

Section 75W Modification

Concept Approval MP10_0229 and Project Approval MP10_0230

461 Captain Cook Drive, Woollooware

Woollooware Bay Town Centre

Submitted to Department of Planning & Environment

On Behalf of Bluestone Capital Ventures No. 1 Pty Ltd (Bluestone)



February 2016 ■ 15743

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Contents

1.0	Introduction	1
2.0	Background to Modification Application	2
2.1	Concept Plan Approval	2
2.3	Retail Project Approval	4
2.4	Relationship to Current Modification Applications	5
2.5	Part 3A Repeal	6
3.0	The Site	7
4.0	Description of Proposed Modified Development	8
4.1	Modifications to Project Approval	8
4.3	Modifications to Concept Approval	11
5.0	Environmental Assessment	12
5.1	Built Form and Urban Design	12
5.2	Traffic and Transport	18
5.3	Flood Management	19
5.4	Ecological Management	19
5.5	Environmentally Sustainable Design	19
5.6	Compliance with Statutory Design Codes	19
6.0	Conclusion	21

Figures

1	Indicative rendering of approved Concept Plan	3
2	Indicative rendering of approved Concept Plan	3
3	Approved architectural plans for the eastern precinct of Woollooware Bay Town Centre	5
4	Site aerial illustrating the broader Woollooware Bay Town Centre and Retail/Club precinct	7
5	Rendering of <u>approved</u> club and retail entrance to Captain Cook Drive	15
6	Indicative rendering of <u>proposed</u> retail and club entrance to Captain Cook Drive	15
7	Rendering of <u>approved</u> building from Woollooware Rd	16
8	Rendering of <u>approved</u> building from Captain Cook Drive	16
9	Indicative rendering of <u>proposed</u> building from Captain Cook Dr/ Woollooware Rd intersection	16
10	Rendering of <u>approved</u> southern retail facade	17
11	Indicative rendering of <u>proposed</u> southern facade	17

Contents

Tables

1	Summary of proposed modifications by level	8
2	Summary of proposed changes to Concept Approval	11

Appendices

A	Proposed Modifications to Conditions <i>JBA</i>
B	Urban Form Control Plans, Architectural Drawings and Design Statement <i>HDR Rice Daubney</i>
C	Amended Landscape Plans and Landscape Design Report <i>ASPECT Studios</i>
D	Amended Traffic Management and Accessibility Plan <i>McLaren Traffic Engineering</i>
E	Flood Levels Statement <i>WMA Water</i>
F	Review of Noise, Light and Bird Strike Potential <i>Eco Logical Australia</i>
G	BCA Statement <i>Vic Lilli</i>
H	Fire Engineering Statement <i>Arup</i>

1.0 Introduction

This Modification Application is submitted to the NSW Department of Planning & Environment in relation to the Part 3A Concept Plan (MP10_0229) and Project Application (MP10_0230) approvals for the eastern precinct of Woollooware Bay Town Centre in accordance with section 75W and Clause 3C of Schedule 6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In brief, this application seeks to facilitate changes to the approved architectural design of the Retail and Club buildings resulting from a design review undertaken by the newly-appointed project architect, HDR Rice Daubney. Key changes resulting from this review, which are described in further detail at **Section 4.0**, comprise:

- Internal reconfiguration of retail facilities on Level 1 and Level 2;
- Enclosure of the retail dining terrace for weather-proofing;
- Extension of the upper car parking deck level and provision of a roof to all car parking areas;
- Improvements to the architectural treatment of all building facades; and
- Improvements to the architectural treatment and vehicular/pedestrian accessibility to the Leagues Club on Level 3.

Minor amendments to the Concept Approval, relating to the approved building envelope and Gross Floor Area/ Gross Building Area limits, are also sought in order to reflect the design amendments outlined above.

This report has been prepared by JBA on behalf of Bluestone Capital Ventures No.1 (the Proponent). The report describes the proposed modifications; outlines the purpose of the modifications; and provides a detailed assessment of the potential environmental impacts. This report should be read in conjunction with the Architectural Drawings and Design Statement prepared by HDR Rice Daubney (**Appendix B**).

2.0 Background to Modification Application

2.1 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. The approval included 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 to divide the site into two lots.

Specifically, the Concept Approval (as modified) provides for:

- Residential redevelopment of the western car park and training fields, with building heights up to 14 storeys (including podium)
- Upgrades to Sharks Stadium;
- New town centre on the eastern car park site, including retail, leisure and medical uses as well as the refurbishment of the Cronulla Sutherland Leagues Club; and
- Establishment of a new publicly accessible open space area along the Woollooware Bay foreshore to the north of the site.

