

Kylie Rourke - 9710 0535  
File Ref: PAD13/0010

22 March 2013

Bluestone Property Solutions Pty Ltd  
Suite 1, Level 6  
71 Macquarie St  
SYDNEY NSW 2000

Attention: Matt Crews

Dear Sir

**Re: Pre- application discussion for Stage 1 of a three stage residential development at 461 Captain Cook Drive Woollooware**

I refer to the pre-application discussion held on 26 February 2013 regarding the above project. The following is a summary of the matters addressed at the meeting. The contents of this letter do not bind Council to granting consent for the proposed development if and when an application is made for such a proposal.

**Description of Site and Proposal**

The site is located at 461 Captain Cook Drive Woollooware, on the northern side of Captain Cook Drive. The site comprises three distinct sections; twin sports fields and a car parking area providing approximately 511 parking spaces on the western portion, a football stadium with grandstands on the central portion, and Cronulla/Sutherland Leagues club, and a 532 space bitumen car park on the eastern portion.

On 27 August 2012, the NSW Planning Assessment Commission (PAC) approved concept plan application MP10\_1029 for a retail centre and eight residential apartment buildings, redevelopment of the existing club and upgrade to Toyota Stadium (the masterplan). The approval issued by the PAC included specific terms of approval and future environmental assessment requirements, in addition to the statement of commitments.

The proposal before Council seeks feedback on the detailed design of the first stage of the residential component of the masterplan. This stage comprises three residential apartment buildings (Buildings E and F as approved by the PAC, with Building E now split into two buildings). Access roads, provision of infrastructure/services and associated landscaping are also proposed. The residential buildings comprise 220 residential dwellings within 8, 9 and 14 storey buildings. The proposal includes two levels of parking within ground and first floor podium levels. Parking is above the current ground level.

Stage 1 is contained mostly on the existing westernmost field and carpark.

This portion of the land is within Zone 15 - Private Recreation. The site is proposed to be zoned B2- Local Centre under the Draft Sutherland Local Environmental Plan 2013, which commenced exhibition on Tuesday 19 March 2013.

The site is within a Greenweb support area and shares a boundary with the Greenweb core area. The land is serviced by Council's Recycled Water scheme, with a non-potable water tank located on the sports fields.

A tidal drainage channel is located east of the site, and separates the fields from the football stadium site. To the immediate west of the site is a public parking area, with Council's Solander Playing fields beyond. The site adjoins an environmentally sensitive area of State significance i.e. the Towra Point Aquatic Reserve and RAMSAR wetland.

## **Comments on the Proposal**

### Consistency with Masterplan Approval

In accordance with the Environmental Planning and Assessment Act 1979 (the Act), any subsequent development application regarding a staged master plan cannot be inconsistent with the masterplan consent. Several important issues raised by Council, other government authorities, the PAC and stakeholders were dealt with by way of conditions that need to be addressed prior to subsequent approvals being issued. These matters need to be thoroughly and properly addressed.

The relationship of each stage to the context of the residential, retail and football stadium elements of the masterplan will be a critical aspect in the assessment of the various future development applications.

The information provided for Stage 1 of the residential development should respond to all those matters that are critical to the assessment of the proposal, including a clear indication of the breakdown of parking numbers and GBA and GFA calculations for each building. The interpretation of how the proposal relates to the building envelopes as approved under the masterplan should also be clearly identified on the submitted plans. Any specific points of variation to the approved development should be identified with the submitted DA.

### Car parking & traffic

The application will need to be supported by a traffic assessment demonstrating consistency with the masterplan and any other design changes required as a result of the detailed design process. This will allow final assessment of the traffic arrangements and impacts. Detailed design of the intersections along Captain Cook Drive, including lane configuration and phasing, should be considered as part of the DA. Game Day traffic management will form an important element of the traffic and parking assessment.

Details must be provided with the DA demonstrating that arrangements have been finalised and endorsed by the relevant authorities for any off-site parking to address the loss of parking as a result of the development.

Evidence that the necessary arrangements have been made in order to establish the required ongoing bus service between the site and train station, and the frequency and number of buses proposed to accommodate the development, must accompany the DA. Details regarding Travel Access Guide (TAG)/Green Travel Plan must also be provided.

#### Stormwater and flooding

A Stormwater Plan, Flood Assessment and a Sea Level Rise Assessment (against the 'NSW Coastal Planning Guideline: Adapting to Sea Level Rise') must also accompany the DA in accordance with the masterplan Statement of Commitments. Council's Stormwater Infrastructure Manager, Guy Amos, has provided you with some feedback with regard to stormwater and flood considerations for the future DA.

