



10688
16 January 2014

Sam Haddad
Director-General
Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Mark Brown

Dear Mark

**SECTION 75W MODIFICATION APPLICATION TO MP10_0230
WOOLLOOWARE BAY TOWN CENTRE**

This Section 75W Modification has been prepared to modify the Project Approval MP10_0230 for the Retail/Club Precinct at 461 Captain Cook Drive, Woollooware (Woollooware Bay Town Centre). It is submitted to the Minister for Planning and Infrastructure (or his delegate) pursuant to section 75W and Clause 12 of Schedule 6A of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) by JBA on behalf of Bluestone Capital Ventures No. 1 Pty Ltd (Bluestone).

This modification application relates to minor design modifications to the approved Stage 1 Retail/Club development. Proposed amendments include minor design refinements to the retail development and amended stratum subdivision plans in response to the detailed design of the approved development.

This letter describes the proposed modifications to the approved development, and includes an assessment of the proposal against the relevant considerations of the EP&A Act. It should be read in conjunction with the Concept Plan Approval (MP 10_0229), the Stage 1 Project Approval (MP10_0230) and the following documents:

- Amended Architectural Plans prepared by Scott Carver (**Attachment A**); and
- Subdivision Plans prepared by Harrison Friedmann & Associates (**Attachment B**).

1.0 BACKGROUND

1.1 Concept Plan Approval

On 27 August 2012, the NSW Planning Assessment Commission (PAC) approved Concept Plan Application MP10_0129 for the redevelopment of the Cronulla Sutherland Leagues Club site at 461 Captain Cook Drive, Woollooware and associated land for:

- use of the site for a mixed use development with associated public open space;
- indicative building envelopes for the residential and retail / club precinct;
- above ground car parking;
- road works to support the development;
- public pedestrian and cycle paths / boardwalks;

- landscaping areas throughout the site;
- sales and marketing facilities including display units, etc; and
- superlot subdivision of Lot 11 DP 526492.

1.2 Retail/Club Project Approval

On 22 August 2013, the PAC granted Project Approval to the Retail/Club Precinct (MP10_0230). This Project Approval provides consent for the development of a new retail centre with over 26,000m² of floorspace including a full-line supermarket, mini-majors, speciality retail, leisure uses, a food court and a new medical centre. In addition, the PAC approved construction of Woollooware Road North and intersection upgrades to Captain Cook Drive, foreshore upgrades and public domain improvements along the Captain Cook Drive street frontage. The Cronulla Sutherland Leagues Club will also be refurbished with a new outdoor terrace area overlooking Sharks Stadium and Woollooware Bay.

2.0 DESCRIPTION OF PROPOSED MODIFICATION

2.1 Modifications to Project Approval

The words proposed to be deleted are shown in ~~**bold italics strike through**~~ and those inserted are shown in **bold italics**.

A2. TERMS OF APPROVAL

The Proponent shall carry out the project in accordance with the following documentation:

- (a) Environmental Assessment (EA) and supporting documents prepared by JBA Planning, dated March 2013;
- (b) Preferred Project Report and Response to Submissions and supporting documentation prepared by JBA Planning, dated May 2013;
- (c) **Section 75W Letter prepared by JBA dated 14 January 2014;** and
- (d) the following drawings, except for:
 - a. any modifications which are Exempt or Complying Development; and
 - b. otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings Prepared by Scott Carver Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
DA011	7	Level 1 Plan	23/05/2013
	9		17/12/2013
DA013	7	Level 3 Plan	23/05/2013
	8		17/12/2013
DA014	4	Level 4 Plan	07/06/2013
	6		17/12/2013

2.2 Overview of Proposed Modifications

Club and Retail Precinct

Minor design refinements have been made to the internal layout of the approved retail and club development. Amended Architectural Plans prepared by Scott Carver are provided at **Attachment A**. These changes generally comprise an amended Cronulla Sutherland Leagues Club layout better suited to the needs of the Club. Reconfigurations are proposed to components of the approved club fitout on levels 1, 3 and 4. These include an amended game day bar area on level 1 and the reconfiguration of room layouts on level 3 and 4, including the club restaurant.

Stratum Subdivision

The Project Approval granted consent for the stratum subdivision of several lots in DP1180482 to facilitate the future use of the development. Due to the detailed design development of the approved scheme and the changes set out in the Amended Architectural Plans (**Attachment A**), minor boundary adjustments have occurred which has necessitated updated stratum subdivision plans. The Subdivision Plans prepared by Harrison Friedmann & Associates are provided at **Attachment B**.

3.0 TRANSITIONAL ARRANGEMENTS – PART 3A

Under clause 3C of Schedule 6A of the EP&A Act, section 75W continues to apply for the purpose of modification of a Concept Plan or Project Application approved before or after the repeal of Part 3A. As such the Minister may modify Project Approval MP10_0230.

4.0 ENVIRONMENTAL ASSESSMENT

The assessment contained below has been prepared to address the matters relevant to the proposed modification. The proposed amendments to the club fitout are predominately internal and will not results in any impacts not already assessed and deemed appropriate in the original environmental assessment. The updated stratum subdivision plans follow on from these changes and do not have any material impact to the development.

5.0 CONCLUSION

This modification to the Project Approval relates to minor design amendments and updated stratum subdivision plans to account for design development. These amendments will ensure that the future development of the site proceeds in an efficient manner and achieves an improved design outcome.

The modification is minor in nature and will not result in any adverse environmental, social or economic impacts. In light of the benefits this modification will enable, we recommend this Section 75W Modification be approved.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or at gkirkby@jbaplanning.com.au.

Yours faithfully



Gordon Kirkby
Director