In numbers, the Concept Approval provides for the following parameters:

- Gross Building Area (GBA)
 - 104,419m² for the western residential precinct
 - 50,991m² for the eastern (Retail/Club) precinct
- Gross Floor Area (GFA)
 - 58,420m² for the western residential precinct
 - 26,495m² for the eastern (Retail/Club) precinct
- Outdoor deck areas
 - 1,055m² of floor area for an outdoor deck for the Leagues Club
 - 853m² of floor area for an outdoor deck for the Retail Centre

Two subsequent modification applications (MOD 1 and MOD 4) have been approved in relation to residential building heights, the Club Deck and residential car parking arrangements.

The NSW Department of Planning & Environment recently recommended that the NSW Planning Assessment Commission approve a further modification (MOD 3) to permit an small (< 5%) increase in the approved residential Gross Floor Area to 61,370m² and amendments to building envelopes for the residential precinct.

A further modification application (MOD 5) is currently under assessment and relates to the foreshore open space area.

Figures 1 and 2 below illustrate the approved Concept Plan scheme.



Figure 1 – Indicative rendering of approved Concept Plan



Figure 2 – Indicative rendering of approved Concept Plan

2.3 Retail Project Approval

On 22 August 2013, the PAC granted Project Approval to the Retail/Club Precinct (MP10_0230) for the following:

- partial demolition of the existing Leagues Club and other structures within the site;
- construction of a new retail centre with a full-line supermarket, food retail, mini-major tenancies, specially retail, dining tenancies and medical and leisure uses with a maximum gross floor area of 26,473.5m²;
- fitout of Levels 3 and 4 of the existing building for the Leagues Club;
- public domain works including new foreshore buffer to Woollooware Bay;
- infrastructure works providing access to the site off Captain Cook Drive (extension and realignment of Woollooware Road, signalisation of Woollooware Road I Captain Cook Drive and two new signalised intersections along Captain Cook Drive);
- provision of a shuttle bus service and new bus and taxi bays on Captain Cook Drive;
- stormwater management (including flood mitigation works) and site remediation works;
- loading docks and 770 on-site car parking spaces;
- development contributions; and
- stratum subdivision.

The approved retail floor layout plans are reproduced in **Figure 3** below.

One modification to the Project Application relating to minor internal and external changes to the retail centre and stratum subdivision was approved by the NSW Department of Planning & Environment on 10 February 2014. A second modification application (MOD 2) relating to the stratum subdivision of the centre is currently under assessment by the NSW Department of Planning & Environment.

This modification to the Project Approval under S75W of the EP&A Act represents the third modification to the originally approved scheme.

