



11214
18 July 2014

Caroline McNally
Acting Secretary General
Department of Planning and Environment
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Mark Brown (Senior Planner)

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 amendments to the stratum subdivision of the approved Stage 1 Retail/Club development to better delineate between the registered club's operations and the remainder of the town centre.

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 amended Subdivision Plans prepared by Harrison Friedmann & Associates dated 25 June 2014 (**Attachment A**).

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 a new town centre with retail, entertainment, refurbishment of the Cronulla Sutherland Leagues Club, a new foreshore parkland and residential development. The Concept Approval also included approval under s75P(1)(c) of the EP&A Act for the superlot subdivision of Lot 11 DP 526492.

1.2 Retail/Club Project Approval

On 22 August 2013, the PAC granted Project Approval for the Retail/Club Precinct (MP10_0230). This Project Approval provides consent for the development of a new retail centre, refurbishment of the Cronulla Sutherland Leagues Club, 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. This approval also included consent for the stratum subdivision of Lot 2 DP1180482.

A modification to the Project Approval under S75W of the EP&A Act was approved by the Minister (under delegation) on 10 February 2014 that included minor modifications to the internal layout of the retail centre and the approved stratum subdivision.

2.0 DESCRIPTION OF PROPOSED MODIFICATION

2.1 Overview of Proposed Modifications

The Project Approval granted consent for the stratum subdivision of Lot 2 DP1180482 into several stratum lots in order to facilitate the future use of the development. During detailed design and consultation with the Leagues Club and prospective tenants it has become clear that an amended stratum subdivision will facilitate more efficient governance and operational arrangements for the future town centre. As such, it is proposed to amend the stratum subdivision to better delineate between the Leagues Club's operational areas and the remainder of the town centre as reflected in the amended Draft Subdivision Plans prepared by Harrison Friedmann & Associates dated 25 June 2014 (**Attachment B**).

2.2 Modifications to Project Approval

The words proposed to be deleted are shown in ~~bold 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 the additional information dated 29 January 2014;
- d) ***Section 75W Letter prepared by JBA dated 8 July 2014; and***
- e) the following drawings, except for:
 - a. any modifications which are Exempt or Complying Development; and
 - b. otherwise provided by the conditions of this approval.

Draft Plans of Stratum Subdivision by Harrison Friedmann & Associates (~~as amended 16 January 2014~~) (***as amended 8 July 2014***)

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 amendment to the stratum subdivision has no physical effects on the approved town centre and will therefore not result in any material effects. Appropriate easements for access are provided that will ensure that access is provided for all elements of the future centre. Overall, the proposed amendments to the stratum subdivision will improve the economic efficiency of the centre by establishing a governance and land ownership structure for the town centre that allows that reduces the administrative burden for future business operations.

5.0 CONCLUSION

This proposed modification to the Project Approval is minor and has no material effect on the design or day-to-day functioning of the approved town centre. These amendments will ensure that the future development of the site proceeds in an efficient manner and that future governance of the town centre is efficient and effective. 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.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request. Should you have any queries about this matter, please do not hesitate to contact me on 9409 4961 or moliver@jbaurban.com.au.

Yours faithfully,



Michael Oliver
Urban Planner