

BESMAW PLANNING PROPOSAL

Prepared for:

BESMAW

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1. EXECUTIVE SUMMARY

EXPLANATORY NOTE

This Planning Proposal Report has been prepared by Urbis Ltd (Urbis) to accompany a proponent-initiated planning proposal in support of an amendment to the *State Environmental Planning Policy (Precincts—Central River City) 2021* (SEPP Precincts) and the *Sutherland Shire Local Environmental Plan 2015* (SSLEP 2015).

The planning proposal aims to translate and amend current land uses zones under the applicable controls to be consistent with the standard instrument zones and enable additional uses at 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell (the site).

PURPOSE

The purpose of the planning proposal is to establish a new mixed-use community, encompassing residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open space areas.

All mapping associated with the site will need to be amended to remove the deferred matter status of Lot 2 in DP1030269 and Lot 2 in DP559922 from SSLEP 2015. In addition, amendments will need to be made to the SSLEP 2015 to give effect to changes in land use zones and other controls, relating to Lot 8 and Lot 9 in DP 586986.

Upon gazettal of the amendments to SSLEP 2015, SEPP Precincts will also need to be amended to remove the site from the SEPP mapping and to delete the following clauses:

- Sections 5.16, 5.17, 5.19 (b) and 5.20 as they relate only to the site.
- Section 5.41 as this relates specifically to the acquisition of the 9(a) Regional Open Space Reservation zoned portion of the site.
- Section 5.44(3) and (4) as they relate specifically to the former Sydney Destination Resort proposal.

The primary LEP mapping includes the following:

- **Land use zones:** R3 Medium Density Residential, R4 High Density Residential, SP3 Tourist and C2 Environmental Conservation
- **Height of buildings:** Maximum building heights ranging from 5m to 44m
- **Floor space ratio:** Floor space ratio controls, ranging from 0.2:1 to 2.8:1.

The planning proposal is accompanied by a draft site-specific Development Control Plan (DCP) which provides the detailed guidelines and controls for the delivery of the master plan. It is intended that the draft DCP will be further developed in consultation with Council.

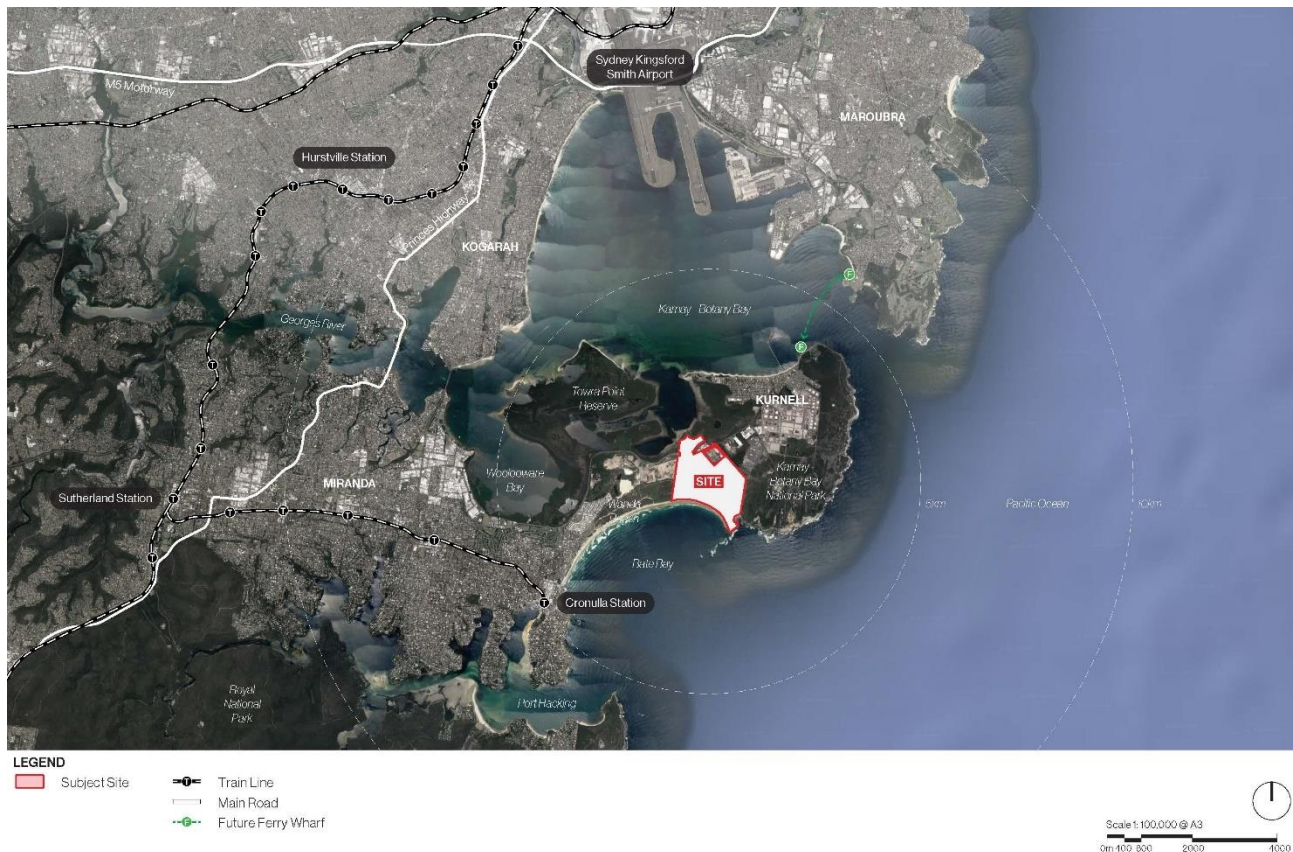
SITE CONTEXT

The land to which the planning proposal relates is 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell and is located within the Sutherland Shire local government area (LGA).

The site has an area of 210.5 hectares, is in single ownership and is the largest greenfield/brownfield landholding in Sydney's Southern District that is ready and capable of immediate redevelopment.

The site is located on the Kurnell Peninsula (the Peninsula), surrounded by a unique and diverse variety of natural qualities, with the coastal dunes of Wanda Reserve to the west, the Kamay Botany Bay National Park to the east, Towra Point to the north and Bate Bay to the south. The Peninsula also contains a range of urban land uses including the Kurnell Village to the east and Greenhills Beach to the west as well as employment and urban services.

Figure 1 Site context



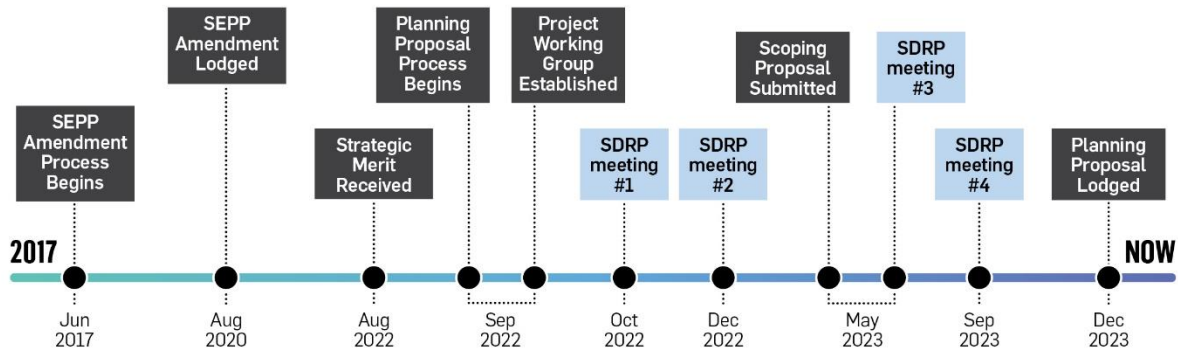
PLANNING HISTORY & STAKEHOLDER ENGAGEMENT

The planning proposal is the culmination of six years of extensive engagement with Government stakeholders and the preparation of detailed technical studies, site surveys and modelling to determine the most appropriate future land uses for the site and to identify the site's development capacity, as the sand quarrying and site rehabilitation activities come to a close.

An amendment to SEPP Precincts (SEPP Amendment) was lodged with the Department of Planning and Environment (DPE) in 2020, The project and associated design concept for a mixed-use community submitted with the SEPP Amendment was determined to have strategic merit by the DPE in 2022.

The DPE, Council and State Agencies have actively worked with the proponent, providing advice and guidance in the resolution of issues and the preparation of the technical studies which underpin the planning proposal. The master plan presented in the planning proposal has been subject to review and guidance through a series of State Design Review Panel (SDRP) presentations, chaired by the NSW Government Architect (NSW GA). The master plan presents a robust place-based design response to create a new mixed-use community within the site.

The following diagram outlines the key project milestones.



INTENDED OUTCOMES



4,333 dwellings, including:

- 2,743 high rise apartments;
- 582 medium density apartments
- 258 duplex / townhouse
- 750 seniors ILU's / beds (589 ILUs and 122 residential aged care beds)



9,806m2 of retail GFA, including a full line supermarket, local services, medical and food and beverage offerings



Approximately 27,257 job years, including 7,387 job years directly generated onsite.
2,169 FTE Jobs



Once completed residents on site will generate \$158M per year in retail expenditure; visitors will generate \$68.3M per year in tourism expenditure representing a total gross value add of \$251M per year to the NSW economy.



Creates a new tourist precinct, consistent with the strategic vision for Sutherland and the site in particular, to become a Tourist Destination, delivering four hotels and 52 cabins, tourism food and beverage and significant tourism employment opportunities.



Recognition and celebration of Country through the site's renaming, embedding First Nations land management practices, storytelling, cultural enterprises, and cultural activities throughout the site. A genuine connection to the site's cultural history is enshrined within the planning controls, reflecting a commitment to delivering the vision.



Delivers significant public benefits, including beautification of the surrounding public domain, enhancing pedestrian permeability and connectivity through the site and delivers 2km of private beach to the public, which unlocks a key connection along the Sydney Great Coastal Walk.



Creates a "nature positive" ecosystem which regenerates and restores the natural environment. A total of 141.7 ha of open space will be established, including new east-west and north-south connections through the site, of up to 460m in width, connecting and strengthening adjacent ecological corridors.

PLANNING PROPOSAL

The planning proposal has been prepared in accordance with the DPE 'Local Environmental Plan Making Guidelines' dated August 2023.

This planning proposal report and the submitted documentation demonstrate that there is overwhelming strategic and site specific merit which supports the advancement of the planning proposal, for the following reasons:

Strategic Merit

As confirmed within the DPE's advice, dated 15th August 2022, the planning proposal has strategic merit as:

- *it provides a considerable opportunity for additional, **diverse and long-term housing supply** for Sutherland Shire;*
- *it presents the **opportunity to restore landforms** and vegetation on the site suited to the natural surrounds and new and compatible uses;*
- *it allows for the **dedication of remaining foreshore land to complete full public beachfront access** along Wanda Beach; and*
- *the site's **considerable size enables opportunities for good urban design and landscape outcomes** that could integrate well with the surrounding natural aspects of the beach foreshore, wetlands and the Kamay Botany Bay National Park.*

The planning proposal has the ability to unlock this strategic brownfield site to deliver residential zoned land and provide a housing supply of 200-280 dwellings per year, or an average of **26% of the year-on-year housing supply for 18 years**, required to meet Sutherland Shire's projected dwelling targets.

Site Specific Merit

The planning proposal has demonstrable site-specific merit as outlined below:

- **Urban design:** The master plan, landscape plan, open space strategy and overall site planning approach which has been curated by Group GSA and has been refined following the advice from the State Design Review Panel over the last 12 months, reflects best practice placed base principles.
- The outcome is a landscape-led urban design approach. It includes four distinct precincts with their own unique character, including a town centre and diversity within the different residential precincts. A fine grain scale, with a variety of medium and high density buildings supported by public open space and active laneways and street frontages will be delivered.
- **Environmental:** A nature positive approach has been adopted, regenerating the site and establishing new biodiversity corridors of up to 460m in width, which are capable of supporting a range of native and indigenous plant species. Approximately 67% of the site will be dedicated to landscaped, recreational and cultural open space purposes.
- **Social:** The planning proposal delivers significant social benefits, including a diversity of housing typologies, including both affordable housing (7.5%) and seniors housing, ensuring that this new community is a place for all. All dwellings will be within 400m of public open space, with eight local parks and three district parks being delivered. A 2km beachfront is proposed to be dedicated to Sutherland Shire Council (Council) and will include active transport connections through the site.
- **Economic:** The site's redevelopment will generate 27,257 FTE jobs (direct and indirect), contributing \$1.06 billion to the NSW economy. Upon completion, the site will generate 2,196 FTE jobs (direct and indirect), generating \$627 million in gross output, per annum. Occupation of the mixed-use community as detailed in the master plan, will contribute \$254 million per annum to the NSW economy.
- **Infrastructure and services:** The site is adequately serviced or capable of being serviced by the necessary infrastructure, including road, public transport, water, sewer and utilities.
- This planning proposal has clear strategic and site-specific merit and it is considered that the planning proposal is in an appropriate form to be adopted by Council and submitted to the DPE for a gateway determination.



2. INTRODUCTION

2.1. OVERVIEW

This Planning Proposal Report has been prepared by Urbis Ltd (Urbis) to accompany a proponent-initiated planning proposal in support of the proposed amendment to the *State Environmental Planning Policy (Precincts—Central River City) 2021* (SEPP Precincts) and the *Sutherland Shire Local Environmental Plan 2015* (SSLEP 2015).

The planning proposal aims to translate and amend current land uses zones under the applicable controls to be consistent with the standard instrument zones and enable additional uses at 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell (the site). The planning proposal will establish a new mixed-use community, encompassing residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open space areas.

2.2. THE PROPONENT

Besmaw Pty Ltd (Besmaw) is the multi-generational family company of the Holt family. Thomas Holt MLC arrived in Australia from England in 1842. He spent almost 40 years living in and around Sydney and was a successful businessman and entrepreneur, actively participating in the growth and development of the colony. He purchased land that is the subject of this proposal in 1861, which was part of his significant landholding that included almost all of what is today, the Sutherland Shire. Still 100% family owned and controlled, the company is now planning for the next generation of its involvement.

The Holt family has been an active participant in the subsequent growth of the area and have operated a range of businesses in that time. Ensuring that they contribute positively to the local community remains a core value of the family which can most recently be seen through the many local initiatives they support, including:

- Over half a million dollars towards local school libraries.
- Four hundred thousand dollars towards the provision of rescue boats for local surf clubs.
- Two hundred thousand dollars to the Hazelhurst Art Gallery and a range of other smaller local initiatives.

Thomas Holt had a keen sense of the significance of the area and in 1870 erected the obelisk on the foreshore of what is now Kamay Botany Bay National Park to commemorate the 100th anniversary of Cook's landing there. The family is proud of this among his many important contributions to modern Australia's history. Through this planning proposal and the regeneration of the site, there is an opportunity to update this legacy to recognise the significance of that day to Australia's First Nation's people. To tell both sides of the story since that day and to contribute meaningfully to the truth telling and healing that is necessary to take Australia forward together.

The master plan, the proposed local instrument changes and the site-specific Development Control Plan (DCP) embed the cultural, environmental, social and economic values of the proposal that will provide a far-reaching new legacy for the generations to come.

2.3. REPORT STRUCTURE

The planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the DPE guidelines '*Local Environmental Plan Making Guidelines*' dated August 2023.

The relevant sections of the report are listed below:

- **Section 2:** Detailed description of the site, the existing development and local and regional context.
- **Section 3:** Planning proposal pre-lodgement and scoping background.
- **Section 4:** Key features of the proposed master plan which is intended to demonstrate the intended outcome of the Planning proposal.
- **Section 5:** The existing statutory context of the site.

- **Section 6:** Comprehensive description and assessment of the requested planning proposal in accordance with the DPE guidelines.
- **Section 7:** Conclusion and justification.