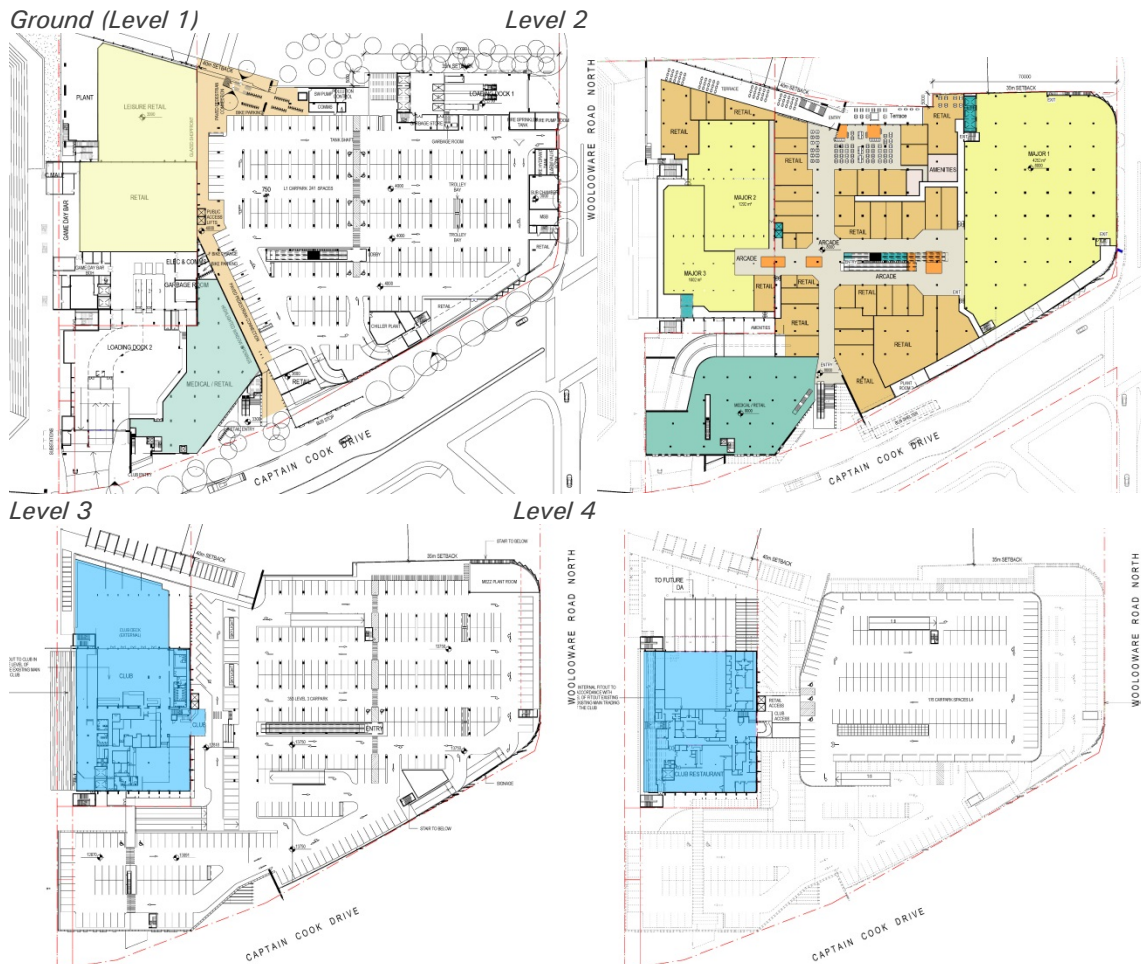


Figure 3 – Approved architectural plans for the eastern precinct of Woollooware Bay Town Centre

2.4 Relationship to Current Modification Applications

2.4.1 Concept Plan MOD 3 – Residential GFA

The pending Concept Plan Modification 5 does not have any implications for the modification to the eastern precinct planning approvals that are the subject of this report. The Traffic Management and Accessibility Report (**Appendix D**) prepared by McLaren Traffic Engineering discussed at **Section 5.2** of this report factors the proposed MOD 3 amendments to the Residential Precinct into the assessment of local traffic impacts.

2.4.2 Concept Plan MOD 5 – Landscaping

Concept Plan Modification 5 relates to the foreshore landscaping and riparian zone, and seeks to clarify a number of matters regarding the treatment and use of this area for public purposes. No changes are presently proposed to the landscape plans or conditions for the foreshore area as part of the Retail/Club modification that is the subject of this report. Should Concept Plan MOD 5 be approved, then future steps will be taken to align the foreshore landscaping approved under the Retail/Club Project Approval with the foreshore landscaping scheme approved under Concept Plan MOD 5.

2.4.3 Project Approval MOD 2 – Stratum

Modification 2 to the Project Approval is currently under assessment by the NSW Department of Planning & Environment. This modification relates to the stratum subdivision of the eastern precinct, and is necessary to secure appropriate ownership and financing arrangements in order to facilitate project delivery. Whilst the proposed amendments to the retail and club development described in **Section 4.0** of this report may necessitate further minor amendments to the stratum subdivision in the future, it is the intention of the Proponent to work with the Department to finalise the assessment and determination of MOD 2 as a matter of priority so that financing and development agreements can be finalised.

2.5 Part 3A Repeal

On 1 October 2011, Part 3A of the EP&A Act was repealed. Despite this, part 3A continues to apply to certain projects subject to the transitional provisions identified in Schedule 6A of the Act.

Clause 3 of Schedule 6A of the EP&A Act provides that the provisions of Part 3A continue to apply to 'transitional Part 3A projects', relevantly including approved projects. Accordingly, project approvals, such as the Approved Project can continue to be modified under section 75W of the EP&A Act.

Clause 3 of Schedule 6A of the EP&A Act also provides that any State Environmental Planning Policy or other instrument made under or for the purposes of Part 3A, as in force on the repeal of that Part and as amended after that repeal, continues to apply, to and in respect of, a transitional Part 3A project (as defined).

3.0 The Site

The Woollooware Bay Town Centre – Club/Retail precinct is located at 461 Captain Cook Drive, Woollooware, within the Sutherland Local Government Area (LGA).

The site, which includes Sharks Stadium, the Leagues Club and the eastern car park, has a total area of 59,340m², and is bounded by a tidal stormwater drainage channel to the west, Woollooware Bay to the north, Woollooware Road North (unformed) to the east and Captain Cook Drive to the south. The sites local context is shown at **Figure 4**.

Development Applications have been approved by Sutherland Shire Council to allow for the commencement of construction for the first residential stages. Stage 1 of the residential precinct is in advanced construction stages and due for completion in September 2016, whilst Stage 2 has commenced construction and is due for completion in mid to late-2017. The final stage, Stage 3, will be the subject of a Development Application to Sutherland Shire Council following the PAC's determination of Concept Plan MOD 4.



