



Planning

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Our ref: MP10_0229 & MP10_0230

Dear Mr Fairfax,

**CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION FOR MIXED USE DEVELOPMENT
OF 461 CAPTAIN COOK DRIVE, WOOLLOOWARE (MP10_0299 & MP10_0230)**

Thank you for your request for Director-General's Environmental Assessment Requirements (DGRs) for the above project. The DGRs were prepared from the information provided within your application and in consultation with relevant Government agencies.

Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the Proponent seeking approval for the project.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the Proponent to revise the Environmental Assessment to address the matters notified to the Proponent.

Following this review period, the Environmental Assessment will be made publicly available for a minimum period of 30 days. Please contact the Department at least two weeks before you propose to submit the Environmental Assessment to determine the fees applicable to the application.

Please also find enclosed with this letter, copies of submissions from other agencies providing their key issues for the proposal. Please note that these responses have been provided to you for information only and do not form part of the DGRs for the Environmental Assessment.

Should you have any questions regarding any of the above, please contact Andrew Smith on (02) 9228 6369 or email andrew.smith@planning.nsw.gov.au.

Yours sincerely


Michael Woodland
Director
Metropolitan and Regional Projects South
As delegate for the Director-General

25/3/2011



Planning

Draft Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	MP 10_0229 (Concept Plan) and MP10_0230 (Project Application Stage 1)
Project	<p>Concept Plan application for a staged mixed use residential, retail, entertainment and sporting development including redevelopment of the existing Cronulla Sharks League Club facilities.</p> <p>Stage 1 Project Application for the construction of a neighbourhood Retail Centre and redevelopment of the existing Cronulla Sharks Leagues Club facilities.</p>
Location	461 Captain Cook Drive, Woollooware
Proponent	Bluestone Capital Venture No.1 Pty Ltd on behalf of Cronulla Sharks
Date issued	25 MARCH 2011
Expiry date	If the Environmental Assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>CONCEPT PLAN</p> <p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none">1. Relevant EPI's Policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies are contained in Appendix A.2. Built Form/Urban Design<ul style="list-style-type: none">The EA shall 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 coastal wetlands, and the public domain.The EA shall provide justification for the height, scale and density of the proposed development in relation to the accessibility to public transport. In particular, the height of the residential component requires justification and careful consideration as noted in the letter to the proponent dated 21 February 2011.The EA shall provide the following:<ul style="list-style-type: none">Comparative height study to demonstrate how the proposed building heights relate to the height of the existing, proposed and approved developments surrounding the subject site and in the locality, including solar impacts to adjacent development;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 Cronulla and from Woollooware Road;Options for siting and orientation of building envelopes, massing and articulation.The EA shall address the design quality with specific consideration of the massing, setbacks, building articulation, landscape concepts, above ground level parking design, safety by design and public domain, and pedestrian/bicycle connectivity.

3. Land Use

- The EA shall address the relevant metropolitan, regional and local strategies in relation to the desired future mix of land uses, including justification for the proposed type, function and quantity of retail floor space.
- The EA shall provide justification for the creation of a new centre within the Metropolitan hierarchy, including consideration of the hierarchy established by the Draft Southern Sub Regional Strategy and the Metropolitan Plan 2036
- The EA shall address the loss of active open space, detailing how existing and future demands for sports fields will be met within the context of growing participation rates across all sports.
- The EA shall address the social impacts of the proposal and include an appropriate investigation of the potential impacts upon the ongoing provision of community services and functions of the Cronulla Sharks Club. Sufficient justification shall be provided to demonstrate that the proposal will not unreasonably diminish the social benefits provided by the club to the community.

4. Economic Impact Assessment

- The EA shall address the economic impact of the proposal and include a detailed investigation into the impact of the proposed retail floor space upon surrounding centres. It should also examine whether there is sufficient strategic justification for the proposal and address how the proposal would support the objectives / aims of relevant State and regional strategies for the locality.
- The impact of a new centre upon facilities and services in existing centres should also be considered.

5. Public Domain/Open Space

- The EA must explain the type, function and landscape character of the various private, communal and public areas on site. Pedestrian circulation and linkages between each space and the foreshore of Woollooware Bay should be demonstrated in a schematic form.
- The EA must address public domain improvements, pedestrian linkages and street activation.
- The EA must demonstrate that publicly accessible pedestrian and cycle access can be provided between any development and Woollooware Bay as identified in the Sutherland Shire Bicycle Plan.
- The EA is to demonstrate how the design of proposed structures and the treatment of public domain and open spaces will:
 - Maximise safety and security within the site and the public domain.
 - Maximise surveillance and activity within the site and the public domain.
 - Comply with Crime Prevention Through Environmental Design (CPTED) principles.
 - Ensure access for people with disabilities.
 - Minimise potential for vehicle and pedestrian conflicts.