2.4. PROJECT TEAM

In preparing the planning proposal and delivering the master plan outcome, significant collaboration has occurred with a range of technical experts, many of whom are esteemed experts in their field. The supporting technical inputs are provided in Table 1 below.

Table 1 Consultant Documentation

Technical Input	Consultant
Urban Design Report	Group GSA
Draft Site-Specific Development Control Plan	Urbis
Landscape master plan and Open Space Strategy	Group GSA
LEP Mapping Amendments	Urbis
Letter of Offer	Minter Ellison
Strategic Planning Consistency Assessment	Urbis
Strategic Assessment Report_2021	Urbis
Ecological and Cultural Strategy	Yerrabingin, Cumberland Ecology, Dr Chels Marshall, Besmaw
Designing with Country Framework	Yerrabingin
Utilities Servicing Strategy	Altogether
Economic Impact Assessment	HillPDA
Social Impact Assessment	HillPDA
Biodiversity Assessment Report	Cumberland Ecology
Environmental Constraints Assessment (Captain Cook Drive)	EcoPlanning
Ecological and Cultural Strategy	Urbis
Stormwater Management Strategy	EGIS Group
Flood Risk Management Plan	EGIS Group
Traffic and Transport Strategy	SCT Consulting
Captain Cook Drive Widening Concept Plans	Diversi Consulting
Aboriginal Cultural Heritage Assessment Report	EMM Consulting
Air Quality Impact Assessment	AECOM
Acoustic Impact Assessment	EMM Consulting
Strategic Bushfire Study	EcoLogical

Technical Input	Consultant
Geotechnical Assessment	Tetra Tech Coffey
Visual Impact Assessment	Group GSA
Coastal Management Plan	Royal Haskoning
Infrastructure Strategy	Trio

3. SITE CONTEXT

3.1. SITE DESCRIPTION

The land to which the planning proposal relates is 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell and is located within the Sutherland Shire local government area (LGA).

The key metrics and features of the site are summarised in Table 2.

Table 2 Site Description

Feature	Lot 2 North	Lot 2 South	Lot 8	Lot 9
Street Address	251 Captain Cook Drive	280-282 Captain Cook Drive	278 Captain Cook Drive	260R Captain Cook Drive
Legal Description	Lot 2 in DP1030269	Lot 2 in DP559922	Lot 8 in DP586986	Lot 9 in DP586986
Site Area	16ha	160ha	34.5ha	78m ²
	Total Area: Approximately 210.5 hectares			
Easements and Restrictions	Several easements for access and utilities transverse the site as identified in the Survey Plan prepared by CEH Consulting. The easements are largely concentrated in the northern portion of Lot 2 South and Lot 8.			
Site Topography	Lot 2 North has a gradual slope from RL4 adjacent to Captain Cook Drive to RL2 at the northern boundary	The landform of Lot 2 South slopes to the north from approximately RL9 along the Bate Bay frontage to RL4 adjacent to Captain Cook Drive.	Lot 8 includes two spurs with heights up to RL14 which extend in a northerly and south-easterly direction, respectively.	Lot 9 is flat in nature and sits at RL4.
Vegetation	Lot 2 North includes a coastal wetland in the southeastern corner adjacent to Captain Cook Drive. The remainder of the site is covered with non-native grasses and a small number of trees, predominantly tuckeroos.	As a result of the historic and ongoing sand extraction and rehabilitation operations, the majority of Lot 2 South is largely unvegetated. The limited vegetation present on the site was planted along Captain Cook Drive and on the frontal dune.	Lot 8 includes a coastal swamp paperbark forest adjacent to the western side of the Boat Harbour access track. The remaining vegetation is comprised of native and invasive species, including a predominance of bitou bush.	Lot 9 contains a managed landscape limited to mown grass.
Bushfire	Lot 2 North, Lot 2 South, and Lot 9 contain Category 2 and 3 Vegetation, whilst Lot 8 also includes Category 1 Vegetation. The site is therefore considered Bush Fire Prone.			

Feature	Lot 2 North	Lot 2 South	Lot 8	Lot 9
Hydrology	<p>The site is free from flooding constraints.</p> <p>The groundwater table profile beneath the site is divided, running in a north-south and east-west direction. Ground water levels are evident at RL1 beneath Lot 2 North and rise up to RL4 within the southeastern section of the site.</p>			

Figure 2 Aerial Image



Source: Group GSA

Figure 3 Locational Context



Source: Group GSA

3.2. SITE CHARACTERISTICS

The site is located on the Kurnell Peninsula (the Peninsula), surrounded by a unique and diverse variety of natural qualities, with the coastal dunes of Wanda Reserve to the west, the Kamay Botany Bay National Park to the east, Towra Point to the north and Bate Bay to the south. The Peninsula also contains a range of urban land uses including the Kurnell Village to the east and Greenhills Beach to the west as well as employment and urban services.

Lot 2 North

Lot 2 North is presently tenanted by the Kurnell Boarding Stables. The landform within Lot 2 North is generally low-lying and nestled between Quibray Bay and the Towra Point Nature Reserve, with views extending across Botany Bay to the Sydney CBD skyline.

Lot 2 North includes a coastal wetland along the southeastern boundary fronting Captain Cook Drive.

Lot 2 South

Lot 2 South has been occupied by a sand quarry since the late 1960s. To date, approximately half of the property has been rehabilitated with virgin excavated natural material (VENM) from west to east. The remaining area is in a dynamic state, sand extraction is ongoing and the landform continues to be reinstated with VENM. Prior to this, the site largely consisted of a mobile sand dune following land clearing in the 1800s.

Twenty-six dwellings, known as the Boat Harbour Cabins, are located in the southeastern corner. These cabins have been on the site in varying states since their construction in the 1930s. They have no relationship to the Boat Harbour Shacks (Heritage item A2525) that are of local heritage significance and were located within the headland to the east. Access to Lot 2 South is currently afforded from Lindum Road to the site's west or Captain Cook Drive to the north.

Lot 8

Lot 8 has not previously been developed. The site includes two features of environmental and cultural significance. These being an Aboriginal midden, (AHIMS 52-3-1110) in the north-western corner and a coastal wetland / coastal swamp paperbark adjacent to the western side of the Boat Harbour access track, which forms part of Lot 2 South. The majority of the site is covered in vegetation comprising both native and invasive species, including a predominance of bitou bush.

Lot 9

Lot 9 is currently vacant. It historically accommodated a small portable building housing a now retired Airservices radar beacon.

Figure 4 Site Photos



Picture 1 Looking north across Lot 2 South, towards Quibray Bay with Boat Harbour in the foreground.



Picture 2 Bate Bay looking south west, illustrating the revegetated dune in Lot 2 South



Picture 3 Looking towards Bate Bay over Lot 2 South and Lot 8 (left)



Picture 4 Looking north to Quibray Bay over Lot 2 North and Captain Cook Drive in the foreground.

3.3. LOCALITY CONTEXT

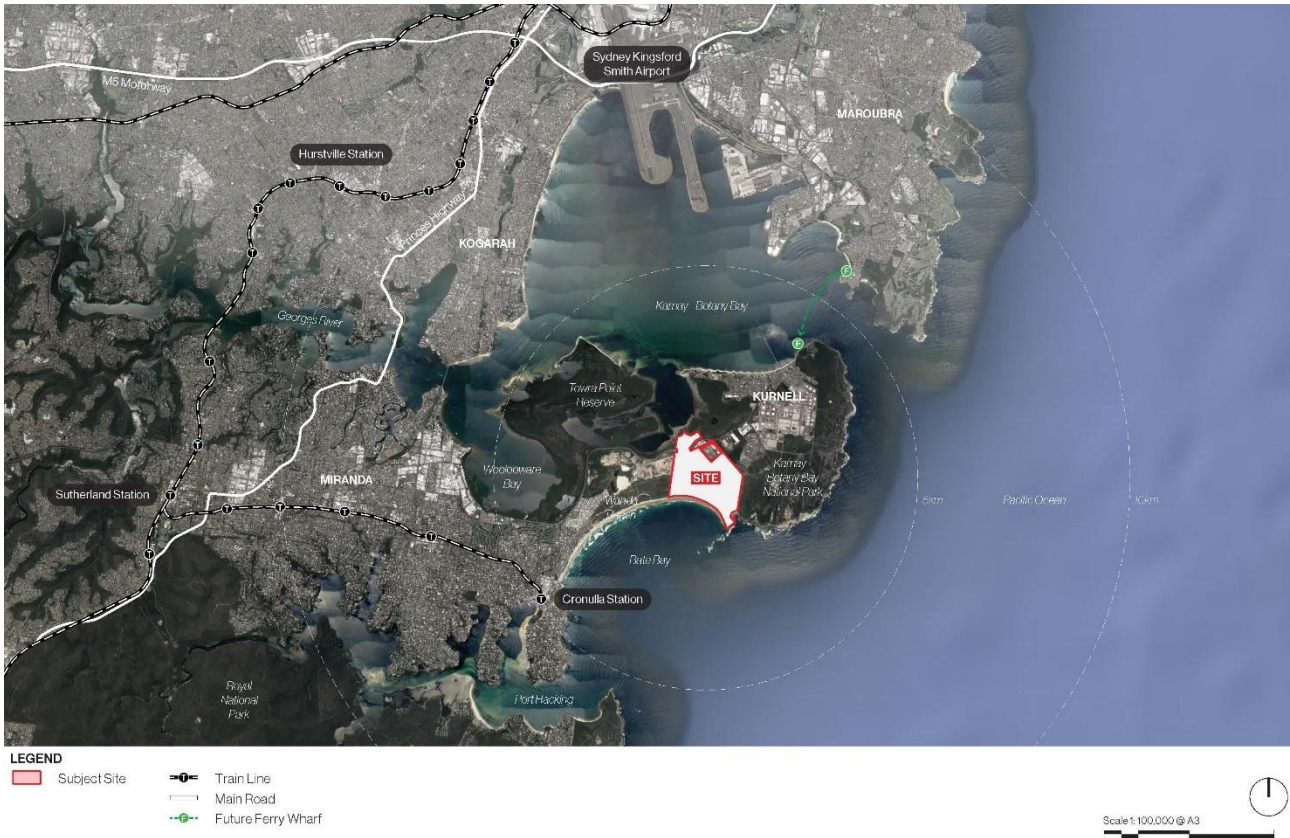
3.3.1. Regional Context

The site is located in the Sydney South District, 16km south of the Sydney CBD, 6km northeast of Cronulla Beach, 9km east of Miranda, and is within the Kurnell Peninsula. The Peninsula is bound by Quibray Bay and the Towra Point Wetlands in the north and the Pacific Ocean in the south. The site is near residential communities such as the Kurnell township to the east and the suburb of Greenhills to the west. The Tabbigai Conservation Area borders the site to the east, adjacent to the Kamay Botany Bay National Park.

The Peninsula is physically separated from La Perouse to the northeast by Botany Bay as well as Sydney (Kingsford Smith) Airport and Port Botany. Further south, on the southern side of Port Hacking is the heritage-listed Royal National Park, Australia's first National Park.

The Princes Highway, Taren Point Road, and Captain Cook Drive connect the Peninsula to the broader Sydney metropolitan area, while regular train services operate to Cronulla via the T4 Eastern Suburbs line.

Figure 5 Regional Context



Source: Group GSA

3.3.2. Local Context

The Peninsula contains a variety of land uses, with 492 hectares of National Park, 260 hectares of industrial zoned land (a large percentage of which is vacant or undeveloped) and a mix of residential, commercial and retail land uses (Figure 6).

The Peninsula continues to evolve, moving away from its heavy industrial heritage, giving way to clean, lighter industries, tourism, residential and recreational land uses, and is recognised for its rich historical, cultural, and environmental values. The evolution of the Peninsula is reinforced by the recently established residential suburbs of Greenhills and Shearwater, approximately 3km to the west and the redevelopment of the Cronulla Sharks sporting complex into a mixed-use precinct (Woollahre Bay).

Figure 6 The Kurnell Peninsula



Source: Urbis

3.3.2.1. Breen Site

The site is located immediately east of the Breen Resources Recovery Facility (the Breen site). The Breen site is currently approved to operate as a depot which receives excavated materials and selected demolition materials.

The Breen site includes several lots which have been historically used for sand extraction and rehabilitation, with the majority of the land due to be delivered as part of the Marang Parklands (refer to Figure 7). The current active landfilling area is limited to the western part of Lot 5 in DP 1158627, with excavation and demolition material deposits limited to Lots 1122 and 1123 in DP794114, and Lot 5 in DP1158627. The final cell receiving waste is located approximately 150m from the site boundary.

A State Significant Development Application (SSDA) to operate a resource recovery facility to process up to 650,000 tonnes per annum (tpa) of construction and demolition (C&D) and commercial and industrial (C&I) wastes and land restoration, landfilling and contouring was lodged in July 2021 (SSD-10412). The resource recovery facility is proposed to be located in the eastern portion of Lot 5 in DP1158627, adjacent to the Besmaw site boundary, as illustrated below.

If the SSDA were to be approved, the EPA would require all activities to be conducted within a fully enclosed building. The development of the submitted master plan prepared in support of this planning proposal has given consideration to any existing and potential future activities on the Breen Site and this has influenced

the staging, with land adjacent to the Breen site to be developed in the fourth stage in approximately 20-years time.

Figure 7 Marang Parklands, subject to approval



Source: Major Projects Portal – SSD-10412

3.3.2.2. National Park

The site is located immediately west of the Tabbigai Conservation Area and the Kamay Botany Bay National Park (the National Park). The first encounter between First Nations and the crew of James Cook's Endeavour occurred at the National Park, near the Kurnell Village. The National Park has a significant historical, social and community meaning.

The Gamay Rangers undertake natural and cultural resource management activities within Botany Bay, working in partnership with NSW National Parks and Wildlife Service, including with the National Park and Towra Point Reserve, as well as Tabbigai Conservation Area. The site's eastern boundary directly interfaces with the neighbouring Tabbigai lands.

The environmental landscape of the National Park is characterised by an interwoven system of Wallum Sand Heathlands, Coastal Dune Dry Sclerophyll Forests, and Coastal Heath Swamps. The National Park contains important remnants of coastal vegetation which once existed abundantly along the southern portion of Sydney's coastline.

3.3.3. Transport Context

The site has frontage to Captain Cook Drive, with two vehicular access points into Lot 2 South, an access point into Lot 8 and an access point into Lot 2 North, as well as two access points via Lindum Road into Lot 2 South.

The site is serviced by an existing bus route (route 987) which is a loop service connecting Cronulla to Kurnell village. During peak hours, the bus runs every 30 minutes and for non-peak hours, the bus runs every hour. Bus stops are located directly adjacent to the site, along Captain Cook Drive, as illustrated in Figure 8.

The site is within 10 minutes of major train stations and is well connected by a series of existing and planned cycle and pedestrian networks:

- 9 minutes / 6.6km drive to Cronulla Train Station & Woolooware Train Station.
- 12 minutes / 5.9km bus ride to Cronulla Town Centre.
- 16 minutes / 4.4km ride to Cronulla Town Centre, via the off-road bicycle network.
- 19 minutes / 5.9km ride to Cronulla Town Centre, via the on-road bicycle network.
- 55 minutes / 4.5km walk to Cronulla Town Centre, along the beach front.

Figure 8 Existing and proposed transport context



Source: Urbis

4. PRE-LODGEMENT/ SCOPING BACKGROUND

4.1. PROJECT WORKING GROUP

Following the transfer of the earlier State-led rezoning process relating to 251 and 280-282 Captain Cook Drive into a proponent-initiated planning proposal, a project working group (PWG) was established by DPE in September 2022. The Planning Delivery Unit (PDU) of the DPE manages the PWG. The members include representatives from DPE, Sutherland Shire Council (Council), Government Architect NSW (GANSW), Urbis and Besmaw and an assigned DPE Probity officer.