Figure 4 – Site aerial illustrating the broader Woollooware Bay Town Centre and Retail/Club precinct

4.0 Description of Proposed Modified Development

The Proponent is seeking approval under Section 75W of Part 3A of the EP&A Act to modify the approved Concept Plan (MP10_0229) and Project Application (MP10_0230). The scope of the modification application is addressed in the following sub-sections.

4.1 Modifications to Project Approval

The proposed modifications to the Part 3A Project Approval (MP10_0230) arise from a comprehensive design review that has been undertaken by newly appointed project architects HDR Rice Daubney. This review has sought to refine the project's architecture within the scope of the overarching Concept Approval master plan whilst seeking opportunities to deliver a high quality centre that meets the design, planning and commercial objectives for the project. The modifications reflect a process of design refinement to deliver a high quality town centre, and have been driven by further development of tenant

In brief, the proposed modifications to the Project Approval include:

- Minor reconfiguration of tenancy layouts and mix, resulting from design refinement and tenant enquiries;
- Minor increase to GFA, from 26,473.5m² to 27,740m², arising largely from enclosure of the (previously open) northern dining terrace area and addition of community and gallery spaces to activate Captain Cook Drive;
- Re-alignment of the pedestrian connection from Captain Cook Drive to the foreshore parklands in order to provide a stronger ground-level connection;
- Addition of a new child care centre tenancy and community/gallery spaces on Levels 1 and 2;
- Creation of a new streetscape on Level 3 to create an improved sense of arrival and space for the Cronulla Sutherland Leagues Club;
- Relocation of the internal vehicular circulation ramp connection Level 1 to Level 3 from the southern façade to the north-eastern corner;
- Maintain the approved quantum of car parking at 770 spaces; and
- Enlargement of the Leagues Club deck.

Tables 1 below provide a summary of the key changes to the approved development by level. Proposed modifications to the conditions of the Project Approval are outlined in **Appendix A**.

Architectural drawings prepared by HDR Rice Daubney detailing the proposed modifications to the retail/club building are provided at **Appendix B**.

Table 1 – Summary of proposed modifications by level

Level	Summary of Proposed Modifications
Level 1 (Ground)	<ul style="list-style-type: none"> ■ Straightening of north-south pedestrian connection between Captain Cook Drive and foreshore to create a more accessible and legible path ■ Reconfiguration of layout of ground level retail, leisure and medical tenancies around the new pedestrian connection and addition of community/gallery spaces. ■ Reduce parking from 241 spaces to 212 spaces
Level 2	<ul style="list-style-type: none"> ■ Minor reconfiguration of main retail level tenancy layouts. ■ Enclosure of approved dining terrace (deck) to provide weather-proofing and increased visitor comfort.

Level	Summary of Proposed Modifications
	<ul style="list-style-type: none"> ■ Introduction of new community/gallery space and childcare centre.
Level 3	<ul style="list-style-type: none"> ■ Establish new upper roadway and pedestrian connection to create a clear and legible arrival point for the Leagues Club building that allows for easy drop-off and pick-up and creates a sense of place for the Club. ■ Introduction of street trees and landscaping to new elevated roadway. ■ Expansion of proposed skylights and alignment to lower level skylights. ■ Reconfiguration of internal vehicular ramps to improve efficiency of car circulation between the parking levels. ■ Reduce parking from 358 spaces to 311 spaces
Level 4	<ul style="list-style-type: none"> ■ Increase parking from 176 spaces to 247 spaces by expansion of approved parking deck.
Roof	<ul style="list-style-type: none"> ■ Introduce full roof structure above Level 4 car parking slab.
Elevations	<ul style="list-style-type: none"> ■ General redesign of all elevations ■ Activation of Captain Cook Drive (southern) façade design and programming of internal retail spaces ■ New entry canopy design for retail and club from Captain Cook Drive

4.1.1 Built Form and Architecture

This modification application arises directly from a review of the approved design by newly-appointed project architects HDR Rice Daubney. As part of this review, a number of design changes have been recommended in order to:

- Improve the efficiency and navigability of the approved retail centre, including within the main and ground-floor trading levels, car park and connectivity to key pedestrian linkages such as the foreshore park;
- Improve pedestrian connectivity between Captain Cook Drive and the Woollooware Bay foreshore area;
- Provide for a higher quality exterior façade treatment to Captain Cook Drive and Woollooware Road
- Improve the presentation of the Leagues Club to Captain Cook Drive, and create a high quality direct arrival point within the site on Level 3; and
- Provide for a full roof structure over the Level 4 car parking area in order to ensure that this parking area is fully utilised.

