



Amanda Treharne - 97100462
File Ref: DN19/0034

24 September 2019

Department of Planning, Industry & Environment
Email: Brendon.roberts@planning.nsw.gov.au

Dear Sir,

Application No. DN19/0034

Proposal: Section 75W modification to MP10_0299 (MOD 8) - modification to the Woollooware Bay Concept Plan - correction of error in urban form control diagrams

Property: 455 Captain Cook Drive, Woollooware

Thank you for the opportunity to comment on the above development proposal.

Council is currently assessing a development application (DA18/1448), which seeks approval for construction of the Stage 1 Precinct of the Woollooware Bay Town Centre. The application includes partial demolition and re-fit of the existing Leagues Club, the new retail centre, hotel accommodation, 255 dwellings in four buildings, office tenancies, a child care centre, car parking, landscaping works, subdivision, public domain works, and staged construction.

During assessment of the above application, Council officers raised concern with the proponent that the proposed hotel building (Building E) extended outside the building envelopes approved under MP10-0229 MOD 2. In response, the proponent advised that the Department of Planning, Industry and Environment (DPIE) had made an error in the concept approval. Council officers sought confirmation of this error from DPIE, around which time MOD8 was lodged.

Council officers have reviewed the proponent's previous 75W submission and the DPIE assessment report. It would appear that whilst the proponent intended for an additional two levels to the podium for Building E to accommodate car parking for the hotel, this component of the revised project was only shown on some of the Illustrative floor plans and not on the Urban Form Diagrams. As a consequence this element of the revised preferred project scheme does not appear to have been considered by the DPIE in its assessment of MOD 2, as the revision to the building envelope is not highlighted as a proposed modification or subsequently assessed in the assessment report. There are also no conditions relating to this element.

The proponent has included correspondence from the DPIE Secretary's nominee with respect to satisfying Conditions B3 and B4 of MP10_0229 MOD 2. Condition B3 required updating of the building envelopes to reflect the Independent Planning Commission determination (modified building envelope heights) for Buildings B, C and D. It does not refer to Building E. Condition B4 relates to landscaping changes and is not relevant to MOD 8.

Taking into account the above, it is necessary for the DPIE to explicitly assess the proponent's revision to the approved envelope for Building E.

With regard to the merit of the proposed modification, Council can see the benefits in the new upper levels of hotel parking and an improved relationship for the communal open space in relation to the hotel. The revised building envelope results in increased podium parking, which, like other elevations of the development, presents challenges with design, aesthetics and minimising the visual impact of this element. Future Environmental Assessment Requirement (FEAR) 2A of MP10_0229 MOD 2 would be applicable to the revision in this instance.

As the proposed podium height will be visible from within the Shark's ground and the future foreshore area near Family Hill, as well as potentially Captain Cook Drive, views of the revised massing and indicative built form would be desirable to assist with assessment of the revised envelope. The relationship of the additional podium levels with the existing Leagues Club should be thoroughly considered and conditions imposed if necessary to ensure a positive development outcome.

In summary, Council is not opposed to the proposed provision of parking for the hotel and office uses in closer proximity. It is necessary, however, to ensure that the resultant building envelope respects the lower-level context of the Leagues Club and that the elevations are treated such that it does not result in a poor aesthetic outcome.

We trust that you will consider these comments in your assessment of the application. Should you need any clarification of the above comments, please contact Council's Development Assessment Officer Amanda Treharne on 9710 0462 or email atreharne@ssc.nsw.gov.au and quote the application number in the subject.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P Barber', with a horizontal line extending from the end of the signature.

Peter Barber
Director, Shire Planning