The planning proposal is being progressed through a collaborative planning pathway, with the Department playing a coordination role facilitating collaborative partnerships between State agencies and the Council to resolve complex issues.

A Terms of Reference for the project were agreed in October 2022 which detailed the purpose and intended outcomes of the PWG, and the roles and responsibilities. The purpose of the PWG was to coordinate relevant agencies' advice and guidance and identification of the technical matters that are required to be addressed in the preparation planning proposal.

The PDU, as part of the PWG was also responsible for:

- Monitoring the ongoing progress of the project and ensuring achievement of key milestones.
- Ensuring agency input is appropriately incorporated into the project;
- Responding to any issues that may arise from the various agencies; and
- Working alongside an SDRP process focused on the master planning, placemaking principles, built form, landscaping, urban design and Connecting with Country elements of the project.
- Regular PWG sessions have occurred, in which key issues relevant to the progression of the Planning proposal, technical issues and LEP instrument changes have been discussed.

4.2. SCOPING PROPOSAL

Notwithstanding that the former State-led SEPP Amendment (which forms the basis of the current planning proposal) had been acknowledged by the DPE as having strategic merit, a Scoping Proposal was submitted to the Council in accordance with the Local Environmental Plan Making Guidelines in May 2023.

The Scoping Proposal was referred to all relevant internal departments within the Council and all relevant State Agencies, including the DPE.

The feedback received on the Scoping Proposal has been addressed in each of the technical studies and where relevant, this has informed the preparation of the current master plan.

4.3. STATE AGENCY CONSULTATION

The PDU has co-ordinated and facilitated meetings with all key State Agencies between November 2022 and October 2023. The meetings were attended by representatives of Besmaw and the Council.

The purpose of these meetings was to provide a status update to the State Agencies, clarify comments received on the former SEPP Amendment and confirm any additional required technical analysis to satisfy the legislative and policy requirements.

A summary of the key issues discussed with the primary State Agencies is provided in Table 3. Each of the relevant submitted technical reports includes a comprehensive response to the feedback received by the Agencies through the pre-lodgement and Scoping Proposal phase of the planning proposal. Refer to each of the technical consultant reports for a full response to all the Agency comments received.

Table 3 Summary of key State Agency Feedback

Key Issues Discussed	Proponent
Environment Protection Authority (EPA)	
<p>A number of meetings were held with EPA, largely to clarify misconceptions associated with the original State-led SEPP Amendment.</p> <p>The main concerns arising from EPA were:</p> <ul style="list-style-type: none"> ▪ The separation distances between the residential uses on the site and the Breen Waste Recovery Facility. ▪ The requirement for a site auditor to assess the site to confirm that the site is suitable for the proposed land uses. 	<ol style="list-style-type: none"> 1. Following ongoing liaison with EPA, the following recommended mitigation measures have been adopted within the master plan: <ul style="list-style-type: none"> - Location of non-sensitive land uses (site infrastructure) and landscape screening at the interface with the Breen site. - A minimum 100m-130m setback for residential dwellings from the western site boundary, where adjacent to the Breen site. - Limitation on the dwelling capacity within this area. - Staged delivery targeted for 2045. 2. Any future residential development along this boundary would also be designed and orientated to the north, maximising amenity to future occupants. 3. Separately, a Site Audit Report has been prepared and is submitted with the planning proposal, in which the site auditor addresses the EPA's questions and confirms the land is suitable for the proposed range of land uses.
Transport for New South Wales (TfNSW)	
<p>A number of meetings have been held with TfNSW since November 2022.</p> <p>The primary considerations from TfNSW are in relation to the widening of Captain Cook Drive, the viability of the road upgrade, triggers for widening of Captain Cook Drive, broader intersection upgrades, the interim bus shuttle strategy and clarification of the final land use mix.</p>	<p>In October 2023, the proponent issued to TfNSW the concept civil road design and QS report for the proposed upgrades to Captain Cook Drive.</p> <p>Other matters raised by TfNSW which have been addressed by SCT in the Traffic Assessment, include:</p> <ul style="list-style-type: none"> - Amended Bus Shuttle Strategy which responds to earlier feedback; - Triggers for the widening of Captain Cook Drive, being after the completion of Stage 3A; - Clarification of broader intersection updates; and - Validation of the final land use mix that underpins the master plan. <p>Continued engagement with TfNSW will occur following the lodgement of the planning proposal.</p>
DPE Environment and Heritage Group (Biodiversity Conservation Division) (BCD)	
<p>The main concerns raised by BCD were in relation to the seagrass population in Quibray Bay and indirect impacts to Towra Point Nature Reserve, Green and Golden Bell Frog (GGBF) surveys and clarification around the potential impacts in the road reserve of the propose Captain Cook Road widening.</p> <p>BCD also requested that the proposed master plan incorporate or reflect the findings of the Kurnell 2020: Corridor Delineation Report.</p>	<p>The planning proposal demonstrates significant opportunities to reinstate ecological and habitat connections, stitching the site within its natural surrounds. The placement and width of key corridors have been guided by the Kurnell 2020: Corridor Delineation Report, expert ecologist advice and the existing diverse landscape character that surrounds the site.</p> <p>This has resulted in three primary corridors and two secondary corridors, which vary in width, between 100m and 400m.</p> <p>The SDRP has commended the project team for the ecological and landscape approach that has underpinned the master plan design and placement of precincts within a natural landscaped setting.</p> <p>Consideration has been given to the matters raised by BDE. This has included:</p> <ul style="list-style-type: none"> - Increased boundary setbacks within Lot 2 North; - Reduction in development intensity within Lot 2 North; and - Further consideration and refinement of WSUD principles and stormwater flows into Quibray Bay. <p>Ross Wellington, a GGBF expert was engaged to undertake the additional GGBF surveys, assessing the existing landscape for habitat and to provide advice on future potential enhancements. The results confirmed that the master plan provides a significant opportunity to contribute to the regeneration of the GGBF on the Kurnell Peninsula and that there continues to be no GGBF found on the site today.</p>

Rural Fire Service (RFS)	
<p>RFS raised no objection to the former SEPP Amendment or the Scoping Proposal and confirmed that the master plan demonstrated compliance with PBP 2019. RFS recommended that increased APZ's be provided and that whilst the site is not identified as a high bushfire hazard, a Strategic Bushfire Study is still recommended.</p>	<ol style="list-style-type: none"> 1. Whilst the site itself is identified as a low bushfire risk, following the advice of RFS and that of the technical experts, the master plan demonstrates that: <ul style="list-style-type: none"> - APZ's have been adopted around each precinct, with a maximum 15% canopy coverage; - The ecological areas are designed, with a maximum canopy coverage of 30%; and - Perimeter roads have been provided around the precincts, as instructed by the bushfire consultant. 2. A Strategic Bushfire Study has been prepared in accordance with the legislative requirements.
Schools Infrastructure NSW (SINSW)	
<p>Pending further feedback.</p>	<p>The proponent has briefed SINSW on the intended outcomes of the planning proposal, including population projection, demographics and staging of development. SINSW has provided guidance on the school site selection guidelines which is reflected in the master plan. A 2.5 hectare school site is nominated and addressed in the Letter of Offer.</p> <p>Through consultation in October 2023, we are aware that SINSW are undertaking a capacity review of existing schools in the surrounding area to confirm the demand requirements for a new school.</p> <p>Continued engagement will occur with SINSW post lodgement of the planning proposal.</p>
Sydney Airport Corporation Limited (SACL)	
<p>A meeting was held with SACL on 17 October 2023 to discuss the feedback received on the Scoping Proposal. SACL's primary concern with the proposal relates to the risk of future complaints constraining operations of the Sydney Kingsford Smith Airport under the <i>Long Term Operating Plan for Sydney Airport</i>. SACL recommended that the master plan and the acoustic report reference the NASF Guideline A and the N70 contours.</p>	<p>The proponent is a regular attendee of the Sydney Airport Community Forums. From those meetings, it is understood that SACL is in the process of enhancing airport operations and efficiencies as it delivers its KSA master plan 2039. Some of these enhancements include:</p> <ul style="list-style-type: none"> - Investing in infrastructure that supports the next generation of quieter aircraft and reduces aircraft noise impacts; - Producing different combinations of flight paths to increase noise sharing and minimise noise impacts across Greater Sydney; and - The potential move of dedicated freight traffic to Western Sydney Airport. <p>Whilst the master plan and acoustic assessment do not rely upon the above, it highlights that the airport operations are in a state of change. The portion of the site that is subject to aircraft noise is limited to the eastern extent only. That part of the site is located within Stage 3 and Stage 5 of the master plan. The development delivery timing for those stages is expected to be between 2037 and 2045. It is expected that the KSA master plan will be in a more finalised state and greater certainty known regarding the airport's operations and relationship with the operations of the Western Sydney Airport. It is noted that a recommendation of the acoustic assessment is that a covenant be placed on title for the residential and commercial developments which restricts residents and occupants from making complaints to SACL regarding aircraft noise.</p>

4.4. STATE DESIGN REVIEW PANEL

An initial kick-off meeting was held with the SDRP in October 2022. At this time, the SDRP had not been to the site and had limited knowledge of the process and history of the project prior to that time.

A second meeting was held in December 2022, following a site visit which allowed the SDRP members to have a deeper understanding of the site context, the environmental considerations, and the vision to create a sustainable mixed-use community.

Two further SDRP sessions were held in May 2023 and September 2023 which confirmed support for the master plan and in particular the vision and design principles; the landscape approach; the Country-led ecological and cultural strategy; the local and the district park provisions; diversity and distribution of land uses across all neighbourhoods and the establishment of a town centre.

The feedback received by SDRP has been incorporated into the master plan and where relevant, is reflected in the site-specific Development Control Plan.

4.5. FIRST NATIONS CONSULTATION

The proponent began informally consulting with the local Aboriginal community in September 2022, once the former State-led SEPP Amendment process had been completed.

Initially, this involved conversations with local elders, the La Perouse LALC and the Gamay Rangers.

In December 2022, Yerrabingin was engaged to formalise the First Nation's consultation, in accordance with the Government Architect Connecting with Country Guidelines. This included:

- A Walk on Country.
- Design Jam.
- Community engagement feedback session.

The First Nations community were overwhelmingly supportive of the proposed design response, the approach to embedding Country, the opportunities for First Nations employment, enterprise and recognition of elders and opportunities for dedicated areas for them to live on Country.

Draft amendments to the SSLEP 2015 have been identified and a preliminary draft site-specific DCP has been prepared to deliver the master plan and the vision but importantly, enshrine the cultural values in the planning framework. A Cultural and Ecological Strategy, which is referenced in the site-specific DCP and submitted with the planning proposal, aims to ensure that cultural practices, cultural enterprise and local knowledge in the management of land continue on the site for future generations.

Separate from the engagement undertaken by Yerrabingin, EMM have also consulted with the community, to better understand the tangible and intangible Aboriginal Cultural Heritage present on the site and within the surrounding area. This has been documented in the Aboriginal Cultural Heritage Assessment (ACHAR) submitted with the planning proposal.

5. THE MASTER PLAN

5.1. OVERVIEW

The site presents an unparalleled opportunity to transform a predominantly brownfield site into a new sustainable mixed-use community that will deliver immense cultural, environmental, economic and social benefits.

The site has an area of 210.5 hectares, is in single ownership and is the largest brownfield/greenfield landholding in Sydney's Southern District that is ready and capable of immediate redevelopment.

The master plan seeks to leverage the unique and natural characteristics of the site and the immediate surrounds, to create diverse neighbourhoods, connected by beach, bay and the National Park.

With Country at the heart of this project, master planning for the site has been driven by a landscape and Country led approach that seeks to embed the significant cultural and ecological values into the overall design and is reflected within the proposed planning framework.

This has resulted in a series of connections and linkages that form part of a cultural trail, extending from Quibray Bay in the north, through the eastern part of the town centre, meandering through the primary ecological zone and connecting with Bate Bay in the south.

A series of ecological linkages have been established along the site's southern frontal dune, which extends up through the site, creating two primary corridors and two secondary corridors. This supports the philosophy of a nature positive and active biodiversity system, regenerating the ecological communities at risk on the Peninsula and supporting the movement of flora and fauna.

The stormwater management regime for the site has been integrated with the landscape and ecological proposals has been overlaid to create natural drainage channels within the corridors that connect with the existing wetlands, support vegetation communities, and enable infiltration into the aquifer.

Four precincts are nestled within this active system to deliver a mixed-use coastal village, creating a home for an expected 7,304 residents.

The master plan sets a new benchmark for innovation, sustainability, connecting with Country and site rejuvenation. Each of the precincts have been carefully designed and the landscape and ecological context curated to deliver the vision of the overall project.

The master plan is indicative of the intended outcomes that are sought by the proposed planning framework, including the LEP amendments, the draft site-specific DCP, the open space strategy and the ecological and cultural strategy.

It is expected that the site's redevelopment will occur over a 20-year period, and it is anticipated that the master plan may evolve overtime. However, future development will be in accordance with the overall vision, intent and legislative requirements proposed in the planning proposal.

The master plan demonstrates that the following mix of uses can be delivered:

- Approximately 4,333 dwellings and 750 seniors dwellings/beds, distributed within buildings ranging between 2 and 12 storeys as well as 7.5% of the residential dwellings as affordable housing (269 dwellings).
- Approximately 587 luxury hotel rooms and cabins across five locations.
- A town centre precinct supporting up to 6,885m² and a range of active street frontages, supporting up to 9,806m² of retail GFA site wide.
- Cultural activation, comprising a cultural trail, cultural enterprises, education and tourism opportunities, an indigenous nursery and integration of living artefacts.
- Ecological corridors and substantial open space, delivering eight local parks, three district parks, a landscape pedestrian bridge crossing Captain Cook Drive and a number of active pedestrian linkages, that intersect with surrounding lands.
- A school site and capacity for new community spaces such as a community hub, surf lifesaving club and two separate public car parks accommodating a total of 400 vehicles.

Figure 9 The intended development outcome, as viewed from the north east



Source: Group GSA

5.2. VISION

Our vision is to create a place that celebrates its rich cultural heritage, regenerates the natural environment to provide a connected ecological system and delivers a vibrant and sustainable community to those who will live, work, and play there.



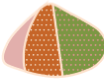

In delivering the master plan, ecological habitats that have been threatened and degraded since European settlement across much of the Kurnell Peninsula will be regenerated within the site, while celebrating and recognising the resilience of the local Aboriginal community and the significance of their culture and heritage.


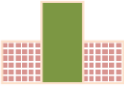




The site will be a world class tourism destination for Sydney, an inspiring place for people to call home and a genuine example of how development can provide the right balance of cultural, environmental, social and economic outcomes.

5.3. GUIDING DESIGN PRINCIPLES

Guiding the master plan are ten (10) design principles that represent a bespoke, balanced and evidenced based approach.