In relation to the building exterior, notable changes to the approved development will include:

- Reprogramming of the southern façade (Captain Cook Drive) to include more active street frontages and greater façade articulation to strengthen the relationship between the retail centre and the streetscape;
- Extension of the Level 4 car parking deck toward the eastern and southern edges of the building line, and the addition of a new green wall and landscaped planter zone to screen public views to this area from the south;
- Reconfiguration of the ground level retail offering to be compatible with the straightened north-south pedestrian link; and
- New architectural treatments to the club and retail pedestrian entrances from Captain Cook Drive to provide a higher quality and more recognisable point of arrival to the site.

Internally, the proposed modifications to the approved development primarily comprise the following:

- Straightening of the north-south pedestrian connection on Level 1 (Ground) between Captain Cook Drive and the Woollooware Bay foreshore, allowing for more legible and direct pedestrian connectivity at the ground plane;
- Relocation of the Level 1 to Level 3 vehicular 'speed ramp' from the southern edge of the car park to the north-eastern corner above the loading dock, allowing for improved activation of the Captain Cook Drive façade, improved efficiency within the parking levels and retail trading spaces;
- Additional refinement of tenancy layout and configurations to reflect further tenancy negotiations and leasing inquiries; and
- Enclosure of the northern dining terrace in order to provide weather-proofing.

4.1.2 Land Use

This modification application proposes minor amendments to the mix of retail uses within the approved centre, arising from further design review and leasing enquiries, including the addition of a child care centre and new community space. The area allocated for medical uses has been reduced as a result of feedback from the market during the retail leasing phase, whilst the food & beverage offering has been increased due to high demand for space within the waterfront dining area.

Whilst child care centres were not specifically envisaged as part of the original Concept Approval, tenant inquiries and analysis of the demand generated by the residential precinct and expected patronage of the retail/club precinct indicates that there is likely to be strong demand for some form of child care offering within the site. The proposed tenancy configuration makes an allowance for indoor and 'outdoor' areas to satisfy the relevant regulatory provisions for child care centres.

4.1.3 Traffic, Parking and Circulation

The proposed modification does not seek to alter the total number of car parking spaces provided within the centre from 770 spaces, which is consistent with the car parking requirement under the Concept Approval and well in excess of projected demand. This modification application redistributes some car parking spaces from the lower parking levels to the expanded Level 4 parking deck.

The 'speed ramp' allowing internal vehicular circulation from Level 1 to the upper parking levels is proposed to be relocated from within the southern façade to the above the north-eastern loading dock, allowing for more efficient retail layouts on Level 2 and greater activation of the southern façade to Captain Cook Drive.

4.1.4 Landscaping and Public Domain

Updated Landscape Plans have been prepared by Aspect Studios (**Appendix C**) which detail minor amendments to the Captain Cook Drive public domain, inclusion of the new Level 3 streetscape and the addition of a green wall façade treatment for the southern façade of the expanded Level 4 car parking level.

This modification application does not propose any changes to the approved foreshore landscaping.

4.3 Modifications to Concept Approval

The proposed modifications to the Concept Approval arise from the architectural design review that has been undertaken by the newly-appointed architect, HDR Rice Daubney, which is reflected in the amendments to the detailed design for the town centre as detailed further in **Section 4.1** below.

The proposed modifications to the Concept Approval involve the following:

- Extension of Level 4 car parking deck and addition of full roof structure above car parking and consequent changes to the Urban Form Control plans;
- Increase to the approved Gross Building Area (GBA) for the town centre precinct as a result of the extension of the upper car parking level and the enclosure of the retail dining deck;
- Minor (less than 5%) increase to approved Gross Floor Area (GFA) for the town centre precinct, two-thirds of which is a direct result of enclosing the retail dining deck;
- Removal of the Retail Deck area provision; and
- Increase to the Club Deck area by 772m².

The proposed modifications to the Concept Approval parameters for the town centre precinct are detailed in **Table 1**.

Table 2 – Summary of proposed changes to Concept Approval

Concept Approval	Approved	Proposed	Difference
GFA Gross Floor Area	26,495 m ²	27,740 m ²	+ 1,245 m ²
GBA Gross Building Area	50,991 m ²	60,600 m ²	+ 9,609 m ²
Club Deck	1,055 m ²	1,827 m ²	+ 772 m ²
Retail Deck	853 m ²	Nil	- 853 m ²

HDR Rice Daubney have prepared amended Urban Form Control Diagrams which are provided at **Appendix B**.

Proposed modifications to the conditions of the Concept Approval are described in **Appendix A**.

5.0 Environmental Assessment

This chapter contains an assessment of the environmental effects of the proposed development as described in the preceding chapters of this report. The additional floor space sought as part of this application will be limited to the approved envelopes, therefore not resulting in any additional view or overshadowing impacts not already assessed in the original Concept Plan. Those matters which require further assessment are outlined below.