The stormwater concept should be based on the philosophy of Water Sensitive Urban Design (WSUD) to ensure the ongoing water quality of Woollooware Bay and the tidal creek. Sufficient detail must be provided demonstrating whether stormwater design objectives and performance criteria are met. Incorporation of an innovative WSUD response is necessary given the significance of the site's location and the adjacent environmentally sensitive land.

#### Architectural Review Advisory Panel (ARAP)

The proposal was considered at Council's ARAP on 7 March 2013. A copy of the minutes of the ARAP meeting are enclosed and its recommendations and comments should be considered in the final design. Any DAs will be referred to ARAP for comment.

The ARAP comments are also used (by Council) to assess consistency with the architectural considerations in the masterplan approval, and State Environmental Planning Policy 65- Design Quality of Residential Flat Development.

The minimisation of wind tunnelling and maximisation of the comfort of the public domain and communal areas must be considered in the design of the development.

#### Environmentally Sustainable Development (ESD)

Consistent with ESD principles, the proposal must incorporate building forms and infrastructure that have a positive contribution to the environment, and engage the occupants to live in a sustainable way. The site is low lying and is located in an area of environmental sensitivity. That sensitivity is marked by its proximity to the areas identified as Towra Point Wetland Woollooware Bay. Given these factors, implementation of best practice ESD principles should form a significant element to the proposal.

The terms of the masterplan approval require the proposal to incorporate an ecologically and environmentally sustainable design. The commitments contained within the ESD DA report (by Cundall), enacted by the masterplan approval, indicate that the residential component of the proposal will “...*improve on minimum BASIX requirements for heating and cooling loads*” along with a suite of other ESD targets. The DAs will need to demonstrate how this commitment will be satisfied.

Further development of these principles, including incorporation of genuine ESD measures such as WSUD, thermal massing, solar shading and the incorporation of PV cells and solar water heating are recommended. Council’s recycled water infrastructure services could be utilised for irrigation of onsite landscaping and street trees.

Commitment to these principles would also enable some community concerns regarding the environmental impacts of the development to be addressed. It is also considered that it is in the public interest, to give effect to the objects of the Act, of which s 5(a)(ii) is encouraging ESD.

#### Landscaping

The Greenweb support zone provides opportunities for the establishment and vegetation of corridors of core areas of bushland. All trees within this zone should be indigenous species, with the most suitable species for revegetation purposes and street planting on the site being from the Estuarine Swamp Oak Forest (behind the mangroves), and Coastal Flats Swamp Mahogany Forest (on the podium). Please find a copy of the species lists enclosed.

With regard to the podium (level 3), there is opportunity to establish local species in planter boxes that will contribute to the Greenweb area, as well as being adapted for the exposed coastal conditions of the site. It is important that the podium be designed with consideration of the garden loadings.

#### Street activation

The design of the proposal must ensure the frontages to Captain Cook Drive, Solander Fields and the internal boulevard are activated at ground level, including individual street address for all ground floor units. The Solander Field frontage is almost entirely service rooms and carpark. The justification that residential units along this entire frontage would have poor amenity is not accepted. The ground floor does not achieve a degree of connectivity that would successfully activate the frontages.

The design of the carpark driveway entry restricts the capacity for activation to be achieved for the units fronting the Boulevard, with only one unit provided with direct ground floor access.

A gym, office and communal room have been incorporated in order to address Captain Cook Drive. Commercial uses at this location were supported in principle in the masterplan consent, and are considered to be more successful in achieving street activation. The entrances to the building on the Captain Cook Road frontage form an

important element of the building, and should be further developed to be well defined and clearly identifiable.

Incorporation of more active uses at the street frontages is recommended to achieve consistency with the masterplan conditions of approval, and the intent for genuine activation of the street. If the number of parking spaces/yield of the development needs to be reduced to achieve this, Council may be willing to support modifications as a compromise.

#### Crime Prevention Through Environmental Design (CPTED)

The proposal must adopt CPTED principles in its design. The future DA must be supported by a CPTED assessment to demonstrate consistency with these principles. An important element of this assessment should include safety of game day patrons who will be using off-site parking as a result of the development and what design measures have been incorporated to address game day pedestrian traffic and safety. The DA will be referred to NSW Police for a CPTED assessment and comment.

