



FM/BH  
14574  
22 May 2017

Carolyn McNally  
Secretary  
Department of Planning and Environment  
320 Pitt Street  
SYDNEY NSW 2000

Attention: Jane Flanagan (Senior Planner – Modification Assessments)

Dear Jane,

**MP10\_0229 MOD 5 LANDSCAPING - WOOLLOOWARE BAY TOWN CENTRE  
FURTHER RESPONSE TO SUBMISSIONS**

We write to you on behalf of Bluestone Capital Ventures No. 1 in response to the further submissions received in relation to the Response to Submissions (RtS) package for MP10\_0229 (MOD 5) and to outline the final proposed modifications. This letter is accompanied by:

- Detailed Response to Submissions prepared by JBA (**Attachment A**);
- Revised Landscape Concept Masterplan prepared by Habit8 (**Attachment B**);
- Revised Indicative Drawings prepared by Habit8 (**Attachment C**); and
- Ecological Advice prepared by Ecological (**Attachment D**).

The RtS Report, accompanied by an amended Landscape Concept Masterplan and Ecological Report, was publicly exhibited for a period of 42 days from 21 December 2016 through to 31 January 2017. Following exhibition of the proposal, no submissions were received from members of the general public and three (3) submissions were received from the following government agencies and Council:

- Department of Primary Industries (DPI);
- Office of Environment and Heritage (OEH); and
- Sutherland Shire Council (Council).

Both DPI and OEH objected to the proposed modifications, whilst Council expressed support. OEH and Council acknowledged that improvements had been made to the modification proposal, with Council making a number of additional recommendations for future planting and landscaping treatments.

The applicant arranged a meeting at the site on 31 March 2017 to enable the agencies that made submissions on the application to experience the existing conditions on the site. DPI, OEH and Council were invited to attend this meeting and it is noted that only DPI (Office of Water) attended.

A detailed response to all submissions received is provided at **Attachment A**. In preparing this response, the proponent has carefully considered all issues raised in coordination with expert ecological and landscaping advice.

The amended landscaping scheme proposed with the exhibited RtS package was designed to protect and maintain the ecological value of Towra Point Aquatic Reserve whilst providing significant community benefit for future residents and the wider Sutherland community. In particular, the previous modification proposal sought to implement the principles of the NSW Office of Water *Guidelines for riparian corridors on waterfront land* ('the NOW Guidelines') by providing a significant amount of riparian planting as well as offset planting.

As a further improvement to this, and following comments received on the amended landscaping scheme, the applicant has made further revisions to the landscaping scheme to achieve an outcome consistent with the objectives for riparian corridor management contained in the NOW Guidelines. Specifically, the amended scheme proposes:

- Increased riparian planting of 1,521m<sup>2</sup>.
- Reduction of the size of the turf area outside the residential precinct.
- Increased offset planting of 602m<sup>2</sup>, comprising native and locally occurring species.
- A mangrove rehabilitation area of 1,847m<sup>2</sup> adjoining the riparian corridor, where the applicant commits to rehabilitation and maintenance of the existing mangroves in this area to the benefit of the overall health of Towra Point Aquatic Reserve.

The mangrove rehabilitation area to the north of the MHWL is proposed subsequent to a survey which has demonstrated that the actual MHWL is further to the north than what is currently mapped. As a result of this and following expert ecological advice provided by Ecological, it is proposed to rehabilitate the area between the mapped and actual MHWL in order to re-establish the environmental benefits that vegetation in this area has for the overall biodiversity of Towra Point Aquatic Reserve. These rehabilitation works are outlined by Ecological at **Attachment D** and will generally involve:

- Removal of weeds and rubbish from the perimeter of the existing mangroves.
- Installation of temporary tape at the perimeter of the existing mangroves to demarcate the rehabilitation area.
- Contouring of the ground surface of the rehabilitation area to achieve tidal levels and gradients suitable for mangrove growth.
- Replacement of existing fill material with a substrate suitable for mangrove growth, where necessary.
- Transplanting mangrove seedlings for planting.
- Collection of mangrove seeds from the local area for planting.
- Ongoing maintenance to remove weeds and rubbish from the area.

