

Tables of Compliance

Cronulla Sutherland Leagues Club Redevelopment – Conditions of Concept Plan Approval

Section	Requirement	Proposal	Complies?
Schedule 2			
A1. Development Description	Concept Plan approval is granted to the following development in three stages as described below: ▪ Stage 1 - neighbourhood retail, medical, and leisure centre on the eastern car park site and redevelopment of the Cronulla Sutherland Leagues Club facilities; ▪ Stage 2 - residential masterplanned estate on the western car park and field area; ▪ Stage 3 - conceptual improvements to playing field facilities and grandstand extensions. Concept Plan approval is granted to the following development as described below: (a) use of the site for a mixed use development with associated public open space; (b) indicative building envelopes for the residential and retail / club precinct; (c) ground and above ground car parking; (d) road works to support the development; (e) public pedestrian and cycle paths / boardwalks; (f) landscaping areas throughout the site; (g) sales and marketing facilities including display units, etc; (h) subdivision of Lot 11 DP 526492 into two allotments. subject to compliance with the modifications of this approval.	Project Application relates to Stage 1 of Concept Approval, being the Retail/Club precinct and is consistent with the described development.	✓
A2. Development in Accordance with Plans and	The approval shall be generally in accordance with MP 10 0229 and the Environmental Assessment, prepared by JBA Planning dated September 2011, except where amended by the Preferred Project Report prepared by JBA Planning dated March 2012 and additional information submitted in May 2012 and in August 2012, and the	Compliance with the Concept Plan conditions is discussed at Section 6.2 of EAR.	✓

Documentation	following drawings (<i>refer to Concept Plan Approval for full schedule:</i> ▪ <u>Concept Plan Drawings prepared by Scott Carver Pty Ltd;</u> ▪ <u>Concept Plan Drawings prepared by Turner & Associates;</u> ▪ <u>Landscape Concept Plan Drawings prepared by ASPECT Studios; and</u> ▪ <u>Subdivision Plan prepared by Harrison Freidman & Associates</u>		
A3. Maximum Gross Building Area/ Gross Floor Area	The maximum Gross Building Area for the development shall not exceed 155,410m², comprising: ▪ 104,419m² for the Residential Precinct; and ▪ 50,991m² for the Retail and Club Precinct. The maximum Gross Floor Area for the development shall not exceed 84,915m², comprising: ▪ 58,420m² for the Residential Precinct; and ▪ 26,495m² for the Retail and Club Precinct. The maximum area for the outdoor deck areas shall not exceed 1,796m², comprising: ▪ 943m² for the Club; and ▪ 853m² for the Retail.	Retail/Club Precinct: ▪ Gross Building Area – 26,493m² ▪ Gross Floor Area – 47,055m² ▪ 940m² for the Club; and ▪ 820m² for the Retail.	✓
A4. Car Parking	(a) The number of car parking spaces to be provided for the development shall comprise: (i) a maximum of 883 spaces for the Residential Precinct (excluding any on-street parking within the newly created on-site streets); and (ii) a minimum of 770 spaces for the Retail and Club Precinct. (b) Development must comply with the Concept Plan car parking rates identified in the Environmental Assessment prepared by JBA Planning, dated September 2011, as amended by the Preferred Project Report prepared by JBA Planning, dated March 2012 and the supplementary report dated August 2012, except where amended by the Modifications in Part B.	A total of 770 car spaces are proposed to be provided within the Retail/Club precinct.	✓