6. Environmental and Amenity Impacts

- The EA must address solar access, acoustic privacy, visual privacy, view loss, wind impacts, light spillage and achieve a high level of environmental and residential amenity. Any analysis must address amenity impacts associated with game days.
- The EA must demonstrate that the proposal can achieve compliance with the requirements of SEPP 65 and the associated Residential Flat Design Code (RFDC).
- The EA must address the impacts associated with the electricity transmission easement, and the transmission towers and wires upon future dwellings.

7. Transport and Accessibility (Construction and Operational)

- The EA shall address the following matters:
 - Provide details on transport and accessibility, traffic generation, access, loading areas, car parking arrangements, pedestrian and bicycle linkages associated with the proposed works, including safe links to nearby residential neighbourhoods, schools and recreational facilities.
 - Provide a Traffic Management and Accessibility Plan (TMAP) prepared in accordance with the RTA's Guide for preparation of TMAPs, considering the traffic generation capacity of the various land uses on site, any required road/intersection upgrades and analysis of intersection capacities to ensure adequate levels of services are maintained, access, loading dock(s) including vehicle type and delivery times and manoeuvring paths for the full range of intended user vehicle types, car parking arrangements, and measures to promote public transport usage and pedestrian and bicycle linkages. The TMAP shall be undertaken in the context of the current and anticipated future traffic volumes from significant traffic generators on the Kurnell Peninsula.
 - Demonstrate the appropriate provision of on-site car parking for the proposal having regard to Council and RTA guidelines and including "game day" parking arrangements.
 - Provide an assessment of the implications of the proposed development for non-car travel modes (including public transport, walking and cycling), including an assessment of existing and proposed pedestrian and cycle movements within the vicinity of the subject site;
 - Provide measures to improve public transport accessibility and demonstrate how users of the development will be able to make sustainable travel choices.
 - The EA shall address the potential for implementing a location specific sustainable travel plan such as a Workplace Travel Plan for workers and/or a Travel Access Guide for employees.

8. Noise and Vibration Assessment

- The EA should address the issue of noise and vibration impacts and provide details of how these will be managed and ameliorated through the design of the building, in compliance with relevant Australian Standards and the Department's *Interim Guidelines for Development near Rail Corridors and Busy Roads*.

9. Ecologically Sustainable Development (ESD)

- The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.

10. Archaeological

- The EA shall provide an Archaeological Assessment of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources.

11. Flooding, Drainage and Stormwater

- The EA shall address drainage, groundwater and flooding issues associated with the proposed development including piped stormwater, overland flows, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.
- The EA shall address measures proposed to be taken to ensure that the disposal of stormwater to Woollooware Bay maintains/enhances the existing hydrology and water quality at the land/wetland interface.

- Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and expected increases in rainfall intensity and address measures to be taken to render the site suitable for high density residential development – free from flooding. Identify any water management structures proposed to service the Stage 1 Project Application and any subsequent stage of the Concept Plan, including any dams, swales or detention basins. Information regarding the size, location, capacity and purpose of any water management structures.
- The EA shall address the protection and enhancement of riparian land along the southern shore of Woollooware Bay and the watercourse on the site.

12. Sea Level Rise

- Provide an assessment of sea level rise (separate from flood impacts) on site in consideration of any relevant provisions of the State Governments Sea Level Rise policy and planning guidelines and address measures to reduce impacts of sea level rise on the development.

13. Contamination/Acid Sulphate Soils

- The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55 – Remediation of Land.
- The EA shall provide an Acid Sulphate Soils Management Plan prepared in accordance with the manual produced by the Acid Sulphate Soil Management Advisory Committee.
- The EA shall demonstrate consistency with NSW State Groundwater Policies.

14. Flora & Fauna

- The EA shall address impacts 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 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.
- 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*
- The EA shall provide a description of mitigation and management options that will be used to prevent, control, abate or minimise identified impacts on Towra Point Aquatic Reserve associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
- The EA shall include a detailed biodiversity assessment, including assessment of impacts on threatened biodiversity, native vegetation and habitat.
- The EA shall address the protection and enhancement of riparian land along the southern shore of Woollooware Bay and watercourse on the site and assess and provide details on all watercourses and riparian land on the site, potential impacts of the proposal on any watercourses and riparian areas and wetlands including areas of disturbance and, safeguard measures to mitigate impacts, contingency plans for remediation and rehabilitation of riparian areas in the event of potential adverse impacts and the long term management of riparian lands.