As demonstrated in the Ecological Advice prepared by Ecological (**Attachment D**), these measures will assist with the natural recolonisation of the mangroves and provide an improved ecological outcome than what currently exists on the site.

It is noted that the mangrove rehabilitation works will take place on land owned by Roads and Maritime Services (RMS). Capital Bluestone is seeking consent for the proposed works from RMS concurrently with this application. Should consent from RMS not be received prior to determination, these works will be excluded from this concept plan modification application and consent sought separately for these works. If the mangrove rehabilitation works were to be excluded from the application, offset riparian planting would still be provided in excess of the amount required to offset the non-riparian uses. It is emphasised that Capital Bluestone remains committed to mangrove rehabilitation works in this area to improve the ecological value of Towra Point Aquatic Reserve.

The proposed landscaping scheme now provides 11,955m<sup>2</sup> of riparian planting as well as 5,470m<sup>2</sup> of offset planting and mangrove rehabilitation, resulting in a total offset that is 2,175m<sup>2</sup> in excess of the amount required to be offset for encroachments in the buffer.

It is noted that the commitment to mangrove rehabilitation will achieve an outcome that is consistent with the Guidelines as it seeks to rehabilitate areas immediately adjoining the riparian corridor and will further minimise any disturbance to Towra Point Aquatic Reserve and create an enhanced buffer zone.

An updated breakdown of the foreshore planting is shown in **Table 1** (refer to following page) and reflects the changes outlined above.

It is emphasised that this riparian planting and mangrove rehabilitation will create a buffer along the foreshore to protect Towra Point Aquatic Reserve, in contrast to the current situation where no buffer is provided and minimal ecological qualities are possessed by the site. In relation to the social benefits of the proposal, the provision of an all-abilities playground and cycleway connecting Cronulla to Homebush will allow additional opportunities for outdoor recreation for all members of the community and form an important part of the Woollooware Bay Town Centre.

The objective and key intent of this modification application is to facilitate a balanced outcome, being one which does not prioritise a single aspect of the public interest but equally ensures that a positive result is achieved for all stakeholders. The proposal seeks to create a framework that balances ecological and social interests, achieving an outcome that allows for significantly enhanced ecological conditions, as well as an environment which is able to be utilised to its full extent by the community.