A5. Shuttle Bus Service	The Proponent together with the Club must ensure the site is serviced by a regular bus to Woollooware railway station, from the commencement of operation of the first development under the concept plan.	A letter of commitment from the Cronulla Sutherland Leagues Club (the land owner) to provide this service (detailed in Section 4.9 of the EAR) is provided at Appendix K .	✓
A6. Lapsing of Approval	Approval of the Concept Plan shall lapse 5 years after the determination date shown above in this Instrument of Approval, unless an application is submitted to carry out a project or development for which concept approval has been given.	Noted. The submission of this Project Application prevents the Concept Plan from lapsing.	✓
A7. Inconsistency between documentation	In the event of any inconsistency between modifications of the Concept Plan approval identified in this approval and the drawings / documents including Statement of Commitments referred to above, the modifications of the Concept Plan shall prevail.	Noted.	✓
B1. Car Parking	The rate for visitor car parking spaces in the Residential Precinct shall be modified to 1 space per 5 dwellings.	Not applicable to Retail/Club Precinct.	✓
C2. Riparian Setback	The vegetated riparian buffer corridor, to be provided along the foreshore, must be a minimum of 40 metres wide, except for the 70 metres stretch adjacent to the retail loading dock, where the vegetated riparian buffer corridor must be a minimum of 35 metres wide.	Complies.	✓
Schedule 3			
1.	Future applications shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of modulation / articulation of the buildings and a range of high quality materials and finishes.	Building modulation/ articulation, materials and finishes are detailed in the Architectural Drawings prepared by Scott Carver Associates.	✓
2.	Future applications for the Retail and Club Precinct shall ensure that the frontages to Captain Cook Drive, Woollooware Road and the riparian zone are activated at ground level and demonstrate sufficient articulation to the satisfaction of the consent authority.	The proposed development includes retail and medical tenancies and entrances to the main Leagues Club and retail facilities at ground level which serve to activate this space. Strong pedestrian and cycle linkages to existing facilities are provided along these frontages to encourage activity, whilst high quality public domain and landscape treatments are included to make use of these spaces comfortable and attractive.	✓
3.	Future applications for the Residential Precinct shall ensure that the frontages to Captain Cook Drive, tidal creek adjacent the western grand stand, Solander Fields and the riparian zone are activated at ground level, including individual direct street address for all ground floor units, and demonstrate sufficient articulation to the satisfaction	Not applicable to Retail/Club Precinct.	✓

	of the consent authority.		
4.	Future applications for the Grandstand Precinct shall detail the allocation of the gross floor area, including the design and access arrangements consistent with the Concept Plan.	Not applicable to Retail/Club Precinct.	✓
5.	Future applications for the Residential Precinct shall demonstrate compliance with the provisions of the <i>State Environmental Planning Policy 65 – Design Quality of Residential Flat Development</i> (SEPP 65) and the accompanying <i>Residential Flat Design Code 2002</i> .	Not applicable to Retail/Club Precinct.	✓
6.	Future applications shall provide the following: (a) Residential Precinct parking is to be provided at the following rate: (i) 1 space per 1 bedroom apartment; (ii) 1 space per 2 bedroom apartments; (iii) 2 spaces per 3 bedroom apartment; (iv) 1 visitor space per 5 apartments; and (v) 1 space per 30m² of commercial GFA. Retail and Club Precinct parking and allocation to uses is to be determined following the submission of a Parking Study.	Not applicable to Retail/Club Precinct. Refer to Transport and Access Management Plan (Appendix J).	✓
7.	Prior to the submission of an application for the redevelopment of the western car park and football fields, details are to be provided which demonstrate that off-site parking arrangements have been finalised and endorsed by the relevant authorities. A revised <i>Peak Event Parking Management Plan</i> is to be submitted with the first application subsequent to the Concept Plan.	Not applicable to current Project Application. Discussions with Sutherland Shire Council are progressing and an updated <i>Peak Event Parking Management Plan</i> will be finalised to the satisfaction of the NSW Department of Planning prior to the issue of a Construction Certificate.	✓
8.	Each future application shall demonstrate that necessary agreements have been made in order to secure the ongoing bus service between the site and nearby railway stations.	Refer to Appendix K .	✓
9.	The first future application subsequent to the Concept Plan shall demonstrate that agreement has been reached between the Roads	Refer to Appendix J .	✓