#### Pedestrian and cycle linkages

The development must have well defined pedestrian and cycle connectivity to the foreshore area, football stadium and retail precinct. An access report demonstrating that access is provided in accordance with the relevant Australian Standards is required to accompany the DA.

#### Sporting field relocation

The future DA application must be accompanied by evidence that an agreement has been reached for the use the Cronulla High School playing fields, in addition to details of the timing of the reconstruction of those fields.

#### Acoustic and Vibration impacts

The recommendations that relate to the residential component within the Noise Impact Assessment prepared by Acoustic Logic dated 29 July 2011 must be identified and incorporated into the final design.

#### Section 94 contributions

As discussed in Council's email dated 5 March 2013, contributions are collected under Council's s.94 contribution plans to provide and embellish open space and to provide community facilities and works outlined in the schedules of those plans. With regard to the question works-in-kind in lieu of monetary contributions, you could choose to make an offer to carry out a work that is already contained in the s.94 plan schedule.

Amendments to the s.94 plans work schedule may be made within reason, however this requires a formal amendment process to the plans, including reports to Council and a public exhibition period. Once the plan is amended, an offer may be made by you to undertake work in lieu of a monetary contribution.

As previously suggested, a meeting with Council's Beth Morris and Mark Carlon is recommended to discuss this matter in further detail.

#### Groundwater and contamination

Given this stage of the development provides further detail on the construction of the buildings, the inclusion of additional surveys and the preparation of a Remedial Action Plan (RAP) to address the considerations within State Environmental Planning Policy 55- Remediation of Land will be required. The masterplan Statement of Commitments also requires that the DA be accompanied by a Phase 2 detailed Site Investigation report.

You will also need to demonstrate that the recommendations of the Environmental Investigation Services report dated 30 June 2011 have been implemented.

An ecological report demonstrating how the health of the existing groundwater dependant ecosystems will be maintained during and after the construction must accompany the DA.

#### Neighbour notification

The future DA will be publicly notified. Council's experience with larger developments is that they generate a high degree of community interest. It is advisable that the DA submission should anticipate and address issues likely to be raised by the public.

A design scheme approach, incorporating high quality design elements which contribute to the local community and natural environment may aid in addressing this. It may also be worthwhile approaching nearby property owners and explaining the proposal to them before the application is lodged to avoid any misunderstanding or misconceptions about the development.

#### External agencies

Evidence must be provided to Council demonstrating that the external agency requirements within the masterplan have been satisfied, including those relating to the Department of Primary Industries, Office of Environment and Heritage, Sydney Water and Ausgrid.

#### Determining Authority

For a development of the value proposed, the Joint Regional Planning Panel (JRPP) will be the determining authority. Council will assess the DA and prepare a report for the JRPP to consider. For further information you are advised to consult the JRPP website ([jrpp.nsw.gov.au](http://jrpp.nsw.gov.au)).

## Conclusion

The above ground parking, access driveway and podium present significant challenges in the building's relationship to the public domain. While the proposal before Council appears capable of compliance with the built form controls, and providing a high degree of amenity for its occupants, elements of the design regarding context, street activation, streetscape and public domain treatment would benefit from further development.

Despite the completion of additional assessments as required by the masterplan approval, and the satisfaction of external agencies, further development of the proposal to address the matters raised would provide an improved outcome for the immediate locality.

Street activation should incorporate uses that can interact with the pedestrian environment to avoid the development being isolated from its surrounds. Further development of the scheme taking into account the ARAP comments as they relate to the Stage 1 is also recommended, although the comments from ARAP need to be weighed against the fact that the concept has already been approved.

The site adjoins an area of high environmental significance and a Greenweb core area. This should be reflected through an innovative ESD response. Integrating environmental concerns with economic goals should be given more significant weight in the design.

Councils experience with similar developments is that they generate significant levels of community interest. A fundamental aspect of the application will be the clear explanation of the proposal's place in the context of the locality to prevent any misconceptions and concern in the community. Realising our common goal of a high quality, environmentally responsible development that makes a positive contribution to the local community in what is essentially a private development will assist in this.

The information provided is in accordance with the environmental planning instruments, development control plans and codes that were current at the time of the meeting. It is your responsibility to check whether there have been any amendments or repeals, or if any new instruments or policies have been adopted before you lodge the development application.

I trust that this information helps you. If you need more information please do not hesitate to contact Kylie Rourke during normal business hours on 9710 0535.

Yours faithfully

Peter Barber  
Manager – Coastal Environmental Assessment Team  
for J W Rayner  
General Manager