5.1 Built Form and Urban Design

The proposed modifications to the approved development of the eastern precinct do not alter the fundamental built form parameters for the site, but instead provide further design refinement to ensure that high quality design and functional outcomes are achieved within the centre. The following sections assess the implications of the proposed modifications, having regard to the existing Concept and Project Approvals.

5.1.1 Building Envelope

Building Footprint

The proposed modification continues to comply with the primary constraint on building footprint applying to this site – namely, the 35 and 40 metre setbacks to the Mean High Water Mark (MHW) of Woollooware Bay. As outlined in the updated Urban Form Control Diagrams (**Appendix B**), the building as modified would have a substantially similar footprint to the approved building. Small variations from the approved footprint are evident along the northern, eastern and southern edges of the building area as a result of the design review, however, on the whole there is minimal change to the overall building footprint.

Building Height

As modified, the roof slab would have a maximum level of RL 20.68 AHD, or approximately 17.1 metres above existing ground level. The current Concept Approval provides for a maximum parapet level of RL 18.0 AHD, but with the provision for a potential car parking roof (albeit across a smaller area of the floorplate) up to approximately RL 22.3 AHD. As such, the proposed modification would provide for a retail building that is lower overall than permitted by the Concept Approval, but which requires a minor increase in the parapet height approved under the Concept Plan. It is noted that the maximum building height continues to be well below the 25 metre building height limit applying to the site under clause 4.3 of the Sutherland Shire Local Environmental Plan 2015.

Given that the overall building height continues to be lower than the approved Concept Plan, and that the increase in parapet height is minor and unlikely to be discernible to the everyday observer, the proposed modifications are considered to be acceptable. It is also noted that the proposed modification will include a number of significant improvements to the main public façade (to Captain Cook Drive), including the increased activation of the façade and the addition of the landscaped green wall to the southern edge of the Level 4 parking structure. As such, it is considered that the proposed modifications to the building height are acceptable and do not give rise to any environmental impacts.

Gross Floor Area and Gross Building Area

The proposed increase to the approved GFA (+ 1,245m² from Concept Approval, + 1,266.5m² from Project Approval) is solely the result of:

- weatherproofing the retail deck area (854m²) that was previously excluded from GFA calculations; and

- addition of the new community space and gallery to the Captain Cook Drive elevation (618m²) which has been enabled by the relocation of the internal vehicular ramp.

As a result of these changes, there is in fact a net reduction of 205.5m² to the quantum of GFA dedicated to retail and club use. Given that the additional GFA sought as part of this modification will either have a neutral impact on land use intensity (enclosure of the deck area) or a significant design and community benefit (community spaces and gallery), the proposed increase in GFA is supported as it will have a beneficial impact.

Whilst there are minor increases proposed to GBA on Levels 1 and 2 (1.1% and 1.4% respectively) compared to the approved building, the bulk of the increase to GBA as a result of this modification relates to the expansion of the Level 4 car parking deck and addition of the car park roof structure. This increase is considered to be appropriate considering that the expansion of the Level 4 parking deck facilitates the relocation of parking from Level 1 (Ground), improving opportunities for activation of the ground plane with retail and community spaces and improving pedestrian connectivity between Captain Cook Drive and the Woollooware Bay Foreshore. As detailed above, the addition of the roof structure to the car parking does not significantly increase the apparent height of the approved building compared to the Concept Approval, and continues to be lower than the overall maximum height approved for the retail building. As such, the increase in GBA is not considered to result in any significant environmental impacts.

5.1.2 Internal Layout and Circulation

The proposed modifications will simplify internal circulation and improve the legibility of the centre, both for access into the centre and within the retail trading areas.

At the ground plane, the proposed straightening of the north-south pedestrian link from Captain Cook Drive through to the Woollooware Bay foreshore will significantly improve the legibility of this connection and allow pedestrians and cyclists to navigate directly from the foreshore through to the bus stops. The straightened route will create greater permeability for pedestrians, which will be assisted by directional signage throughout the precinct.

The Cronulla Sutherland Leagues Club will gain a stronger presence within Captain Cook Drive as a result of the proposed modification, with a direct and legible pedestrian connection to the Club's main entrance on Level 3. Access from the ground level will be integrated with the newly created streetscape and Club drop-off area on Level 3, creating a high quality pedestrian environment for patrons and visitors to the precinct.

The alignment of the L1, L2 and L3 north-south pedestrian and vehicular circulation areas allows for the alignment of skylights along this axis to enable natural sunlight to penetrate down through to the ground-level pedestrian connection. This will create a more amenable environment and reduce the need for artificial lighting on Level 1 and Level 2 and thereby saving on ongoing energy consumption.