	and Maritime Services and the proponent in regards to: (a) Provision of access to the site off Captain Cook Drive. (b) Details of a pedestrian fence within the median along Captain Cook Drive, between Gannons Road and Woollooware Road. (c) Provision of a shared pathway along the northern perimeter to provide a linkage between the existing shared path, by running along the mangroves, and the new access road feeding to the proposed signalised intersection of Captain Cook Drive and Woollooware Road.		
10.	Future applications shall provide details of any Travel Access Guide (TAG) / Green Travel Plan. This should include an investigation of car sharing schemes.	A Travel Access Guide shall be prepared and distributed to future staff and visitors to the Retail/Club Precinct. A Statement of Commitment to this effect is included at Section 7.0 of the EAR.	✓
11.	Future applications shall demonstrate the incorporation of ESD principles in the design, construction and ongoing operation phases of the development, including the selection of fabric and materials, water conservation and management initiatives, and energy efficiency and renewable energy initiatives.	The proposed development is consistent with the ESD targets and principles measures identified under the Concept Plan. Refer to Appendix AA .	✓
12.	Future applications shall demonstrate that acoustic and vibration treatments to be implemented have regard to the recommendations of the Noise Impact Assessment prepared by Acoustic Logic, dated 29 July 2011.	The Noise Impact Assessment has been updated to address the proposed development and adoption of the recommendations of this report is included as a Statement of Commitment at Section 7.0 of the EAR. Refer to Appendix V .	✓
13.	Future applications shall demonstrate development contributions to be paid to Council towards the provision or improvement of public amenities and services and will be required as a condition of consent for each detailed stage of the development. The amount of the contribution will be determined in accordance with the requirements of the Contributions Plan current at the time of approval.	Development contributions are currently being negotiated with Sutherland Shire Council by the proponent and the outcomes of this consultation shall be reported to the NSW Department of Planning and Infrastructure prior to determination of the Project Application.	✓
14.	Future applications shall provide public domain treatments and landscaping generally in accordance with the landscape concept plans submitted with the PPR and prepared by Aspect Studios. This shall include details of the function and use of each landscaped area.	The proposed landscaping and public domain works are consistent with the Concept Plan approval and are detailed in the Landscape Drawings (Appendix H). The use of these spaces is detailed in the Landscape Report (Appendix O).	✓
15.	Future applications shall demonstrate those treatments and planting within riparian zones along Woollooware Bay and the tidal creek.	See above.	✓
16.	Future applications shall demonstrate how the development provides pedestrian and cycle linkages through the development, suitable for	See above. An Accessibility Review is provided at Appendix X .	✓

	use by persons with disabilities, and in accordance with relevant Australian Standards.		
17.	Future applications shall demonstrate the treatment of the boulevard within the Residential Precinct to ensure that this area is activated throughout the day.	Not applicable to Retail/Club Precinct.	✓
18.	Future applications for the shopping centre must demonstrate that shopping trolleys and litter would be contained within the site and managed to prevent impacts to the riparian vegetation and the environment generally.	This matter is addressed at Section 6.20 of the EAR.	✓
19.	Future applications are to demonstrate that the development does not impact upon the health of the groundwater dependant ecosystems.	Refer Appendices F, Q and R.	✓
20.	Future applications shall address any potential contamination on the site and implement the recommendation of the Environmental Investigation Services report, dated 30 June 2011, including: (a) the site being capped and the development constructed on piles, with excavation / disturbance kept to a minimum to avoid potential mobilisation of any contaminants in the landfill; (b) suitable measures being taken to protect the buildings from methane gas and that the Office of Environment Heritage licensed site auditor agree with these measures; (c) a Remedial Action Plan (RAP) be prepared that addresses all remedial work necessary to make the site suitable for the proposed development including capping requirements; (d) additional investigations are undertaken to address potential data gaps and address other requirements; (e) no groundwater is extracted for use on the development; (f) suitable management plans are prepared to address any contingencies that may arise; and (g) an Environmental Management Plan (EMP) is prepared and is noted on the land title.	Refer Appendices Q and R.	✓
21.	Future applications shall demonstrate that Department of Primary Industries (Fisheries) requirements have been met in relation to:		✓

	(a) mangroves not being harmed in upgrading the existing mangrove boardwalk; (b) the foreshore boardwalk being set back from the crown of mangrove trees so that maintenance trimming for safety purposes will be not required over time; (c) the proposed seawall being designed according to the principles in the 'Environmentally Friendly Seawall Guidelines' produced by the former Department of Environment and Climate Change and Sydney Metropolitan Catchment Management Authority.	The existing boardwalk will be upgraded along its current alignment so as not to require the removal of, or damage to, existing mangroves. The proposed foreshore path and boardwalk areas will be set back from the existing mangroves. The detailed design and construction of the proposed sea wall shall occur in accordance with the relevant guidelines. A Statement of Commitment to this effect is included at Section 7.0 of the EAR.	
22.	Future applications shall demonstrate that Office of Environment and Heritage requirements have been met in relation to: (a) a Stormwater Management Plan (SMP) that details how all stormwater runoff will be collected and treated; (b) a Noise Management Plan (NMP) that investigates the likely impacts of construction and ongoing operational noise on fauna using the adjacent estuarine areas as habitat; (c) a Lighting Management Plan (LMP) that minimises the impacts of light spill on threatened fauna using the adjacent estuarine areas as roosting and foraging habitat; (d) a Bird Management Plan (BMP) that investigates the potential for bird strike from reflective surfaces associated with the development and provides details of the construction materials and design methods that will be used to avoid or minimise the likelihood of bird strike; (e) a flood study that details potential impacts on Towra Point Nature Reserve in the event of a flood and includes strategies for preventing impacts; (f) a leachate management plan to ensure that no leachate from the landfill on the site is exported to the Towra Point Nature Reserve;	Refer Appendix P. Refer Appendix T. Refer Appendix T. Refer Appendix T. Refer Appendix P. Remediation Action Plan (Appendix Q) notes at Section 3.2.4 that groundwater monitoring found that ammonia concentrations within ground water across the assessment area were low and not indicative of putrescible wastes associated with leachate generation, and therefore no further investigations of leachate or control measures (including a Leachate Management Plan) are required.	✓

