment by providing wide approaches, adequate lighting and CCTV is necessary.
- Car parking should be provided with sufficient lighting and CCTV if required.
- Way finding signage throughout the development should be provided.
- Further CPTED review and analysis is undertaken to support future detailed applications for the site.

6.13 Waste

KMH Environmental have an assessment of the waste management requirements for the proposal as modified, as detailed at **Appendix P**.

The assessment finds that the space allocated for waste storage throughout the development will be capable of accommodating the amount of waste to be generated by the different components of the development. Specifically:

- The residential component provides adequate space and facilities to accommodate the storage and collection of garbage, recycling and bulky goods waste.
- Arrangements for commercial waste will remain as approved with the original waste management plan for the commercial uses within the centre.
- Waste generated by the hotel will be accommodated within the building with access to the loading dock. Detailed waste storage and collection arrangements for the hotel will be determined during detailed design.
- The retail component adequately provides for the waste storage and collection requirements of all retailers.

Waste for the Centre of Excellence will be managed in a self-contained manner in relation to the needs of that building, with protocols for waste management and collection to be detailed as part of a future application for development.

6.14 Ecologically Sustainable Development

An Ecologically Sustainable Development (ESD) Report has been prepared for the proposed amendment by ARUP and is attached at **Appendix L**. This report considers the environmental targets established under the Concept Plan and Stage 1 Residential Precinct development and identifies how best practice ESD principles will be incorporated into the design of the development. In particular, the ESD Report has regard to Condition 11 of the Concept Approval, Volume 2 of the Environmental Assessment Report (being Appendix R of the Concept Plan Application) and Condition 29 of the Stage 1 approval. These conditions all relate ecologically sustainable development and environmental performance targets to be met by the proposed development.

Whilst the developments overall performance will be determined by future detailed design, an initial assessment of the proposed modifications against BASIX and the relevant sustainability strategies in the Concept Plan Approval has confirmed the proposal is capable of achieving the minimum standards. This assessment considers the additional residential, hotel and Centre of Excellence component which have not been previously assessed against the relevant benchmarks.

This initial assessment focuses on energy, water and heating efficiency, sustainable materials, solar access and cross ventilation, waste management,

ecological values, and supporting alternative modes of transport and recommends strategies for the future development to achieve the environmental performance targets. These strategies focus on innovative and best practice proposals for environmental building performance, including:

- Energy efficient facades with awnings to be provided to achieve high levels of thermal insulation.
- Water efficient appliances to be used throughout the development.
- Rainwater to be recycled for irrigation.
- Water monitoring devices to be provided.
- Gas fired hot water and high efficiency heat pumps for pools.
- Common area lighting to be activated by motion sensors.
- Rooftop solar panels to be provided.
- Smart energy meters provided to all dwellings.
- Energy efficient LED and fluorescent lighting to be fitted throughout.
- Maximising solar access to reduce energy consumption.
- Mixed mode ventilation to maximise natural ventilation.
- Selection of materials based on embodied carbon content.
- Work with residents, tenants and waste contractor to reduce landfill waste generated by the development by 80%.
- Alternative modes of transport to be encouraged through the provision of adequate facilities and infrastructure, including cycling and public transport.

A Sustainability Management Plan will be prepared during the design development, construction and operation stages of the project and will provide defined and measurable targets for the sustainability targets.

Overall, the project will deliver an overall sustainability performance that is in excess of the minimum to meet compliance and will demonstrate leadership in energy monitoring, renewable energy generation and materials selection.

6.15 Airport Operations

In a letter provided by Sydney Airport (refer to **Appendix S**), it is confirmed that there is no objection to the construction of a development to a maximum height of 55.0 metres AHD in accordance with s.183 of the *Airports Act*. Should the height of any temporary structure or equipment be greater than 152 metres AEGH, a new approval must be sought in accordance with the Civil Aviation (Buildings Control) Regulations Statutory Rules 1988 No. 161. Woollooware Bay Town Centre is not affected by the Aircraft Noise Exposure Forecast (ANEF) boundaries that would give rise to the need for an assessment of aircraft noise.