- The EA must demonstrate compliance with the NSW Office of Water's Guidelines for Controlled Activities (2008) and outline the provision of a 40 metre wide Core Riparian Zone.

15. Contributions

- The EA shall address the provision of public benefit, services and infrastructure having regard to Council's Section 94 Contribution Plan, and provide details of any Planning Agreement or other legally binding instrument proposed to facilitate this development.

16. Consultation

- Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007*, including discussion with relevant agencies.

17. Utilities

In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities, including staging of infrastructure works.

18. Staging

- The EA must include details regarding the staging of the proposed development including details of subsequent Project Applications and Construction Staging.

19. Statement of Commitments

- The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and ongoing monitoring for the project.

PROJECT APPLICATION

In addition to addressing relevant items from the list above, the EA for the Project Application must give **detailed** consideration to the following additional project-specific matters:

20. Urban Form and Design

- The Project Application EA shall include with specific consideration of the façade, massing, setbacks, building articulation, appropriate colours, materials, finishes, landscaping, safety by design and public domain, including an assessment against the CPTED Principles; and
- The provision of appropriate private and public open space for Stage 1.

21. Staging and Infrastructure

- The EA shall address how the Stage 1 Project Application development will integrate with the overall Concept Plan proposal, including details of infrastructure work, car parking provisions and car parking access required to ensure that the Stage 1 Project Application development is fully serviced and how the infrastructure works serving the Stage 1 Project Application will be integrated with those for the remaining stages and existing uses on site. Consideration should be given to the temporary loss of car parking on site during construction phases and any potential impacts, including the location of temporary parking.

22. Construction Impacts

- The EA shall address noise and other impacts during the construction phase of

	<p>the development and address how these will be managed and mitigated in accordance with the <i>"Interim Construction Noise Guideline"</i> (DECCW, 2009).</p> <ul style="list-style-type: none"> • The EA shall address sediment and erosion controls taken to reduce impacts on Woollooware Bay.
Deemed refusal period	60 days

APPENDIX A

Relevant EPI's policies and Guidelines to be Addressed

- Objects of the EP&A Act 1979
- NSW State Plan
- Sydney Metropolitan Plan 2036
- Draft South Subregional Strategy
- SEPP 65 - Design Quality of Residential Flat Development and the Residential Flat Design Code (RFDC)
- SEPP (Infrastructure) 2007
- SEPP 55 - Remediation of Land
- Sutherland Shire Local Environmental Plan 2006, Local Environmental Plan 2000, and relevant Development Control Plans, Shire Wide Open Space and Recreational Facilities Section 94 Plan and the 2003 Community Facilities Section 94 Plan.
- Sutherland Shire Environmental Specifications – Stormwater Management 2009
- Development Near Rail Corridors and Busy Roads – Interim Guideline
- Threatened Species Conservation Act 1995 & Threatened Species Assessment Guideline 2007
- Floodplain Development Manual 2005
- State Sea Level Rise Policy and associated guidelines
- Draft Sea Level Rise Risk Assessment, GHD (Prepared for Sutherland Shire Council)
- NSW Ground Water Policy Framework Policy, NSW Groundwater Quality Management and Protection Policy & NSW Groundwater Dependent Ecosystem Policy
- NSW State Rivers and Estuaries Policy
- NSW Wetlands Management Policy
- Commonwealth Environment Protection and Biodiversity Conservation Act 1999
- Environment Protection and Biodiversity Conservation Regulation 2000: Schedule 2
- Biodiversity Conservation Act 1999: *Guide to implementation in NSW*
- Visual Values & Guidelines for Botany Bay, URS 19 May 2004 (Prepared for Department of Infrastructure, Planning & Natural Resources)
- Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (Department of Planning 2005)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010)
- Fisheries Management Act 1994
- Water Management Act 2000
- Water Act 1912
- Acid Sulphate Soils Manual 1998 & Acid Sulphate Soils Laboratory Methods Guidelines 2004
- Interim Construction Noise Guidelines 2009
- Guidelines for Controlled Activities 2008
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

Plans and Documents to accompany the Application

<p><u>General</u></p>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is complete and neither false nor misleading; 8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Development SEPP); and 9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.
<p><u>Plans and Documents</u></p>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sqm) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian access points, pedestrian flows, existing vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc). 3. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes. 4. Architectural drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of any existing and proposed building envelopes or structures on the land in relation to the boundaries of the land, setbacks to top of bank/riparian corridors and any development on