Table 4 Design Principles

Design Principle	Master plan implementation
 <p>Kurnell</p>	<p>Create a topography that integrates green infrastructure, open space, and natural systems.</p> <ul style="list-style-type: none"> - A rehabilitated site topography that has been designed to integrate with the surrounding landforms. - The topographic plateaus shape the four precincts, forming valleys that capture runoff in ecological corridors. - The promotion of climate resilient site response, using the frontal dunes and proposed contours to account for climate change, sea level rise and coastal processes.
 <p>Open Space</p>	<p>Develop a network of open spaces which connect ecology, people, and place.</p> <ul style="list-style-type: none"> - A diverse and interconnected network of open space, regenerating the site to strengthen the green web, seamlessly blending recreational activities with ecological conservation efforts. - A series of local and district parks strategically placed so that all residents are within 400m of active open space. - A range of open space types that support different uses, such as leisure, sports and recreation and playgrounds.
 <p>Country</p>	<p>Engage with, recognise, and celebrate Country.</p> <ul style="list-style-type: none"> - Embedding the elements of Country to create a culturally mindful and regenerative approach, focusing on user experience and the environment. - Demonstration of shared custodianship with accessible meandering pathways throughout the site for First Nations led tours, sharing stories and significance of cultural sites. - Support First Nations social enterprise, education, and tourism. - Design purpose led, First Nations Seniors Housing, providing meaningful opportunities for elders to live on Country.
 <p>Connection</p>	<p>Develop an integrated movement network.</p> <ul style="list-style-type: none"> - A variety of street typologies and laneways to define the role, function, and unique identity of each place. - A land bridge, providing for the crucial connection from Quibray Bay, across Captain Cook Drive, connecting the beach and the bay. - A series of connected and integrated pedestrian linkages, with touch points that intersect with surrounding lands. - Legible pedestrian desire lines which lead to easy navigation and wayfinding. - Pedestrian and bicycle-friendly infrastructure, ensuring the streets are safe, accessible, and well-lit. - Public transport network with bus stops that are conveniently located within 400m-800m of homes and key destinations.

Design Principle	Master plan implementation
 <p>Diversity</p>	<p>Create a vibrant and diverse precinct.</p> <ul style="list-style-type: none"> - A range of duplex, terraces, and townhouses with “fonzie flats” to cater for individual lifestyle choices. - A strong focus on the missing middle, with apartment buildings of up to six storeys that prioritise the human scale feel. - 7-10 storey residential flat buildings, purposefully designed with a high emphasis on garden apartments, maisonette apartments and activation of the public domain. - 12 storey mixed-use towers that define the town centre and become a marker in the urban fabric, as the central core.
 <p>Place</p>	<p>A network of places and destinations to ensure the master plan is resilient, diverse, and adaptive as it develops.</p> <ul style="list-style-type: none"> - Creation of precincts with their own unique character and identity. - Tailored social infrastructure to complement and enhance the distinct features of the precinct. - The creation of a public domain that is inviting, inclusive and accessible to all.
 <p>Sutherland</p>	<p>Reflect the values and character of the Sutherland Shire.</p> <ul style="list-style-type: none"> - Integration of social and physical layers that represent the unique qualities of Sutherland Shire. - An abundance of medium-high trees which reflects the character of the Shire. - An active streetscape network with cafes, open space, pedestrian linkages and cycle ways. - Access to and site integration with the beach, bay, and the National Park
 <p>Socio-Eco</p>	<p>Create social and economic benefit.</p> <ul style="list-style-type: none"> - Contribute to housing supply, diversity, and affordability both through the delivery of affordable housing and types of housing product. - Support aging-in-place and designing a community that is inclusive. - Increase employment opportunities in key sectors such as aged care, tourism, education, and retail. - Significant cultural facilities that will increase social cohesion and wellbeing. - Provide capacity for community infrastructure and school site to meet the needs of the future population.
 <p>Sustainability</p>	<p>An exemplar of sustainable development.</p> <ul style="list-style-type: none"> - Implement site infrastructure strategies that provide for the onsite treatment and re-use of sewerage. - Promote active transport throughout the site and connecting to the existing active network. - Create green infrastructure, that provides for a cooler environment.
 <p>Ecology</p>	<p>Regenerate ecology, to create a resilient and diverse green network.</p> <ul style="list-style-type: none"> - Promote rehabilitation efforts to allow free movement of flora and fauna throughout the Peninsula. - Regenerate riparian corridors and coastal vegetation. - Create north-south corridors and strengthen east-west corridors. - Develop an integrated green infrastructure system with integrated water management.

5.4. THE STRUCTURE PLAN

The proposed master plan is indicative of the development outcomes that could be facilitated by the planning proposal. Although the master plan will likely undergo evolution over time, the general positioning of precincts, intended land uses, key corridors, and road connections will be guided by the structure plan outlined in Figure 10. This structure plan generally outlines the location of proposed land uses, indicative street network, areas of open space and intended built form outcomes across the site. These land uses and built form provisions have directly informed the proposed planning controls to ensure future development accords with the proposed master plan.

The site, as depicted in the Structure Plan, is divided into four distinct development precincts, each designed with a unique character to accommodate various land uses, scales, and built forms. These precincts are strategically positioned between ecological corridors and open spaces, ensuring a harmonious integration of built structures with the natural surroundings. The landscape and public domain strategy is meticulously crafted to establish and nurture the intended character of each precinct.

Access to the site will primarily be via Captain Cook Drive, with the main entry leading to the Town Centre North Precinct. Secondary access is facilitated via Lindum Road, mainly serving the town centre, and the road at the site's eastern end, primarily catering to the Boat Harbour precinct. The central road network has been strategically designed as a main spine road, that forms the core of an integrated walking and cycling network, featuring separate cycleways along the primary north-south and east-west axes. Additionally, this main road facilitates the provision of bus infrastructure for residents to access the wider public transport network and for visitors to access the key beachfront amenities to be delivered by the Planning Proposal.

The focal points of activity and density are concentrated along the main site road, with a lively mixed-use town centre envisioned as the primary landmark upon entering the site. Generally, residential structures of a lower scale will border the precincts, complementing the natural environment, and gradually transitioning into larger landmark structures.

Aligned with the natural environment and ecological corridors, the cultural trail is a significant design feature reflected in the Structure Plan that provides site wide integration from Lot 2 north to the southern waterfront dune in Lot 2 South.

Figure 10 Planning Proposal Structure Plan



Source: Group GSA

5.5. THE PRECINCTS

The master plan has been carefully curated to create four distinct precincts each with their own unique identity and local character which reflects the natural qualities of the environment they are nestled within.

Whilst each precinct has a specific role and function, the master plan has purposefully integrated a diverse range of housing typologies and employment-generating land uses across each of the precincts so that future residents have a diversity of housing and lifestyle choices.

The precincts reflect the overall hierarchy and as illustrated in Figure 11 include:

- A vibrant town centre and mixed-use precinct (numbered 1).
- A mixed density park side precinct (numbered 2).
- A predominant low scale and tourism precinct (numbered 3).
- A low to mid-scale residential neighbourhood which provides opportunities for First Nation elders to live on Country (numbered 4).

The precincts are connected by a series of active linkages, including the land bridge which brings together the northern and southern parts of the site, the road network which has integrated bi-directional cycle lanes and a series of active pedestrian pathways that provide for a radial walking track around the site and throughout each precinct.

Figure 11 The Precincts



Source: Group GSA

5.5.1. The Town Centre

WHO WE ARE

Residents: 4,027

Workers: 961

Dwellings: 2,001

Seniors living: 452

Tourism: 2 hotels / 213 rooms

Retail: 6,885m² retail GFA

OUR COMMUNITY INFRASTRUCTURE

School site

3 Local Parks

1 District Park

Surf lifesaving club and associated community facilities

Public car park

The master plan approach includes a distinct core and arrival cultural destination that will be evident from Captain Cook Drive and includes a school site, a full line supermarket, a town square with outdoor dining, and retail activation along the main street and the high street.

This vibrant town centre contains the greatest development density, with a range of building heights of 2 to 10 storeys and four tall towers of up to 12 storeys which signify the place and create an urban marker. The town centre is intended to be a place with high architectural design excellence, a robust retail strategy and a mixed age profile of residents that seek to capitalise on the amenity benefits, convenience and walkability of this precinct. It will accommodate a high proportion of workers and residents, coupled with tourists and beach visitors.

The individual blocks within the town centre are well connected through a series of laneways and through site links, that provide for visual pedestrian connectivity, a sense of place, activation and wayfinding.

A luxury hotel positioned in the town centre, will capture 360-degree views, reaching the Sydney CBD skyline in the north and Cronulla beach and coastline in the south.

Mid-rise apartment buildings line the town centre edge, providing activation and integration with the district park and overlooking the core of the adjacent cultural destination.

The building heights and densities decrease as the town centre extends southward, towards the coastal frontage.

The south-eastern part of the town centre has been designed to accommodate a predominance of townhouses and terraces, with low to mid-rise apartment buildings filtering away from the main street.

A waterfront hotel addresses the southwestern corner of the site, with a retail dining precinct activating the open space behind the frontal dune while providing services to the hotel guests, residents, visitors, and beach users. The hotel is located in close proximity to the proposed beachside public car park and community building. The height of the hotel has been designed so that only the upper most levels are visible beyond the site's frontal dune, which captures sweeping ocean and CBD views.

The nominated development lots or super lots within this precinct reflect a typical grid pattern and are generally uniform in nature, providing capacity for four to six buildings within each lot. The designed road network has wide streets, with dual lanes to accommodate the capacity of the town centre and accommodate future beach visitors.

Figure 12 Town Centre Precinct



LEGEND

- Subject Site
- Residential
- Community
- Med. Density Residential
- Retail
- Townhouse
- Tourism
- Seniors
- Wetlands

Source: Group GSA

5.5.2. Bate Bay

WHO WE ARE

Residents: 1,599

Workers: 168

Dwellings: 750

Seniors living: 186

Retail: 2,452m² retail GFA

OUR COMMUNITY INFRASTRUCTURE

1 Local Park

1 District Park

Active transport links

Ecological corridors

Cultural facilities

The Bate Bay Precinct forms the central residential core and the heart of the residential community. It is seamlessly woven into the tapestry of parklands, environmental corridors, wetlands, and the picturesque coastline of Bate Bay.

The neighbourhood will be a harmonious blend of modern living and the surrounding natural environment. The main road transects the precinct to connect with the Town Centre and Boat Harbour precincts. In the north, the master plan approach includes a series of medium to high density residential flat buildings of 4 to 8 storeys and a single tall tower of 12 storeys. These higher density buildings are strategically located along the main street and with direct frontage to the local park and district park, which have been located centrally within the precinct.

It is envisaged that this precinct will have a high proportion of families or young couples who demand a relaxed and active lifestyle, with housing that is close to amenities and facilities, with the benefits of an abundance of open space.

Apartments will provide for park-side living and casual surveillance over public places. Provision has been made for active ground floor uses, providing amenities and facilities to residents and park users. It is intended that this would facilitate a café lifestyle with multiple local food and beverage offerings and small-scale retail or commercial uses.

The other edges of the precinct have been designed to provide a low to mid-scale residential environment which interfaces with the ecological corridors.

The masterplan and road pattern provide for a diversity of future building envelopes, including both north-south and east-west oriented buildings which can capitalise on solar access, views, and amenity.

The residential hierarchy includes several laneways to support and reflect the range of housing typologies, introducing a fine grain to this residential precinct, and allowing a unique character to be established.

This precinct has been specifically designed and orientated to be located outside of the Sydney Kingsford Smith Airport arrival flight path of runway 34L.

Figure 13 Bate Bay Precinct



LEGEND

Subject Site	Residential	Community	Wetlands
	Med. Density Residential	Retail	
	Townhouse	Tourism	
	Seniors		

Source: Group GSA

5.5.3. Boat Harbour

WHO WE ARE

Residents: 1,173

Workers: 412

Dwellings: 559

Seniors living: 82

Tourism: 2 hotels / 322 rooms & 52 tourist cabins

OUR COMMUNITY INFRASTRUCTURE

1 Local Park

1 District Park

Cultural enterprises

Community Facilities for tourists

Ecological corridors

Cultural facilities

Public Parking for 200 vehicles

The Boat Harbour precinct boasts a village lifestyle embedded in nature. This precinct is situated adjacent to the southern end of the cultural trail and provides an immersive experience of First Nations knowledge sharing, celebration of culture and is a destination in itself.

This precinct sits adjacent to Boat Harbour, the aquatic reserve and marine environment, the National Park and the Tabbigai land.

This precinct has a strong residential and tourism focus, with destination tourism related land uses, which could include small scale brewery or beachside restaurant. The open space in this precinct is to be carefully curated to create a formalised garden like setting, with lawn areas and a small park.

Single storey tourist cabins are proposed adjacent to the frontage dune, which is intended to pay homage to the cabins that exist on the site and those which were once present in the Kamay-Botany Bay National Park.

This precinct is intended to be of a lower scale and contains a predominance of two storey townhouses and duplex dwellings. A group of medium-high density residential flat buildings provide a transition between the hotel and tourist related uses and the low scale residential. The heights within the precinct range from 2-8 storeys.

This is the first precinct as walkers arrive at the site along the eastern walking trail. The development of this area tapers at the southern tip, expanding towards the main street frontage. The shape of the precinct has driven the lot layout pattern, which is more rectangular in nature and less uniformed. The streets consist of two main roads, supported by several laneways and narrow residential streets six metres wide.

Similar to Bate Bay, this precinct has been strategically designed and oriented to the east of the flight path of runway 34L, to provide quality amenity to future residents and visitors.

Figure 14 Boat Harbour



Source: Group GSA

5.5.4. Quibray Bay

WHO WE ARE

Residents: 505

Workers: 33

Dwellings: 273

Indigenous Seniors living: 30

Retail: 469m2 retail GFA

OUR COMMUNITY INFRASTRUCTURE

1 Local Park

Ecological corridors

Cultural facilities

Wetland boardwalk

Landscape pedestrian bridge

The Quibray Bay precinct will be a serene residential neighbourhood, seamlessly integrating into its natural surroundings, nestled between the tranquil wetlands and the picturesque Quibray Bay.

This neighbourhood will contain low-medium scale residential dwellings of 2 to 6 storeys and experiences a high level of enclosure, being separated from the main community by Captain Cook Drive, and bound by wetlands, Botany Bay, and Towra Point Nature Reserve.

It is envisaged that this will provide an ideal lifestyle for those looking for a quieter community relative to the other more dynamic precincts. Residents will be afforded expansive north facing views across Botany Bay, with the CBD skyline beyond, and high levels of residential amenity.

This will be a place of stillness and calm. A place of reflection. A place that fosters the co-existence of nature and human activity, in a close community environment.

The master plan incorporates seniors living accommodation for First Nations elders which has been purposefully designed to meet the specific cultural and social needs of the elders, following feedback received during the engagement process. Offering a place to live, live and age on Country.

As a low-lying area, the built form approach philosophy is to deliver low scale buildings along the western and northern edges, with heights increasing towards Captain Cook Drive.

The community is encompassed within a walking trail, extending from Quibray Bay, adjacent to the wetlands and connecting to the southern site and Bate Bay via the green bridge over Captain Cook Drive.

The lot layout and road network are simple, with a uniformed grid approach. The land uses include seniors housing, and apartment style living in various forms, with an emphasis on the mid-rise built form and maisonette apartments. The lot sizes are capable of accommodating both east-west and north-south oriented buildings which can capitalise on solar access, views, and visual settings.

Active ground floor uses are proposed at the edge of the local park, which will service residents and park users and provide necessary daily goods. Provision has been made for a café at the most northern edge, overlooking Quibray Bay.

Figure 15 Quibray Bay



LEGEND

Subject Site	Residential	Community	Wetlands
	Med. Density Residential	Retail	
	Townhouse	Tourism	
	Seniors		









Source: Group GSA

5.6. PROPOSED LAND USES

The planning proposal introduces a range of land use zones that are fundamental to creating a sustainable mixed-use community, that is serviced by a range of social, economic, and cultural infrastructure needs.

The master plan reflects those intended land uses zones and provides for an integrated range of development outcomes.