6.16 Wind Impact

Windtech have undertaken a Pedestrian Wind Environment Study (**Appendix O**) to assess any wind impacts arising as a result of the proposed modification. Whilst the development is exposed to the prevailing winds of the Sydney region, adverse wind conditions within the site are expected to be minimised by the inclusion of wind mitigating design features such as:

- Extensive landscaping and tree planting at both ground level and in podium-level communal pedestrian areas.

- Deliberately designed setbacks of residential buildings from the podium base, mitigating the potential for down-winds.
- Provision of impermeable screens and louvres between residential balconies and outdoor terraces as required to reduce direct wind flows.
- Provision of an awning at the southern end of the central roadway to mitigate potential wind flows.

Future detailed design will incorporate these wind mitigation measures into the development, and future applications for development will include further wind assessment demonstrating that appropriate levels of pedestrian amenity will be provided.

6.17 Electromagnetic Radiation

Throughout the development of the Woollooware Bay Town Centre, extensive investigation has been undertaken on the effects of potential electromagnetic radiation from the transmission lines directly to the north of the centre. Magshield have reviewed the proposed modification to determine if future development would be impacted by electromagnetic radiation (**Appendix N**). The review finds that the proposed amendments would not be adversely impacted by electromagnetic radiation, and that the power frequency electric and magnetic fields are substantially less than the highest safest levels of exposure recommended by ARPANSA.

6.18 Construction Management

The Concept Plan Approval does not constitute an approval to carry out construction works, which must be subject to a separate planning approval. A Construction Management Plan (CMP) was submitted with Project Application MP10_0230 in relation to the approved Retail/Club podium building within the eastern precinct, and sets out management principles including:

- construction sequencing;
- construction waste management;
- work health and safety;
- community and stakeholder relations;
- stormwater, erosion and sediment control;
- construction traffic management and site access;
- noise and vibration management; and
- air quality control.

An indicative construction staging plan has been prepared by Turners for the eastern precinct, which is provided at **Appendix E**. An updated/new CMP will be required to be provided with any further detailed planning applications required to facilitate the proposed modifications to the Concept Plan.

7.0 Conclusion

This S75W Modification Application seeks amendments to the approved Concept Plan (MP10_0229) and Project Approval (MP10_0230) for the eastern precinct of Woollooware Bay Town Centre, which incorporates the approved Leagues Club and Retail precinct.

The proposed modifications seek to facilitate an integrated town centre that will provide a mix of uses for the mutual benefit of residents, businesses and visitors to the area by providing for additional building envelopes for residential and tourist visitor accommodation above the approved podium building. These land uses are permissible with development consent within the applicable zone under the Sutherland Shire Local Environmental Plan 2015, however, the proposed building envelopes exceed the local height provision that was adopted based on the previously approved Concept Plan. As demonstrated in this report, the additional building envelopes do not give rise to any unacceptable environmental impacts and will provide a number of social, economic and environmental benefits.

The assessment contained within this report has determined that there will not be any adverse environmental impacts resulting from the proposed modifications. The proposal will facilitate the delivery of a truly integrated and activated town centre and has significant planning merit as it will:

- Facilitate a range of uses to complement the existing Leagues Club, retail, leisure and entertainment uses present within the eastern precinct of Woollooware Bay Town Centre and deliver a vibrant mixed use centre.
- Meet an identified need for quality tourist and visitor accommodation within Sutherland Shire to assist in growing the local visitor economy, and capitalise on the potential for increased event-based tourism associated with the Southern Cross Group Stadium.
- Provide for additional dwellings to meet the housing needs of current and future residents of the Sutherland LGA.
- Provide significant community benefit by enabling a range of local groups and organisations to utilise the space for a range of programs and initiatives.
- Carefully integrating with the existing character of the area, in particular with the existing mangroves and Towra Point Aquatic Reserve, through the incorporation of additional landscaping within the podium levels.
- Achieve design excellence by providing a highly activated presentation to the street, a range of building typologies and high quality architectural finishes as demonstrated in the delivery of the first residential stages at Woollooware Bay.
- Not give rise to any unacceptable environmental impacts whilst generating significant economic and social benefits for the existing and future community.

The proposed modifications do not give rise to any unacceptable environmental impacts that cannot be satisfactorily managed through conditions of approval, as modified. Given the positive outcomes resulting from this project, we have no hesitation in recommending the approval of these proposed modifications to the Concept Plan and Project Approval.