

Michael Oliver

From: Hall, Mark <Mark.Hall@environment.gov.au>
Sent: Monday, 15 May 2017 2:57 PM
To: Frances Mehrtens
Cc: Rowe, Ross; Neulinger, Zachary; Compliance Section
Subject: RE: EPBC Referral 2011/5889 - Cronulla Sharks Redevelopment [SEC=UNCLASSIFIED]

Hi Frances

We have reviewed the information you provided us, considering the previous decision under the *Environment Protection and Biodiversity Conservation Act 1999* on the redevelopment of the Cronulla Leagues Club, and nearby matters of national significance. The currently proposed action seems sufficiently similar in its nature and scope to the previous decision, that a similar outcome would be likely – ie that the currently proposed action is not a controlled action and does not require assessment or approval.

However, please note that this guidance is given in good faith on the basis of information provided – a referral would be required in order for the Minister or a delegate to establish with full legal certainty under the EPBC Act whether the proposed action is a controlled action and whether it may proceed.

I have forwarded this correspondence to our Compliance and Enforcement Branch for their information. Information on Compliance and enforcement in relation to the EPBC Act can be found [here](#).

Regards

Mark Hall
Acting Director

Southern NSW and ACT Assessment Section
Assessment (NSW, ACT) and Fuels Branch
Department of the Environment and Energy
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From: Frances Mehrtens [<mailto:FMehrtens@jbaurban.com.au>]
Sent: Monday, 8 May 2017 4:13 PM
To: Hall, Mark <Mark.Hall@environment.gov.au>
Subject: FW: EPBC Referral 2011/5889 - Cronulla Sharks Redevelopment

Hi Mark,

Please see below – I just sent you the following email, however the plans attached exceeded the file size. Please see a link below to all documents associated with the application from the Department's website.

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6907

Kind regards,
Frances.

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From: Frances Mehrrens

Sent: Monday, 8 May 2017 4:07 PM

To: 'mark.hall@environment.gov.au' <mark.hall@environment.gov.au>

Cc: Michael Oliver <MOliver@jbaurban.com.au>

Subject: EPBC Referral 2011/5889 - Cronulla Sharks Redevelopment

Hi Mark,

Thanks for speaking with me last week. As discussed, a decision was made in 2011 that the redevelopment of the Cronulla Sharks Leagues Club, Woollooware, NSW was not considered to be a controlled action under the EPBC Act (ref. 2011/5889). I have attached the notice for your reference.

Following the approval of Concept Plan (MP10_0229) for the site, Bluestone Capital Ventures No.1 has sought to modify the Concept Plan to provide for additional uses above the retail centre on the eastern portion of the site. In summary, this modification seeks to permit four residential apartment buildings, a 125 key hotel and additional car parking spaces above the approved retail centre.

In assessment of the proposed modification, the Department of Planning and Environment has requested confirmation of whether the proposal is likely to cause significant impacts that would constitute a controlled action and evidence of consultation with the Department of Environment and Energy.

The description of the proposed action considered under 2011/5889 was:

"To redevelop the Cronulla Leagues Club site in Woollooware, including upgrades to the existing clubhouse building, playing fields and training facilities, as well as the development and operation of new retail and residential developments, approximately 2km north-west of Cronulla, NSW"

Based on the development proposed, it was determined that the redevelopment was not a controlled action. We now seek confirmation of whether the proposed additional land uses would constitute a controlled action and require a new EPBC referral.

A detailed comparison of the approved Concept Plan against the proposed modification is set out below.

Concept Plan as currently approved	Proposed modification
Staging of proposal into three stages.	No change.
Use of the site for a mixed use development with associated public open space.	Addition of tourist and visitor accommodation and residential apartment buildings above the approved retail centre in the eastern precinct.
Indicative building envelopes, including residential flat buildings up to 14 storeys in height within the western precinct.	Addition of residential flat buildings and hotel up to 16 storeys in height in the eastern precinct.
Parameters for Gross Floor Area (GFA) and Gross Building Area (GBA) as follows: <ul style="list-style-type: none">GFA: 61,370m² on the western precinct and 27,412m² on the eastern precinct	No change to western precinct. <ul style="list-style-type: none">GFA on eastern precinct increase by 39,450m² to 66,862m²

<ul style="list-style-type: none"> GBA: 115,402m² on the western precinct and 60,732m² on the eastern precinct 	<ul style="list-style-type: none"> GBA on eastern precinct increase by 68,425m² to 129,157m²
Car parking requirements for residential and retail/club uses within the town centre.	Increase in number of car parking spaces for eastern precinct from 770 to 1078, to be provided within the approved podium.
Road works to support the development.	No change.
New foreshore parkland and riparian zone, including revegetation, public open space and pedestrian and cycle paths.	No change.
Landscaping and public domain upgrades.	Podium-top landscaping in eastern precinct.
Expansion of the western stadium.	No change.
Sales and marketing facilities.	No change.
Superlot subdivision of Lot 11 DP 526592.	No change.

As the above table demonstrates, the main difference is the addition of residential apartment buildings, a hotel and increased car parking in the eastern precinct. It is noted that these additional uses will be located on top of the approved podium and will not require any works outside of the currently approved site. I have also attached the planning report which accompanied the modification application, as well as the proposed plans.

Could you please confirm whether the proposed modification would constitute a controlled action and whether a new referral needs to be submitted? Your assistance in this matter is much appreciated.

Thanks,
Frances.

Frances Mehrtens

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