Table 5 Proposed land uses

	Use	Description
	Residential	3,583 dwellings, including: <ul style="list-style-type: none"> - 2,743 high rise apartments; - 582 medium density apartments; and - 258 duplex / townhouse.
	Seniors housing	750 dwellings, including: <ul style="list-style-type: none"> - 30 independent living units (ILUs) for First Nations elders; - 598 ILU's; and - 122 beds within a residential aged care facility.
	Tourism	587 rooms, including: <ul style="list-style-type: none"> - Four hotels; - 52 cabins; and - Tourist associated retail land uses.
	Retail	9,806m ² GFA, including: <ul style="list-style-type: none"> - Full line supermarket; - Commercial / retail land uses; - Local services such as medical centre, dentist, physio, hairdresser etc.; - Food and beverage; and - Childcare
	Cultural enterprise	1,324m ² GFA <ul style="list-style-type: none"> - Two permanent structures and capacity for up to five light weight structures; - Opportunities for art exhibitions, markets, local produce associated with the nursery; and - Walking trails, viewing platforms, educational signage & wayfinding.
	School	2.5 ha school site.
	Community Facilities	400m ² for community facilities, in addition to: <ul style="list-style-type: none"> - Surf Lifesaving Club, ancillary uses and associated amenities; and - Two beach side car parks, with each car park having capacity for 200 vehicles.
	Open Space	141.7 ha of open space, including: <ul style="list-style-type: none"> - Eight Local Parks (37,210m²); - Three District Parks (78, 585m²); - Dedication of the coastal dune & Bate Bay frontage (224,412m²); - Dedication of Lot 2 North wetland and surrounds (40,809m²); and - Ecological corridors and site landscaping (1,033,669m²).

5.7. RESIDENTIAL DIVERSITY

The master plan demonstrates a diverse range of housing typologies that are capable of being delivered within a low, medium, and high-density residential environment on site.

Where the residential typologies differ from the standard approach, site-specific DCP provisions have been crafted to enable the delivery of the varied residential development typology where these are not otherwise catered for in standardised controls such as those found within *State environmental planning policy No. 65 – Design Quality of Residential Apartment Development*.

	<p>The Duplex</p> <p>The duplex has been designed as large two storey semi-detached family homes. The layout and road network lend themselves so that landscaped rear yards provide for added privacy and separation between the duplex, which will support substantial deep soil zones and large trees.</p> <p>The average lot size for a duplex is approximately 300m with a minimum frontage of 10.5m. The minimum 5m rear setback means the duplex will have 50m² of private landscaped open space.</p>
	<p>Terraces with Fonzie Flat</p> <p>The two storey terraces provide opportunities for intergeneration living or the potential to generate additional income, home business or at home office type arrangements.</p> <p>This product is designed as a more compact home, with internal landscaping a private open space, coupled with rear laneway access to garages and above garage amenities.</p> <p>The average lot size for a terrace is 190m², with a 7m wide frontage, extending for approximately 27m.</p> <p>Each terrace is required to have a 6.5m internal separation providing 45m² of private landscaped open space.</p>
	<p>The 'Missing Middle' Apartment</p> <p>In direct response to the DPE's emphasis on increasing the missing middle housing product, the master plan has incorporated a range of 2 to 6 storey low to mid-rise housing products which provide for a human scale feel and greater streetscape interaction.</p> <p>These buildings are intended to be designed with a fine grain scale and provide added diversity to the standard high-rise apartments, which a strong emphasis on maisonette apartments, walk-up apartments, and double storey apartment designs.</p> <p>The controls vary depending on the height of the buildings. Where developments are not subject to SEPP 65, fine grain controls are included in the draft DCP which provide for setbacks, set coverage and building depth.</p>
	<p>Indigenous seniors living</p> <p>Understanding the cultural and living needs of First Nations elders, these dwellings have been designed as two storey dwellings that can be built to the boundary or have limited setbacks, creating a close-knit community.</p> <p>Each dwelling has access at the ground floor and ample space for front or rear gardens.</p>

5.8. DENSITY

The master plan approach has sought to consolidate building forms into four distinct urban precincts, enabling the delivery of 67.4% of the site as landscaped open space. This is a key design principle that is evident in the site layout.

The total gross floor area (GFA) proposed is 575,188m², resulting in an FSR of 0.27:1, across the site.

The total GFA of each precinct having regard to the nominated precinct boundary is outlined in Table 6 below.

Table 6 Precinct Density

Precinct	Gross Floor Area	Net development area	Floor Space Ratio	Overall precinct development area
Town Centre	312,544m ²	188,514m ²	1.65:1	326,535m ²
Bate Bay	116,072m ²	77,667m ²	1.49:1	175,564m ²
Boat Harbour	114,051m ²	110,604m ²	1.03:1	219,792m ²
Quibray Bay	32,520m ²	25,517m ²	1.27:1	55,142m ²
Total	575,188m ²	402,302m ²	1.42:1	777,033m ²

**Note: The precinct development area includes road, local and district parks and the Boat Harbour precinct includes the area for the tourist cabins. The net development area is the individual lots within the precinct development area (excluding roads at the like), which the FSR is calculated on.*

Figure 16 Developable area



Source: Group GSA

5.9. EMPLOYMENT

In addition to the construction employment opportunities, development and occupation of the land uses nominated under the master plan, significant ongoing employment opportunities will be generated within the site, across a number of key sectors, as summarised in Table 7.

Table 7 Operational Employment Generation

Industry of Employment	Jobs
Tourism	880 (445 direct jobs, 435 indirect jobs)
Aged Care	648 (333 direct jobs, 315 indirect jobs)
Education	219 (120 direct jobs, 99 indirect jobs)
Cultural	24 (12 direct jobs, 12 indirect jobs)
Retail	393 (241 direct jobs, 151 indirect jobs)
Non-retail / other	32 (18 direct jobs, 13 indirect jobs)
Total: 2,196 FTE jobs during operation (direct and indirect)	

5.10. TOURISM

The master plan leverages the site's unique coastal location to deliver premium tourist accommodation and tourist associated facilities to the Sutherland Shire.

The master plan has purposefully located the tourist opportunities across the site, providing for a combination of permanent residential and short-stay accommodation to deliver all-year-round activation.

This includes:

- A town centre luxury hotel with sweeping city views, bay and beach views and is centrally located within the vibrant hub.
- A beachside tourist hotel designed as the ultimate place of relaxation being in close proximity to the beach front and supported by a range of food and beverage offerings.
- Two separate hotels and 52 cabins within the Boat Harbour precinct. These provide for destination tourist facilities. The location lends itself to be ideal for weddings, conferences and functions. The cabins which are located in proximity to Bate Bay provide for greater connection to the natural environment, the National Park and the scenic and marine qualities that are unique to Boat Harbour.
- In total, the master plan delivers four hotels with a capacity for 535 rooms and 52 individual single storey cabins.
- Supporting the hotels are a range of food and beverage offerings, tourist related retail and services, which could include surfboard hire or the like.
- In addition to the tourist accommodation, the cultural trail will increase tourist visitation to the site and provide ample opportunities for Aboriginal tourism and education, which is further discussed in Section 5.12 Cultural Trail.

5.11. CONNECTING WITH COUNTRY

Key to the master plan is the importance of Country. As Besmaw moves towards a new approach for the site, recognition of Country and the traditional custodians of the land has been pivotal to the master plan approach.

Country has been the driver and focus and is entwined within all elements of the master plan.

This is reflected within the site planning layout, the intended development outcomes, and the future curated management of the open space areas within the site. These outcomes have been guided by and are the result of extensive engagement with the Aboriginal community.

As part of the next phase in the Holt family's legacy and in recognition of the First Nation's people, Besmaw engaged the Gujaga Foundation to select an Aboriginal name for the new community.

The Gujaga Foundation undertook extensive consultation with community and Dharawal language experts and presented a recommendation to the board.

Bidhiinja Beach (bid-hin-ja) was their unanimous recommendation.

Bidhiinja is the Dharawal word for 'oyster' and connects back to the land and the project in a range of different ways that give it a depth of meaning and story.

The nature of place names for Dharawal people belonging to Coastal Sydney traditionally described the nature of or characteristics of that place. Specific to the site and the family:

- Oysters were a core food resource for the Dharawal people and Weeney Bay was an excellent fishing and hunting spot for the Aboriginal people of Coastal Sydney.
- Oysters were found extensively around the bays and at the foot of the rocky headlands surrounding the site.
- The midden/s located adjacent to and on the site contain large amounts of oyster shell, providing evidence of the way the site was utilised for thousands of years.
- Thomas Holt introduced oyster farming to Australia in Weeney Bay adjacent to the site.
- Thomas employed a local Aboriginal man (William Rowley) to be the manager of his oysters and oyster breeding program in Weeney Bay.
- William was instrumental in using his local fishing knowledge to help establish the fishing village at La Perouse and establish the early foundations for the community's economic independence.
- William's descendants still live in La Perouse to this day and were part of the place naming process.

Yerrabingin has curated a Connecting with Country Framework that reflects community engagement and provides the basis for future development. This is centred around the following three overarching design principles:

Regeneration

The community outcomes identified the significance of water and its role within the unique environment. The regeneration of wetlands, biofiltration planting and strengthened ecological connections were key outcomes, including the creation of the green bridge over Captain Cook Drive.

Resilience

As a brownfield site, the master plan presents an opportunity to introduce endemic planting species to create a resilient landscape. This can then function to support social, cultural and economic opportunities for locals and visitors, that instil a sense of shared custodianship for Kurnell.

Reignition

As an iconic and historically significant location, the master plan has an opportunity to create meaningful learning experiences. Through the process of truth-telling, the site can be reignited and activated through employment opportunities and partnerships that strengthen the shared goal of caring for Country.

Figure 17 Community Drive Design Principles



Source: Yerrabingin

5.12. CULTURAL TRAIL

As an output of the Connecting with Country framework and in recognition of the site's rich Aboriginal cultural heritage, a fundamental component of the master plan is the cultural trail.

The cultural trail sits within the ecological zones and extends from Quibray Bay in the north meandering through the eastern portion of the site and extending down to Boat Harbour.

It takes the form of many paths and includes a number of key nodes providing future opportunities for cultural activation such as storytelling, meeting places, regenerated ecology, cultural practices, sculpture gardens and wayfinding. The cultural trail includes:

- Viewing platforms over Quibray Bay and clear access points to Quibray Bay.
- The arrival cultural destination will provide the opportunity for visitors to learn about the site's deep Aboriginal heritage and the celebration of this along the cultural trail.
- Cultural education and storytelling associated with the middens located within Lot 8 are significant cultural features with the midden representing a living artefact.
- A connected wetland experience, allows visitors to understand and learn about the site's ecology and the role and function that wetlands play.
- A Cultural Hub where First Nations peoples and the wider community can meet on Country, host events, share knowledge and co-ordinate Indigenous enterprise opportunities.
- A nursery as a key area of knowledge exchange, creating cultural, educational, and economic opportunities.
- Opportunities to generate social enterprises such as cultural tours within key areas of activation, partnerships with a First Nations nursery to supply native stock to future cafes and the procurement of First Nations goods and services.

Figure 18 The Cultural Trail



Source: Group GSA

5.13. LANDSCAPE AND ECOLOGICAL APPROACH

The landscape and ecological approach to the site has been carefully curated by a number of technical and environmental experts, including Yerrabingin, Dr Chels Marshall, Cumberland Ecology, EGIS and Group GSA. This has produced a holistic site response to cultural, land, water and ecology.

This approach acknowledges the interplay between the hydrological and ecological environments and seeks to deliver an integrated system to provide habitat, promote awareness of our responsibility for land stewardship, and reduce potential adverse effects of human occupation on local flora and fauna.

The ecological zone, which is to be actively managed, has an area of 1,033,669m². There is a significant opportunity to partner with local First Nations Rangers to implement land care strategies (burning, fishing, landscape maintenance) as part of the ongoing management and maintenance of this area.

The ecological approach can deliver nature positive design outcomes and includes different zones for specific ecological communities. This includes species that:

- Respond to the existing communities and landforms along the periphery of the site.
- Regenerate ecological communities at risk elsewhere on the Peninsula.
- Support and protect threatened species from the region.
- Are appropriate for the site's hydrological functions.
- Provide for bushfire hazard reduction.
- Are resilient and respond to the climate within this area of the Kurnell Peninsula.

As part of this and taking its cue from the Kurnell 2020 Corridor Delineation Report, the master plan introduces three primary ecological corridors, varying in width between 200m and 400m. This includes the frontal dune and two north-south corridors, which connect to the wetlands in Lot 8 and Lot 2 North. The corridors are of appropriate width to support the ecological communities proposed and will allow for

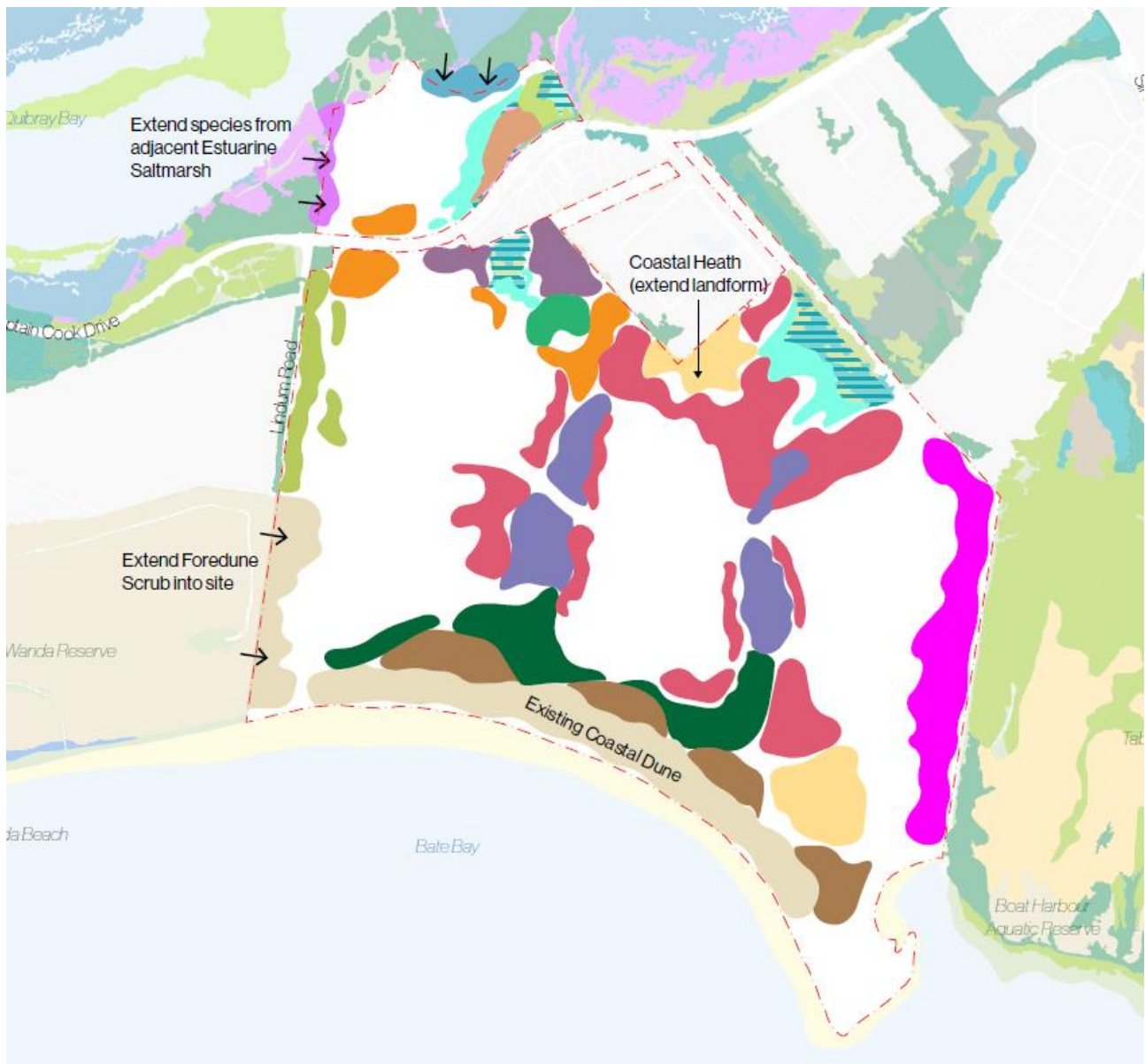
associated fauna to forage and cross through the corridors, connecting with existing areas and providing a significant and unrealised benefit to the Kurnell Peninsula. Regenerating and transforming the site and surrounding area.