5.1.3 Facades, Materials and Landscaping

The proposed modification provides greater clarity and refinement of the architectural and material treatment of key building facades, and particularly for the key Captain Cook Drive and Woollooware Bay foreshore elevations.

A key improvement to the Captain Cook Drive façade is achieved through the relocation of the internal vehicular 'speed ramp' from the southern building edge. Relocating this element allows for the reduction in the area of inactive façade along the southern edge, which is proposed to be programmed with a combination of active retail tenancies and a 'gallery' space on Level 2 to provide an additional point of visual interest.

Building-integrated landscaping will be utilised to reduce the bulk of the car parking on Level 4 when viewed from Captain Cook Drive. In addition, landscape planting zones on Level 3 around the Club street and northern parking edge will add to the perception of a continuance of the greenery in the site's surrounds through to the upper levels of the building. The Level 3 street area will incorporate a series of raised planter boxes capable of supporting both trees and lower-scale plantings to create the sense of a landscaped public street. This landscaping will also reduce the visibility of the retained Leagues Club building when viewed from the northern foreshore area.

The material palette for the southern façade is comprised of precast concrete, steel panelling and timber panelling, responding to the more urban form of the Captain Cook Drive environment. In comparison, the northern façade to the foreshore parklands will include a much higher proportion of timber panelling and painted surfaces to respond to the more naturalistic setting. This is considered to be an appropriate response to the site's context that will make a positive contribution to the urban amenity of the locality.

Figures 5 to 11 below compare the renderings of the approved building with the indicative photomontages of the proposed building (note that photomontages of approved and proposed scheme are taken from different locations, and therefore do not present a direct comparison).



Figure 5 – Rendering of approved club and retail entrance to Captain Cook Drive



Figure 6 – Indicative rendering of proposed retail and club entrance to Captain Cook Drive



Figure 7 – Rendering of approved building from Woollooware Rd



Figure 8 – Rendering of approved building from Captain Cook Drive



Figure 9 – Indicative rendering of proposed building from Captain Cook Dr/ Woollooware Rd intersection



Figure 10 – Rendering of approved southern retail facade



Figure 11 – Indicative rendering of proposed southern facade

5.2 Traffic and Transport

A Traffic Management and Accessibility Report (TMAP) has been prepared by McLaren Traffic Engineering in order to assess the impact of the proposed modification on the local road network (**Appendix D**). Key matters addressed in the TMAP are discussed below.

Car Parking

This modification maintains the approved parking provision of 770 car parking spaces within the retail/ parking precinct, consistent with the Concept Plan and Project Approval. Modelling of demand for parking included in the TMAP indicates that this provision is well in excess of the predicted peak parking demand of 601 spaces. As such, the parking provision is considered to continue to be appropriate for the redevelopment of the site.

As part of Modification 4 to the Concept Approval, the Proponent sought to include indicative car parking rates for a childcare use in order to facilitate the future delivery of a new childcare centre within the Stage 3 Residential Precinct on the western precinct of Woollooware Bay Town Centre. In its submission on the Modification Application, Sutherland Shire Council raised concern regarding the proposed parking rates for the provision of this use within the Residential Precinct. In response, the Proponent has removed this feature from the Stage 3 Residential Precinct and transferred it to the eastern precinct where parking demands can readily be accommodated within the eastern precinct.

Vehicular Access

No changes are proposed to the approved signalised intersections and vehicular site access arrangements as part of this modification application. Visitors will continue to enter and exit the car park from either the new signalised access point on Captain Cook Drive, or via the Woollooware Road North extension.

No changes are proposed to the access arrangements for the two approved loading docks.

Loading and Servicing

Minor modifications have been made to the internal layout and circulation arrangements for the two approved loading docks, based on further design review and improved understanding of tenant requirements gained through leasing negotiations. These changes do not seek to increase the maximum length of vehicles using the dock (19m articulated), and swept path testing confirms that the configuration of the docks do not give rise to any additional traffic impacts in comparison to the approved scheme.

Trip Generation

McLaren assessed the potential traffic generation based on the revised mix of uses within the eastern precinct using updated traffic data from the Roads and Maritime Service. It is considered that the proposed modifications will produce a slight increase in peak traffic generation of approximately 5.4% during weekdays and 1.5% for Saturday peak. Based on time periods in the previously approved and currently proposed traffic scenario, McLaren concluded that the modification is supportable on traffic impact grounds.