**Table 1** – Breakdown of foreshore landscaping

Component	Original modification application	Proposed refined modification application Area (m <sup>2</sup> )	Percentage of total waterfront land	Outcome of change (original modification to current proposal)
<b>Waterfront land</b>				
Riparian corridor area	-	17,425m <sup>2</sup>	100%	No change
Riparian planting <ul style="list-style-type: none"> <li>Inner zone salt marsh planting</li> <li>Inner zone planting</li> <li>Outer zone planting</li> </ul>	10,434m <sup>2</sup>	11,955m <sup>2</sup> 1,090m <sup>2</sup> 7,910m <sup>2</sup> 2,955m <sup>2</sup>	69%	1,521m <sup>2</sup> more planting
Pathways* <ul style="list-style-type: none"> <li>Inner zone</li> <li>Outer zone</li> </ul>	2,931m <sup>2</sup>	2,175m <sup>2</sup> 632m <sup>2</sup> 1,543m <sup>2</sup>	12%	756m <sup>2</sup> less pathways
Non-riparian uses <ul style="list-style-type: none"> <li>Vegetation (turf)</li> <li>Recreation infrastructure</li> <li>Permeable paving for grass</li> </ul>	4,224m <sup>2</sup> 24%	3,295m <sup>2</sup> 1,243m <sup>2</sup> 1,429m <sup>2</sup> 623m <sup>2</sup>	19%	929m <sup>2</sup> less non-riparian uses
Total vegetated land <ul style="list-style-type: none"> <li>Riparian planting</li> <li>Turf</li> </ul>	12,878m <sup>2</sup>	13,198m <sup>2</sup> 11,955m <sup>2</sup> 1,243m <sup>2</sup>	76%	320m <sup>2</sup> more planting
<b>Offset (beyond waterfront land)</b>				
Offset riparian planting	3,021m <sup>2</sup>	3,623m <sup>2</sup>	-	602m <sup>2</sup> more riparian offset
Mangrove rehabilitation offset works (subject to RMS land owners consent)	-	1,847m <sup>2</sup>	-	-
Total offset riparian planting	3,021m <sup>2</sup>	5,470m <sup>2</sup>	-	2,449m <sup>2</sup> more offset planting
Offset planting excess (for non-riparian uses in buffer zone excl. pathways)	-	+2,175m <sup>2</sup>	-	2,175m <sup>2</sup> in excess of offset requirement (including mangrove rehabilitation area)
<b>Vegetated land</b>				
Total planting (riparian + turf + offset + pathways*)	18,831m <sup>2</sup>	20,843m <sup>2</sup>	-	2,012m <sup>2</sup> more planting (including mangrove rehabilitation area)
Planting surplus (total planting – total waterfront land)	+1,241m	+3,418m <sup>2</sup>	-	2,177m <sup>2</sup> more planting surplus

\*Generally in accordance with the NOW Guidelines, pathways have been classified as riparian as they are permitted to be included on waterfront land and do not require any offset.

As pathways within the inner zone comprise a total of only 632m<sup>2</sup> and 5,470m<sup>2</sup> of offset planting and mangrove rehabilitation works are proposed, it is noted that a full offset in excess of the total amount of all non-riparian uses is still achieved if the pathways in the inner zone are counted as requiring to be offset.

### Modifications to Conditions

It is noted that the submitted RtS did not correctly identify all plans for which approval is now sought. A complete list of all plans sought for approval is identified below for completeness. Words proposed to be deleted are shown in ~~***bold strike through italics***~~ and words to be inserted are shown in ***bold italics***.

Drawing No.	Revision	Name of Plan	Date
<del>11017-EA-01*</del>	<del>B</del>	<del>Site Context</del>	<del>March 12</del>
<del>11017-EA-02*</del>	<del>B</del>	<del>Landscape Concept Plan</del>	<del>March 12</del>
<del>11017-EA-03*</del>	<del>D</del>	<del>Landscape Sections and Precedents</del>	<del>May 12</del>
<del>11017-EA-04*</del>	<del>B</del>	<del>Landscape Sections and Precedents</del>	<del>March 12</del>
<del>11017-EA-05*</del>	<del>B</del>	<del>Landscape Sections and Precedents</del>	<del>March 12</del>
<del>11017-EA-06</del>	<del>B</del>	<del>Landscape Sections and Precedents</del>	<del>March 12</del>
<del>11017-EA-07*</del>	<del>C</del>	<del>Planting Strategy</del>	<del>May 12</del>
L002	P	Diagram Plan	18.05.17
L003	P	Proposed Planting and Turf Area	18.05.17
L004	P	Existing Ausgrid Easement Condition	18.05.17
L005	P	Landscape Master Plan	18.05.17
L006	P	Illustrative Sections	18.05.17
L007	P	Illustrative Sections	18.05.17
L008	P	Illustrative Sections/Design Images	18.05.17
L009	P	Indicative Planting Strategy Plan	18.05.17
L010	P	Planting Schedule	18.05.17
L011	P	Planting Schedule	18.05.17

We trust that the information provided with this letter is sufficient to enable the continuation and finalisation of the assessment. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or bhoskins@jbaurban.com.au.

Yours faithfully



Brendan Hoskins  
Principal Planner



Frances Mehrtens  
Urban Planner