An additional two secondary corridors are created along the eastern and western boundaries of the site and provide for the integration and replanting of native vegetation communities at these interfaces.

Ross Wellington, a recognised expert on the GGBF and author of the National Regeneration plan for the species has provided recommendations for landscape elements and design features to support the GGBF reintroduction to this part of the Kurnell Peninsula.

Broad characteristics of the ecological corridors are detailed in Figure 19 below and structural detail of the planting in key areas is illustrated in Pictures 5, 6 and 7.

Figure 19 Proposed Ecological Corridors



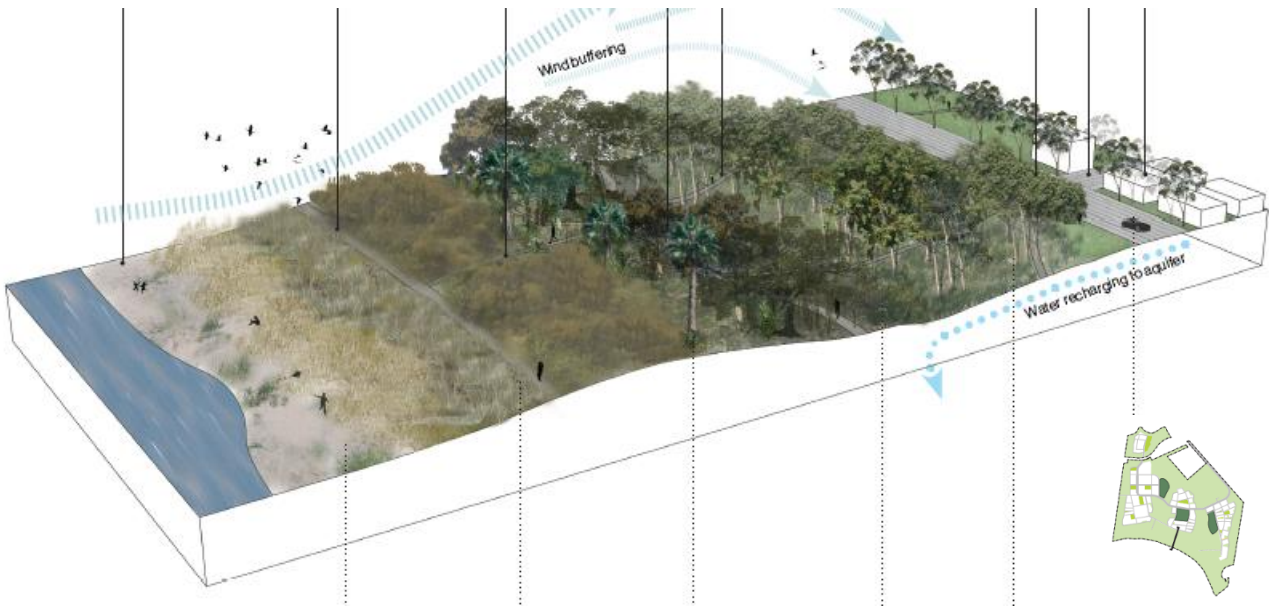
LEGEND

Subject Site	Coastal Heath	Swamp Mahogany Woodlands	Turpentine / Eucalyptus Botryoides	Banksia Woodland
Open Space	Coastal Dune Woodlands	Paperbark Woodland	Figs and Woodland	Productive Native Species
Lots	Casurina Swamp Oak	Extended Wetlands	Littoral Rainforests	
Water	Coastal Sandplain Heath	Coastal Dune Dry Sclerophyll Forests	Extended species from adjacent	

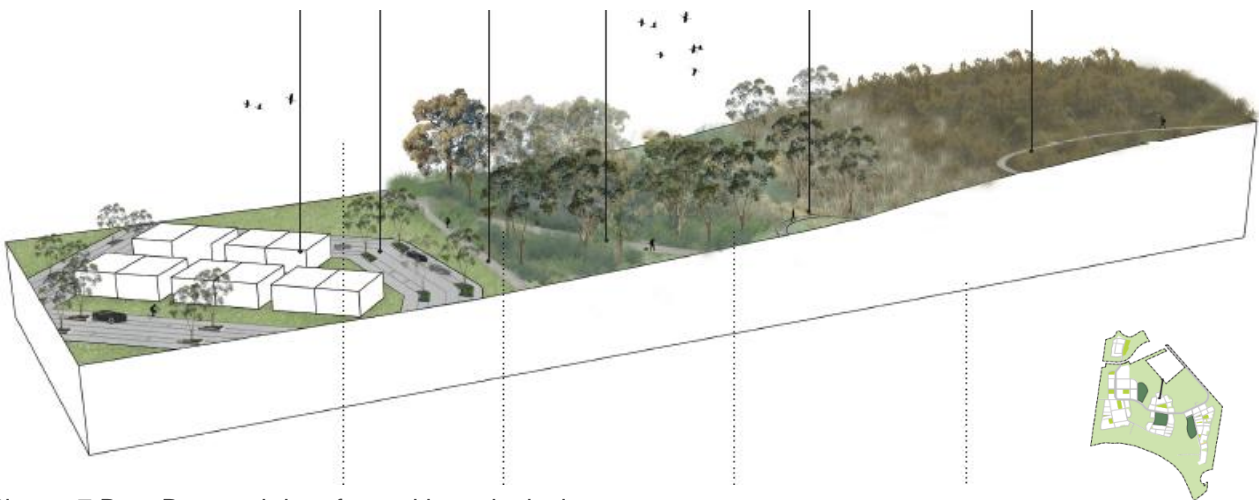
Figure 20 Indicative ecological section



Picture 5 North south ecological corridor



Picture 6 Frontal dune, east west corridor



Picture 7 Bate Bay north interface with ecological zone

Source: Group GSA

5.14. OPEN SPACE STRATEGY

A key public benefit of the planning proposal is the ability to deliver a substantial quantum of open space, that not only meets the social needs of future residents but also provides the residents and visitors of Sutherland Shire increased opportunities to explore and enjoy new open space areas that reflect their renowned active lifestyles.

The master plan has incorporated a diverse range of open space areas that comply with Council's Open Space Strategy. As these areas are intended to be dedicated to the Council for public open space purposes, the master plan has purposefully designed these spaces to ensure that they meet the specific area and dimension requirements provided by Sutherland Shire Council for public open space. Once developed, these spaces will be designed in consultation with the Council, embellished to the agreed standard and delivered to the Council. These areas will be designed and delivered to the Council's standard and will be supported by the required infrastructure, services, and ancillaries, including public car parking.

The open space strategy has been central to the overall design and layout of the master plan approach, ensuring that these areas are able to deliver integrated open space to residents in walkable neighbourhoods so that all residents live within 400m of public open space.

The open space network is intended to be a dynamic environment, that is pedestrian friendly and well connected with walking tracks to create a healthy, thriving community.

Table 8 Proposed Open Space

Open Space Type	Quantity + Total Area
Local Open Space	Eight Parks / 37,210m ²
District Open Space	Three Parks / 78,585m ²
Foreshore Dune	224,412m ²
National Park	40,809m ²
Ecological Zone	1,033,669m ² (private lands)

5.14.1. Local Parks

Each precinct includes at least one local park, with three parks provided within the Town Centre Precinct.

A total of eight local parks are proposed, which vary in size between 2,175m² and 11,257m². This provision exceeds the Council's benchmarks for local parks.

The local parks are intended to provide for everyday needs, including passive lawn areas, active areas, informal kick around areas, playgrounds, outdoor fitness stations and picnic areas.

Each of the local parks is defined with a different function in mind, providing future residents, workers, tourists and visitors with a variety of open spaces suitable to meet a broad range of needs. The parks will be purposefully designed to cater for all ages and abilities to promote a healthy and active lifestyle.

5.14.2. District Parks

A total of three district parks are provided, each integrated into the precincts or acting as a transitional area between the urban development and ecological corridors.

The district parks have been designed to have three different identities, serving general recreation, sporting purposes and cultural purposes. They are designed to be both a destination and multi-purpose and can be used for art exhibitions, community events, recreation, gatherings and cultural festivals that foster a sense of community and belonging.

Town Centre

The Town Centre district park is located at the eastern edge of the Town Centre and seamlessly blends into the cultural trail and ecological areas, providing a soft transition between the dense built form and the natural

qualities. With an area of 2.57ha, it can accommodate a community hub at the heart of the park, picnic and BBQ areas, play equipment, a flexible green lawn and pedestrian linkages which connect to the cultural trail.

Bate Bay

The Bate Bay district park is the most central park and is intended to be developed as an active open space area focusing on sports and recreational uses. With an area of 2.6ha it can incorporate multi-function play areas, a sports field, tennis court, basketball hoops and play space. Given its central location and active uses, the park will be bordered with large canopy trees providing shade to park uses. It is intended that the residential towers fronting the park will provide for active uses at ground level, such as cafes that service park users.

Boat Harbour

The Boat Harbour district park is intended to provide for an immersive experience of indigenous knowledge sharing, celebration and will become a destination in its own right. This park with an area of 2.7ha will be a formal park, offering a natural flora experience to celebrate indigenous landscape and native vegetation. It will include a community garden and formal seating edges and will be connected to the cultural trail by pedestrian footways.

Figure 21 District Park Designs



Picture 8 Town Centre



Picture 9 Bate Bay



Picture 10 Boat Harbour

Source: Group GSA

5.14.3. Foreshore Dune

One of the most unique elements of the planning proposal is the ability to deliver a new beach into public ownership. A beach that extends for 2km, from Greenhills to the Boat Harbour will be available to residents of the site, Sutherland Shire, and the broader Sydney community.

The open space strategy envisions that the ongoing dune stabilisation works will be maintained ensuring ongoing protection of the frontal dune. A primary walkway will be established along the dune (east to west), with a number of secondary paths behind the dune, which are sensitively designed, providing for an east-west connection and link back into the residential precincts so that residents and visitors can easily access the beach. The foreshore dune walkway will include viewing platforms and access to a proposed Surf Life Saving Club which would sit atop the proposed (below finished ground level) public car park.

Figure 22 Landscape and open space master plan



Source: Group GSA

5.15. MOVEMENT AND ACCESS

Streets play a crucial role in defining and enhancing the unique identities of communities and precincts and have the innate ability to transform the character and feel of a place.

Whilst there are five existing access points, the site itself does not have any formal streets. The placement and types of streets have been a key driver in defining the overall layout of the master plan and this includes a clear hierarchy of streets and laneways.

The master plan includes an integrated movement network that has been carefully designed to promote accessibility through the site, focusing on the connections between neighbourhoods and key attractions. It provides for safe, eligible, and inviting modes of transport and activity throughout the master plan.

5.15.1. Street network

The proposed street network includes seven distinct street typologies that have been designed in accordance with the TfNSW Movement and Place Framework. The streets all vary in size and are intended to reflect their role and function, relevant to their location and intended use. The street hierarchy includes:

- **Main Street** – this is a four-lane road, which is reduced to two lanes at Bate Bay and serves as a vital loop road and is the primary connector for all forms of movement.
- **Collector Street** – this is intended to carry larger traffic movements, such as those servicing the local centre as well as providing a loop for any school drop off, or for those accessing the Town Centre district park and associated community facilities.
- **High Street** – this will function as the vibrant heart, being central to the Town Centre. This street is intended to provide for an active and shared environment, with slow moving traffic that is secondary to pedestrian movement.
- **Residential Boulevard** – these streets provide the main spinal road for each of the precincts and are intended to be multi-modal, providing vehicle and cycle movement.

- **Residential Streets** – these streets prioritise pedestrian movement and are slow movement, with minimal traffic volume serving the immediate residents only.
- **Laneways** – the laneways are 14m wide and are designed as shared zones with central pocket parks of 4m-6m. The laneways provide vehicular access to the rear of the Fonzie Flats and are intended to be a mews style that facilitates community activation at an intimate level.
- **Perimeter Road** – these have been provided around the precinct edges, providing a link road for emergency service vehicles or the like and have been developed to meet legislative requirements for new communities.

Figure 23 Proposed Street Hierarchy



Source: Group GSA

5.15.2. Bus Network

Upon completion, the site is expected to be home to 7,304 residents, will support a full-time work force of 1,163 persons and will provide the residents of the Sutherland Shire a new public beach, access to public parks and a host of necessary services, including a supermarket, local medical, a school, food and beverage precincts and other retail services. The site will become a destination.

SCT Consulting have identified that between 266-604 passengers will be using the bus services for the peak hour, as part of the end state of development.

To service the future population and visitors, SCT Consulting recommends rerouting the existing bus route 987, and increasing the frequency, to service the site. A total of four new bus stops and the repositioning of two existing bus stops will be required to ensure that all future residents are within a 400m walking catchment.

The street network has been purposefully designed as a loop road, providing a simple bus route through the site, with the streets designed to accommodate the required size of the bus and the necessary bus stops and associated bus shelter infrastructure.

Figure 24 Proposed bus route



Source: SCT consulting

5.15.3. Walking and Cycling

An active, walkable, and connected community has been central to the master plan design and is one of the core design principles.

The master plan includes an integrated movement network that has been carefully designed to promote accessibility through the site.

The pedestrian network includes a series of legible and structured desire lines based on existing adjacent pedestrian networks, future land uses, through-site links, public plazas, and other areas of activation. Informal and less structured pathways are provided throughout the site, extending from the beach front, through the ecological zones and connecting to areas of open space and the cultural trail.

The land bridge will provide a crucial connection, allowing continuity from the start of the Cultural Trail at Quibray Bay, across Captain Cook Drive and connecting down to Boat Harbour. This not only provides a visual connection but will ensure easy movement for pedestrians and cyclists between the precincts.

The cycle network follows a similar pattern, with all higher order streets designed to accommodate bi-directional cycle lanes.

Lower order streets have been designed to facilitate slow moving, local traffic and provide for secondary on-road cycling or within the shared footpath zones. The cycle network connects into the surrounding network, including links along Lindum Road, to Wanda Reserve (for off-road cycle) and to Captain Cook Drive, which is proposed to be widened from two lanes to four lanes, plus separated on-road cycle lanes as well as a shared pathway.

Figure 25 Active transport connections



Source: Group GSA

5.16. STAGING OF DELIVERY AND INFRASTRUCTURE

Subject to rezoning and future development consents, the site redevelopment will be progressively delivered over an approximately 20-year period. The staging and delivery will be generally in accordance with the proposed staging plan and will include five main stages.

Lot 2 North and the western half of Lot 2 South are ready for redevelopment, and this can commence immediately, upon receipt of the relevant approvals.

The eastern part of the site is currently part of the sand extraction operation and will be progressively rehabilitated during the construction and delivery of stages one and two. It is proposed that the area within Stage 4 will contain the necessary site offices and infrastructure required to deliver the development. In accordance with the advice provided by EPA, Stage four will be delivered in the 10-15 year timeframe.

Stage five is proposed to be delivered in the 15-20 year timeframe as this contains a predominantly residential precinct, with all main active uses and associated services being delivered prior to the residential core occupying the site.

The delivery of development will provide Sutherland Shire with a long-term supply of housing, jobs, and social, cultural and communal facilities.

As illustrated below, the landscape and ecological outcomes have also been appropriately staged with each precinct along with access to the new public beach.