	<ul style="list-style-type: none"> adjoining land; • building envelopes and heights/ levels; • envelope/ land use staging plans and diagrams; • the height (AHD) of the proposed development in relation to the land; • the level of the lowest floor, the level of any unbuilt area and the level of the ground; • any changes that will be made to the level of the land by excavation, filling or otherwise; and • indicative section drawings. <p>5. A Massing Model of the proposed development at an appropriate scale which clearly identifies those works associated with Stage 1.</p> <p>6. Other required documents / plans:</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management, stormwater treatment and water sensitive urban design; • Flooding Report - prepared by a recognised professional which assesses pre and post development flooding implications and mitigation measures in accordance with the NSW Floodplain Development Manual (2005); • Sea Level Rise Report – prepared by a recognised professional which assesses sea level rise implications and mitigation measures in accordance with the State Governments Sae Level Rise Policy and guidelines; • Geotechnical Report - prepared by a recognised professional which assesses the risk of geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons; • Visual and View Analysis – A visual and view analysis to and from the site from key vantage points. Visual aids such as photomontages must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas; • Public Domain/Landscape Concept plan - illustrating treatment of open space areas on the site, detailing foreshore pedestrian and cycle paths, screen planting and revegetation adjacent to the waterfront and along common boundaries and tree protection measures both on and off the site. • Shadow diagrams - showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm; • Flora and Fauna Report – to assess the potential flora and fauna impacts and measures to mitigate impacts. • Archaeological Assessment – of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources. • Acid Sulphate Soil Management Plan – assessing potential acid sulphate soils and how these will be controlled and managed. • Social Impact Assessment – A report prepared by a suitably qualified professional shall address the social impacts of the proposal and include an appropriate investigation of the potential impacts upon the ongoing provision of community services and functions of the Cronulla Sharks. Sufficient justification shall be provided to demonstrate that the proposal will not unreasonably diminish the social benefits provided by the Cronulla Sharks to the community.
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	<ul style="list-style-type: none"> • Contamination/Remediation Assessment (SEPP 55) – to mitigate potential contamination issues in accordance with SEPP 55 – Remediation of land. <p>In addition to the general assessment requirements specified above, the following additional detailed requirements relate to the preparation of the Stage 1 Project Application (MP10_0230):</p> <ol style="list-style-type: none"> 1. Detailed Architectural drawings at an appropriate scale, illustrating: <ul style="list-style-type: none"> • the location of any existing buildings or structures on the land, in relation to the boundaries of the land and any development on adjoining land; • detailed floor plans, sections and elevations of the proposed buildings; • elevation plans providing details of proposed external building materials and finishes and colour scheme(s); • fenestration, balconies and other features; • accessibility requirements of the Building Code of Australia and the Disability Discrimination Act; • notation of the height(s) of the development (AHD) in relation to the land, the level of the lowest floor, the level of habitable rooms, garages, pedestrian pathways, the level of any unbuilt areas and the level of the ground, and identification of any changes that will be made to the level of the land by excavation, filling or otherwise. 2. Detailed Landscape plans detailing existing and proposed plantings, any trees to be removed, detention basins, fences, paving, pedestrian pathways, cycle ways and the like, with specific details on the size and species of proposed plantings provided, along with an Arborist Assessment of any trees to be removed. Plans shall be provided clearly demonstrating the location and areas of types of open space including private and public, passive and active areas, and any open space to be allocated to non-residential land uses. 3. A Schedule of Materials and Finishes and a Sample Board, detailing all proposed materials and external finishes; 4. Flood Management and Evacuation Plan – assessing potential flooding impacts and illustrating measures that will be undertaken in the event of a flood as proposed by the flood study; 5. A Stormwater and Drainage Plan indicating the concept for stormwater management, designed in accordance with Council's guidelines; 6. An Erosion and Sediment Control Plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; 7. A Construction Management Plan to mitigate impacts on neighbouring properties, and on nearby roads, including impacts on pedestrians and cyclists. 8. An Access Report to demonstrate compliance with the various Discrimination and Disability regulations for the building and open space areas, as well as access to the surrounding public spaces.
<u>Documents to be submitted</u>	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • Once the EA has been determined adequate and all outstanding issues adequately addressed, 8 hard copies of the EA for exhibition; • 8 sets of architectural and landscape plans to scale, including two (2) sets at A1 size (to scale); and

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| | <ul style="list-style-type: none">• 10 copies of the Environmental Assessment and plans on CD-ROM (PDF format), each file not exceeding 5Mb in size. |
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NOTE:

Each file must be titled and saved in such a way that it is clearly recognisable without being opened. If multiple pdf's make up one document or report, these must be titled in sequential order.