Intersection Analysis

McLaren has provided an updated analysis of the surrounding intersection performance, including the two new sets of signals servicing the eastern precinct (Woollooware Road/ Captain Cook Drive and the new signals to Captain Cook Drive) and the Captain Cook Drive/ Gannons Road intersection. The revised intersection analysis finds that based on current traffic information, saturation and

average delay, the proposal maintains a compliant and supported outcome with the networks operating at a good and acceptable level of service with acceptable peak hour delays. The proposed modification does not give rise to any worsening in the level of service experienced at these intersections compared to the approved development.

5.3 Flood Management

The Project Approval documentation included a comprehensive Flood Assessment Report prepared by WMA Water which considered the impact of the proposed development on localised flooding as well as the necessary procedures to ensure the safety of retail and club patrons during flood events. Condition C9 of the Project Approval requires the preparation of a Flood Response Plan in order to ensure that appropriate protocols are in place during flooding on Captain Cook Drive. This plan is required to be reviewed every five years in consultation with the State Emergency Service and other emergency agencies.

WMA Water have provided an updated Flood Level Assessment (refer to **Appendix E**) which confirms the maximum design flood levels (including 500mm freeboard) as follows:

- Post-development 100 year ARI with 2100 sea level rise: 2.61m AHD
- Probable Maximum Flood: 3.14m AHD

The Level 1 trading floor level, customer parking areas and loading dock entrance vehicular crossovers all comply with the 100 year ARI + sea level rise flood planning level. In addition, all publicly accessible floor areas within the centre are above the PMF level. This is generally consistent with the flood level planning considerations contained in Chapter 39 of the Draft Sutherland Development Control Plan 2015.

5.4 Ecological Management

EcoLogical Australia have reviewed the proposed modifications to the approved development and provided an updated Review of Noise, Light and Bird Strike Potential (**Appendix F**). The proposed modification does not alter EcoLogical's assessment or recommendations from the approved development of the site, and supports the project on the condition that the report's recommendations are implemented through detailed design.

No changes are proposed to the approved foreshore landscaping scheme as part of this modification application.

5.5 Environmentally Sustainable Design

An Ecologically Sustainable Development (ESD) Report was prepared for the initial Project Application by Arup. This report considered the environmental targets established under the Concept Plan and the inclusion of ESD principles in the detailed building design. The proposed modification continues to be consistent with the findings and recommendations of this report.

5.6 Compliance with Statutory Design Codes

Building Code of Australia (BCA)

Vic Lili & Associates have reviewed the proposed modifications and confirm that the proposal is capable of complying with the relevant provisions of the BCA, subject to detailed design. Their statement is provided at **Appendix G**.

Fire Engineering

Arup are the appointed fire engineer for the project, and have reviewed the scheme's compliance with the relevant fires safety provisions of the BCA and National Construction Code (**Appendix H**). They conclude that the project is generally capable of complying with the relevant fire engineering codes subject to further detailed design development prior to the issuing of a Construction Certificate.

Accessibility

An Access Review for the approved development was conducted by Morris Goding Accessibility Consultants, the recommendations of which are required to be implemented by Condition C15 and Schedule 3 of the Project Approval. It is proposed that this accessibility review will be formally updated prior to the issuing of a Construction Certificate to ensure that development as modified continues to satisfy the relevant provisions of the Australian Standards AS1428 'Equal Access' series, the Building Code of Australia (BCA), and ultimately the Commonwealth Disability Discrimination Act (DDA).

6.0 Conclusion

This S75W Modification Application seeks amendments to the approved Concept Plan (MP10_0229) and Project Approval (MP10_0230) for the eastern precinct of Woollooware Bay Town Centre which incorporates the Leagues Club and Retail precinct. The proposed amendments have arisen from a detailed design review of the approved scheme by HDR Rice Daubney, and reflect further design development and retail leasing negotiations.

The proposed modifications are considered to be a net improvement to the approved scheme. Whilst the modifications will result in a small overall increase in building height (through the addition of car park roof) and traffic generation (5% increase during weekday peak), the modification delivers a number of significant benefits compared to the currently improved scheme, including:

- increase in façade articulation and activation along the Captain Cook Drive façade, creating a more engaging and interesting streetscape that captures
- distinct and high quality pedestrian arrival points for both the Leagues Club and retail centre;
- integration of landscaping on the building structure to create a point of interest and screen less active portions of the building structure
- greater permeability for pedestrians and cyclists between Captain Cook Drive and the Woollooware Bay foreshore;
- provision of additional child care spaces to service future residents of Woollooware Bay Town Centre and the local community, and the provision of new community spaces.

The proposed modifications do not give rise to any significant environmental impacts beyond those already dealt with during the assessment of the Concept Plan Application and Project Application that cannot be satisfactorily managed through the conditions of approval, as modified. Given the positive outcomes resulting from the proposed modification, we have no hesitation in recommending these modifications to the Concept Plan and Project Approval be approved.