Figure 26 Indicative staging plan



Source: Group GSA

Table 9 Indicative development delivery

Stage	Timing	Delivery
1A	2026 – 2030	Dwellings: 303 Retail: 469m2 GFA Cultural: 262m2 GFA
1B	2026 – 2034	Dwellings (including RACFs and ILUs): 1118 Tourism: 115 hotel rooms Cultural: 610m2 GFA
2	2031 – 2038	Dwellings (including RACFs and ILUs): 967 Tourism: 98 hotel rooms Retail: 6,162m2 GFA School site SES Depot
3A	2036 – 2038	Tourism: 52 cabins Public car park for 200 vehicles and beach access Captain Cook Drive road widening
3B	2035 – 2040	Dwellings (including RACFs and ILUs): 641 Tourism: 322 hotel rooms Cultural: 453m2 GFA
4	2038 - 2042	Dwellings (including RACFs and ILUs): 368 Retail: 723m2 GFA
5A	2039 - 2043	Dwellings (including RACFs and ILUs): 422 Retail: 1,395m2 GFA
5B	2041 - 2046	Dwellings (including RACFs and ILUs): 514 Retail: 1,057m2 GFA

5.17. PLANNING AGREEMENTS

A letter of offer to enter into a Planning Agreement with Council has been prepared by the proponent and accompanies this planning proposal. The letter of offer sets out a commitment to deliver a range of local and State infrastructure to support the needs of the future community on site, and deliver a wider public benefit to the residents of the Sutherland Shire and members of the First Nations community that have a connection to the Kurnell Peninsula.

The public benefits proposed to be delivered include monetary contributions towards delivery of transport infrastructure, the dedication of land, and undertaking works in kind in delivering open space and community facilities.

The public benefits (summarised below) are significant and reflect the legacy of the Holt family and the site's ability to deliver a new public beach that will benefit the residents of the Sutherland Shire.

- **Transport and access** including the widening of Captain Cook Drive to four travel lanes and the provision for pedestrian and cycle lanes, intersection upgrades in the local road network were agreed with the relevant road authority, and contributions towards the enhancement of public and active transport services.
- **Open space and recreation** including the dedication of local and district open space, the establishment of the Cultural Trail, and three (3) formal playing fields.
- **Community facilities** including surf lifesaving club, beachfront car parking, and community centre.
- **Ecological restoration and rehabilitation** works and land dedication including the restoration of wetlands within the site and dedication of areas of ecological conservation, and the frontal dune and beach front to support the establishment of the ecological framework across the site.
- **A school site** of approximately 2.5 ha will be available for dedication to NSW School Infrastructure should it be determined that additional school facilities are required to service the new community. The proponent will liaise with NSW School Infrastructure on the location and delivery timeframe.
- **Cultural facility** to facilitate cultural educational activities, markets, events and similar, that includes amenities such as toilets and storage areas, to be managed by the La Perouse Local Aboriginal Land Council.
- **Affordable housing** to be delivered within each development stage and managed by a community housing provider.
- **Social housing dwellings** to be constructed on site and transferred to the La Perouse Local Aboriginal Land Council for indigenous seniors housing.

Generally, infrastructure is proposed to be delivered by the proponent, or funded by the proponent to be delivered by Council or the relevant State Agency.

5.18. DRAFT DEVELOPMENT CONTROL PLAN

The planning proposal is accompanied by a draft site-specific DCP which provides the detailed guidelines and controls for the delivery of development under the master plan. It is anticipated that the draft DCP will be further resolved in consultation with Council, following the submission of the planning proposal.

6. STATUTORY CONTEXT

6.1. LAND USE ZONES

Lot 2 North and Lot 2 South are identified as deferred matters under the SSLEP 2015, which is the primary environmental planning instrument that applies to the Sutherland LGA.

These allotments are zoned and subject to the provisions of Chapter 5 Kurnell Peninsula of SEPP Precincts, as illustrated in Figure 27. The land use zoning under SEPP Precincts reflects the terms of a Deed of Agreement (between Besmaw and other parties including the Council and the then DPE) that was executed at the time the site was zoned under *Sydney Regional Environmental Plan (Kurnell Peninsula) 1989*.

Lot 8 and Lot 9 are not deferred matters and are subject to the provisions of the SSLEP2015, as illustrated in Figure 28.

The composition of the existing zoning is outlined below:

Table 10 Existing Land Use zones

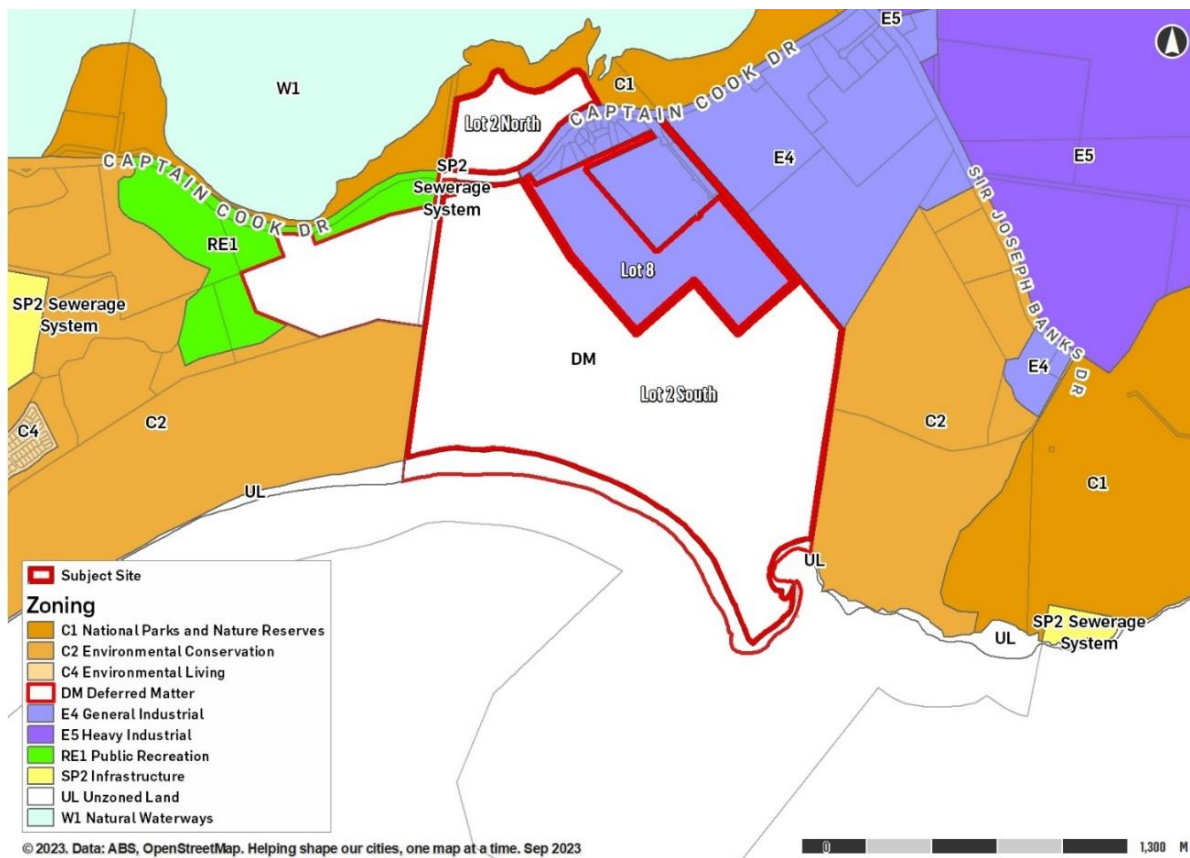
Planning Instrument	Lot	Land use zone
Precinct SEPP	Lot 2 North	6(c) Private Recreation
	Lot 2 South	Part 7(b) Special Development Part 6(b) Public Recreation Part 9(a) Regional Open Space Part 4(a) General Industrial
SSLEP 2015	Lot 8	▪ E4 General Industrial
	Lot 9	▪ E4 General Industrial

Figure 27 Precincts SEPP Land Use Zoning



Source: Urbis

Figure 28 SSLEP 2015 Land Use zoning



Source: Urbis

6.1.1. Permissible Land Uses

The following table outlines the land uses that are presently permissible on the site.

Table 11 Land Use Permissibility

Planning Instrument	Lot	Permissibility
Precinct SEPP	Lot 2 North	<p>The objective of the 6(c) Private Recreation zone is to identify private land which is set aside for recreational purposes. A range of uses are permissible within the zone, subject to development consent. These include:</p> <p><i>“Buildings for the purposes of landscaping, gardening and bushfire hazard reduction; car parking; clubs; drainage; pleasure craft and recreational boat building; recreation areas; recreation facilities; refreshment rooms; roads; tourist facilities; utility installations (other than gas holders or generating works); watercraft landing facilities.”</i></p> <p>Tourist facilities are defined as: <i>“a building or place used or intended to be used by tourists or holidaymakers for the purposes of holiday accommodation, sport or recreation, and may include:</i> <i>(a) hotels, motels and other types of accommodation,</i> <i>(b) shops attached to or incorporated within the building or located at the place, or</i> <i>(c) facilities servicing the needs of tourists and holidaymakers using the building or place but does not include a caravan park.”</i></p>
	Lot 2 South	<p>Lot 2 South is subject to multiple zonings and is partly unzoned, as follows: Part 4 (a) General Industrial over the eastern access corridor from Captain Cook Drive into the body of the lot; Part 6 (b) Public Recreation along the Bate Bay foreshore; Part 7 (b) Special Development, covers the majority of the site; and Part 9 (a) Regional Open Space over the Boat Harbour land.</p> <p>Under Part 5.2 of the SEPP Precincts, the 7(b) Special Development zone permits any land use except those listed in item 4, being those uses that are prohibited. These include:</p> <p><i>“Dwelling-houses; extractive industries (other than sand mining); hazardous industry or storage establishments; junk yards; mines; offensive industries; places of public worship; residential flat buildings (other than those used only for holiday or other non-permanent residential accommodation); stock and sale yards; toxic industries; transport terminals; units for aged persons; waste disposal.”</i></p> <p>Additional land uses are permitted on Lot 2 North and Lot 2 South under clause 5.44(3) which states that:</p> <p><i>“(3) The Council may grant consent to a development application made by FAPACE PTY LIMITED dated March 1989 relating to Lot 4, DP 712157, Lot 2, DP 559922 and Lot 3, DP 225537 where the Council has taken into consideration the Deed dated 14 March 1989 between Besmaw Pty Limited, Fapace Pty Limited, the Minister administering the Environmental Planning and Assessment Act 1979, the Director of Planning and the Council of the Shire of Sutherland relating to the land.”</i></p> <p>On 22 December 1989, the Council granted development consent (DA 155/89) to the Fapace development application referred to in clause 5.44(3). The development consent was for the Sydney Destination Resort and approved:</p>

-
- Two hotels accommodating 2,000 rooms;
 - 1,400 condominiums;
 - Private hospital;
 - Research centre;
 - Retail Centre, ancillary offices, a theatre;
 - Equestrian centre, a tennis complex, swimming facilities, a sports ground, a network of pathways for walking, jogging, bike riding and horse riding; and
 - Associated roads and infrastructure.

While not constructed, the land uses approved under DA 155/89 remain permissible, pursuant to clause 5.44(4), which states:

4) Notwithstanding any other provision of this Policy, if the Council grants a consent in respect of the development application referred to in subsection (3), the Council may, by that consent or by any subsequent consent, grant consent to the carrying out of development for any purpose referred to in that development application.

As outlined above, those land uses include hotels, motels and residential accommodation used in conjunction with tourist and recreational facilities.

SSLEP 2015 Lot 8 and Lot 9

The objectives of the E4 General Industrial zone include to provide for a wide range of industrial and warehouse uses and encourage employment, while minimising any adverse effects on other land uses.

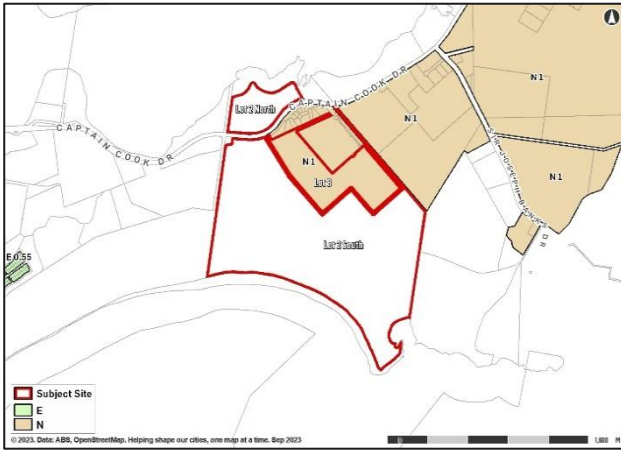
It is an expansive land use zone where all land uses are permissible unless expressly identified as being prohibited. The prohibited land uses are:

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Open cut mining; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation

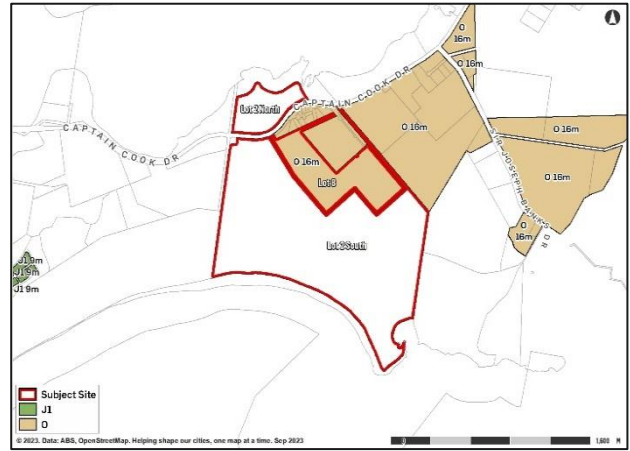
6.2. EXISTING LEP MAPS

Other applicable SSLEP 2015 Maps are provided in Figure 29 below.

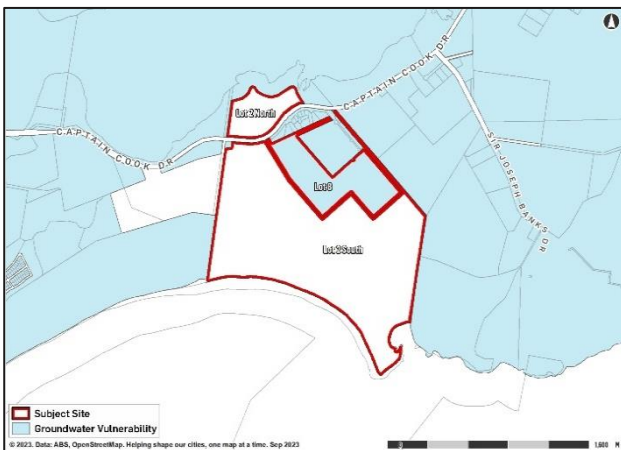
Figure 29 SSLEP 2015 Existing LEP Maps



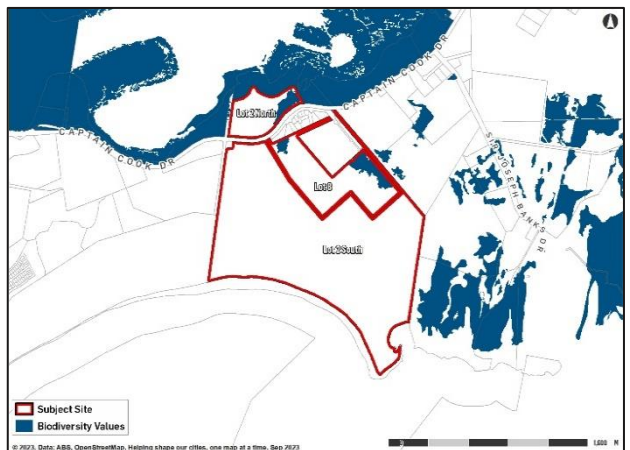
Picture 11 FSR Map



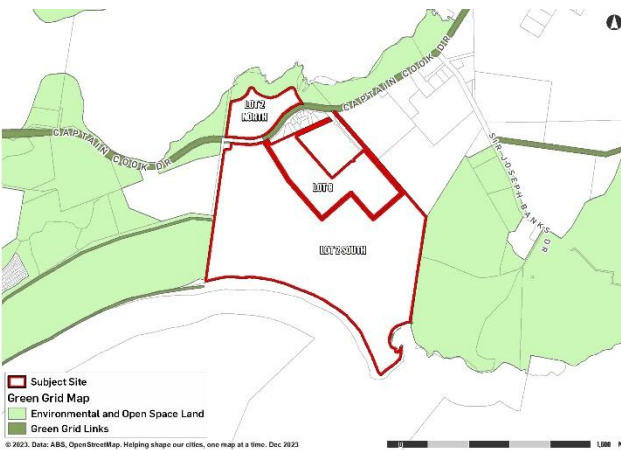
Picture 12 Height of Buildings Map



Picture 13 Groundwater Vulnerability Map

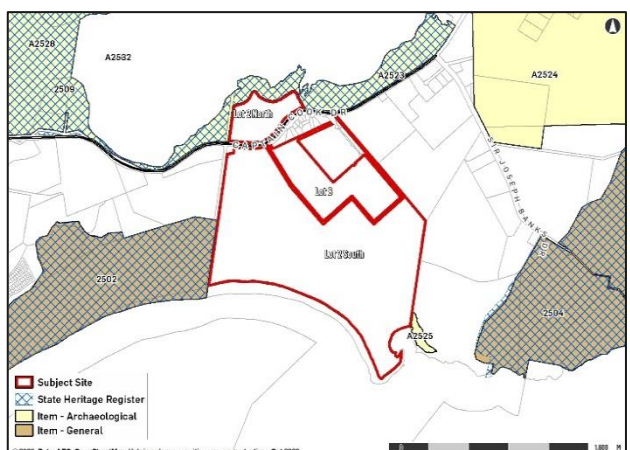


Picture 14 Biodiversity Map



Picture 15 Green Grid Map

Source: Urbis



Picture 16 Heritage Map

7. THE PLANNING PROPOSAL

The planning proposal request has been prepared in accordance with section 3.33 of the EP&A Act and the DPE guidelines 'Local Environmental Plan Making Guidelines' dated August 2023.