	(g) an Acid Sulphate Soil Management Plan prepared by a suitably qualified person in accordance with the Acid Sulphate Soil Assessment Guidelines (Acid Sulphate Soil Management Advisory Committee, 1998); and (h) an assessment of Aboriginal heritage.	Refer Appendix Q. Provided at Concept Plan stage, with further Aboriginal Archaeological Investigation and Consultation detailed at Appendix W.	
23.	Future applications shall address Sydney Water's requirements in relation to: (a) the required upsizing of the existing 150 mm drinking water main to a 200 mm main (b) from the existing 375 mm main on the corner of Kurnell Road and Hume Road; (c) the required upsizing of the existing 225 mm wastewater main to a 300 mm main in Captain Cook Drive, will require an extension of at least one metre inside the property boundary; and (d) the submission of an application, should the development generate trade wastewater, to discharge trade wastewater to the sewerage system before business activities commence.	The required infrastructure upgrades shall be carried out as part of this Project Application as detailed in Appendix P .	✓
24.	The first application shall provide details of the final form of staging of the development to ensure the orderly and coordinated development of the site. The initial stages of the development should include the construction of the Retail and Club precinct within the eastern portion of the site. Each stage described shall provide full details of inclusions in respect of: (a) demolition; (b) earthworks; (c) buildings and all other structures; (d) any elements of the overall public domain plan to be dedicated or embellished; (e) any site remediation works;	This Project Application seeks consent for the construction of the Retail/Club precinct, and the extent of works is described at Section 4.0 of the EAR and detailed in the documentation appended to the EA.	✓

	(f) stormwater management works; (g) any vehicular or pedestrian access to the site; (h) measures to mitigate and manage nuisance caused by stages under construction to completed stages and clashes between stages including vehicle access, noise, parking and safety; and (i) waste and construction management. An access application shall be made to Council to obtain footpath crossing and boundary alignment levels before commencing the detailed design of internal driveways, paths and car park area.		
25.	Future applications shall demonstrate that the layout of the buildings and landscape treatments adopt the principles of Crime Prevention through Environmental Design (CPTED).	A CPTED Assessment of the proposed development has been conducted and is included at Appendix BB . The recommendations of the report are required to be undertaken in accordance with the Statement of Commitment at Section 7.0 of the EAR.	✓
26.	Future applications shall demonstrate that EMF exposure to the northern most residential building envelopes is minimised taking into account a precautionary principle approach in consultation with Ausgrid. Such measures shall include those matters outlined in the Bluestone Property Solutions letter dated 5 June 2012.	Not applicable to Retail/Club Precinct. An Electromagnetic Statement was included within the Concept Plan application which found that no EMF mitigation measures are required for the Retail/Club precinct.	✓
27.	Future applications shall demonstrate that the recommendations of Magshield Products (Aust.) International Pty Ltd report dated 7 June 2012 in relation to the EMF mitigation measures comprising reversal of two outer phases of feeder 917, have been implemented.	Will be implemented prior to the first occupation of residential Buildings D and H.	✓
28.	Future applications shall address required access provisions by Ausgrid.	Access to the Ausgrid pole located within the north-west corner of the Club/Retail precinct shall be provided via Toyota Stadium.	✓
29.	The first application for the Residential Precinct shall demonstrate that a site has been identified and agreements reached for the replacement of the two western playing fields, with the sporting fields completed prior to construction commencing on the residential component.	Not applicable to Retail/Club Precinct.	✓