This section addresses each of the matters outlined in the guidelines, including:

- Objectives and intended outcomes.
- Explanation of provisions.
- Justification including the need for the proposal, relationship to strategic planning framework, environmental, social and economic impacts and State and Commonwealth interests.
- Draft LEP maps which articulate the proposed changes.
- Likely future community consultation.

7.1. PART 1: OBJECTIVES AND INTENDED OUTCOMES

7.1.1. Objective

To amend Chapter 5 of the SEPP Precincts and the SSLEP 2015 as it relates to the site; making permissible the range of land uses that are required to support a sustainable mixed-use community, including residential, employment, tourism, education, cultural facilities, ecological regeneration and public open space.

Site-specific additional 'Local Provisions' will be introduced into Part 6 of the SSLEP 2015, which will guide the future development outcome on the site.

7.1.2. Intended Outcomes

The intended outcomes include:

- Recognition and celebration of Country through the site's renaming, embedding First Nations land management practices, storytelling, cultural enterprises, and cultural activities throughout the site. A genuine connection to the site's cultural history is enshrined within the planning controls, reflecting a commitment to delivering the vision.
- Create a "nature positive" ecosystem which regenerates and restores the natural environment through new east-west and north-south connections through the site, of up to 460m in width, connecting and strengthening adjacent ecological corridors.
- Create precincts within the site, each with their own distinct character and co-located with adequate facilities to ensure the site is resilient, diverse, and adaptive as it develops.
- Establish an interconnected network of public open spaces, which connect the site's ecology, people, and place.
- Deliver a new public beach to Sutherland Shire, extending for 2km and supported by 400 public car spaces, a Surf Life Saving Club, amenities and a walking track connecting Wanda Reserve to Kamay-Botany Bay National Park
- Provide an active and public transport network to support the new community, ensuring all new homes are within approximately 400m of frequent public transport.
- Deliver a diverse range of medium and high-density housing typologies to suit market demands and housing needs including those looking to enter the market and those looking to age in place. Approximately 4,300 new dwellings will be delivered.
- Provide local employment opportunities, including commercial, retail, community uses and tourism, which will contribute to the overall objective of creating a sustainable new mixed-use community.

7.2. PART 2: EXPLANATION OF PROVISIONS

7.2.1. Intended Provisions and Explanation of Provisions

The objectives and intended outcomes of the planning proposal will be achieved through a range of LEP map amendments and the introduction of local provisions specific to the site.

All mapping associated with the site will need to be amended to remove the deferred matter status of Lot 2 in DP1030269 and Lot 2 in DP586986 from the SSLEP 2015. In addition, amendments will need to be made to the SSLEP 2015 written instrument to give effect to changes in land use zones and other controls, relating to Lot 8 and Lot 9 in DP 586986.

Upon gazettal of the LEP amendments, *State Environmental Planning Policy (Precincts—Central River City) 2021* (SEPP Precincts) will also need to be amended to remove the site from the SEPP mapping and to delete the following clauses:

- Sections 5.16, 5.17, 5.19 (b) and 5.20 as they relate only to the site.
- Section 5.41 as this relates specifically to the acquisition of the 9(a) zoned portion of the site.
- Section 5.44(3) and (4) as they relate specifically to the Sydney Destination Resort proposal.

The specific mapping amendments and the explanation for the mapping amendments are provided in the following table.

Table 12 Proposed SSLEP 2015 mapping amendments

Map	Proposed amendment	Justification
Amend Land Zoning Map-Sheet LZN_007	Amend the Land Zoning map to introduce a broad range of land use zones over the site, including: C2 Environmental Conservation SP2 Infrastructure SP2 Infrastructure SP3 Tourist (A local provision is to be included which prohibits residential accommodation in this zone on the site) R3 Medium Density Residential R4 High Density Residential E1 Local Centre	The planning proposal seeks to rezone the site using Standard Instrument land use zones and identify additional permitted uses in Schedule 1 of the LEP, that reflect the range of presently permitted and proposed land uses. The nominated land use zones will facilitate the establishment of a mixed-use coastal community, comprised of a range of land uses. This includes medium and high density residential, employment, tourist, infrastructure, regional and local open space, conservation areas, ecological zones and cultural activities. While the planning proposal and associated master plan include the provision of a site for a future school, three district parks and eight local parks (to be dedicated to Council as public open space), these have not been mapped as part of the land use zone mapping. These future land uses are identified in a public benefit offer which will be reflected in a Planning Agreement. A firm commitment is made by the proponent to deliver these public benefits, to a minimum size and dimension. It is also proposed that public roads and public beach front car parking will be dedicated to the Council. Given the scale of the site and the nature of the master plan, it is not possible to precisely locate the open space, roads, car parking and the future school site at this time. Once the roads and parking areas are constructed and dedicated, the open space embellished and dedicated to Council and the precise location of the future school site is agreed upon with Schools Infrastructure, the Council can amend the LEP mapping associated with that land, as

Map	Proposed amendment	Justification
		<p>appropriate. Justification for each land use zone is provided as follows:</p> <p>C2 Environmental Conservation</p> <p>The planning proposal seeks to rezone the southern coastal frontage as C2 Environmental Conservation, consistent with the land use zoning applied to Wanda Reserve to the west and the Tabbigai lands to the east.</p> <p>The planning proposal seeks to rezone and dedicate the wetland area within Lot 2 North so that it remains protected and free from development. This area forms a natural extension of the Towra Point Nature Reserve and will provide amenity to the future residents of the site.</p> <p>SP2 Infrastructure</p> <p>Two separate areas have been identified as SP2 Infrastructure. An area at the western edge of Lot 2 in DP 1030269 adjacent to Lindum Road to accommodate water and sewer infrastructure servicing the site.</p> <p>An area, within the northern edge of Lot 8 in DP586986, to allow for the potential future use of this area for broader infrastructure purposes, such as an SES facility.</p> <p>SP3 Tourist</p> <p>The planning proposal has designated two areas of the site as SP3 Tourist, which are specifically intended to accommodate hotels, eco cabins and tourist retail activities. In response to Council feedback, the SSLEP 2015 written instrument is to include a local provision that restricts residential accommodation within the SP3 Tourist zone within the site so that the zone is used for its intended purpose.</p> <p>R3 Medium Density Residential</p> <p>The planning proposal and master plan seek to provide for a diversity in dwelling typologies, including duplexes, terraces and low rise residential flat buildings. SSLEP 2015 does not permit duplexes and terraces within the R2 Low Density Residential zone.</p> <p>The lower density housing typologies are permitted within the R3 Medium Density Residential zone. It is noted that this zone does not permit residential flat buildings and therefore, the low rise residential flat buildings will be located within the R4 High Density Residential zoned land.</p> <p>R4 High Density Residential</p>

Map	Proposed amendment	Justification
		<p>The planning proposal and master plan seek to deliver residential flat buildings, ranging in height from 2 to 12 storeys. As the R4 High Density Residential zone is the only residential zone within the SSLEP 2015 which permits free standing residential flat buildings this zone has been used to accommodate this housing typology.</p> <p>E1 Local Centre</p> <p>The planning proposal and master plan seek to introduce a town centre, which includes 6,885m² of retail / commercial GFA. This is to include a full line supermarket and other supporting retail uses.</p> <p>The E1 Local Centre zone permits commercial uses, shop-top housing and residential flat buildings. As such, the extent of the E1 Local Centre has been mapped across the main town centre precinct, which will contain a mix of these land uses.</p>
<p>Amend Height of Buildings Map - Sheet HOB_007</p>	<p>Amend the Height of Buildings Map to introduce a range of maximum building heights across the site, ranging from 3.5m for the tourist cabins to 44m for the 12 storey mixed-use buildings and town centre hotel.</p>	<p>The master plan introduces a building height strategy which includes a range of building heights within a single super lot.</p> <p>In response to Council feedback, the planning proposal does not include mechanisms to incorporate bonus height provisions for nominated land use types. Given the scale of the site, rather than nominate a blanket upper limit height of building control for each precinct, which would accommodate the range of built form proposed, the height strategy seeks to map the maximum building height for each super lot identified in the master plan. The height of buildings map will work with and complement the floor space ratio map. All roads and public open space have been contained within the height of building map to enable fine grain building design and building locations to be determined at future development application stages, consistent with the land use zoning approach and reflecting the final road layout.</p> <p>The proposed building heights are maximums and are not intended to be achieved across the entire super lot by each building. The density of development within the super lot will be controlled by the corresponding floor space ratio maps, with the site-specific DCP including design guidance detailing the approach to building heights.</p> <p>The SSLEP 2015 written instrument will include a local provision that directs that the maximum height is not achievable across the entire super lot, and this is to be balanced with the allowable floor space ratio.</p>
<p>Amend Floor Space Ratio Map- Sheet FSR_007</p>	<p>Amend the Floor Space Ratio Map to introduce a</p>	<p>The master plan introduces a range of floor space ratio controls which have been developed based on the super lots within the master plan and reflected on the floor space ratio map.</p>

Map	Proposed amendment	Justification
	broad range of FSR's across the site, from 0.2:1 – 2.8:1	<p>Nominating the FSR for each individual building within a super lot would prevent fine grain design development of future built form at a time when the final location of internal roads is not known. In response to Council feedback, the planning proposal and associated LEP mapping do not incorporate bonus floor space provisions. Rather the nominated floor space ratio controls are the total sum of each building within super lots, divided by the site area of that super lot. It is not intended that each building within the super lot will achieve the mapped FSR. Some buildings may be able to achieve a higher FSR and this is offset by other buildings having a lower FSR, providing for diversity in building heights and forms. It is intended that the total FSR for the super lot should not be exceeded.</p> <p>All roads and public open space have been contained within the floor space ratio map to enable a fine grain building design and locations to be determined at future development application stages, consistent with the land use zoning approach and reflecting the final road layout.</p> <p>The site-specific DCP will include specific design guidance clarifying the approach to the floor space ratio for the site.</p> <p>The SSLEP 2015 written instrument will include a local provision that clarifies that the FSR mapped is based on an average and identifies the maximum achievable GFA for each of the Precincts.</p>
Amend Terrestrial Biodiversity Map – Sheet BIO_007	Amend Terrestrial Biodiversity Map to align with the location of the Wetland on Lot 2 North and within Lot 8. Extend the Map along the frontal dune, consistent with land to the east and west.	<p>The biodiversity report and site surveys have identified the location of the wetlands within Lot 2 North and Lot 8. Other vegetation within Lot 8 (outside of the wetland area) is comprised of bitou bush or degraded native vegetation.</p> <p>The wetland on Lot 8 is not presently mapped under the SSLEP 2015 and the wetland in Lot 2 North was identified as a Coastal Wetland under the former State environmental planning policy (Coastal Wetlands). The planning proposal and associated LEP maps seek to map those parts of the site which have been identified as having terrestrial biodiversity. This includes the wetland within Lot 8 and the wetland within Lot 2 North and associated buffer zones.</p> <p>The planning proposal also seeks to map the foredune on the terrestrial biodiversity map, consistent with the land to the east and west and to reflect the physical connection with the adjoining land and the revegetation that has occurred in recent years.</p>
Amend Foreshore Building Line Map – Sheet FBL_007	Map the southern beachfront as Foreshore Building Line	To limit development within the coastal hazard use zone, which extends for 100m along the site's southern Bate Bay frontage, as identified on the map.

Map	Proposed amendment	Justification
	in accordance with the coastal hazard line	
Amend Groundwater Vulnerability Map – Sheet GRV_007	Amend the groundwater vulnerability map to include Lot 2 North and Lot 2 South.	Groundwater levels have been observed below ground surface at levels of RL1 to RL4. The site is subject to groundwater vulnerability and should be identified on the relevant map.
Amended Land Application Map – Sheet LAP_001	Remove the Deferred Matter overlay from Lot 2 North, Lot 2 South	Remove the deferred matter overlay to reflect the outcomes of the planning proposal which is to transfer the site from the State Environmental Planning Policy (Precincts - Central River City) 2021 to the SSLEP 2015.
Amend Landscape Area Map - Sheet LSA_007	Remove the minimum landscape area (%) as mapped over Lot 8.	<p>The minimum landscape area control applies to Lot 8 and Lot 9 as the land is currently zoned E4 General Industrial. Lot 8 and Lot 9 are proposed to be zoned C2 Environmental Management with a view to the land being utilised for a range of cultural enterprise uses, revegetation and ecological linkages. The objectives and intended outcomes of the planning proposal seek to deliver 67% of the site as landscaped and open space areas. In this context, it is proposed that future development be subject to the landscape controls contained within, The Apartment Design Guide for residential development; or the site-specific DCP for other land use types.</p> <p>The proposed landscaped, recreation and open space areas have a range of functions, including the protection of wetland areas, the creation of regional open space, three new district parks, eight local parks, environmental management areas which include extensions to and expansion of existing ecological corridors.</p> <p>Introducing a minimum landscape area for the residential, tourism and town centre precincts and super lots will result in the need for larger development lots to accommodate increased landscaped areas and ultimately this will result in a reduction in the available land area set aside for broader site landscaping, cultural and ecological connections.</p>
Amend Lot Size Map – Sheet LSZ_007	Remove the minimum lot size of 1 Ha as mapped over Lot 8.	The current minimum lot size mapping reflects the current general industrial land use zoning of Lot 8. The controls in SEPP Precincts relating to the remainder of the site relating to subdivision that apply to the site are no longer relevant as they were formulated more than 30 years ago for a targeted development outcome which is different to the objectives and intended outcomes of the planning proposal. Lot 8 has never been used for industrial or urban purposes. The minimum lot size control is redundant in the context of the proposed rezoning. As the planning proposal and master plan have been prepared to deliver an integrated mixed-use community a minimum lot size control has not been applied.

Map	Proposed amendment	Justification
		The NSW Government Low Rise Medium Density Design Guide for development applications 2020 provides consistent planning and design standards for low rise diverse residential dwellings across NSW. This guide will apply to future residential proposals.
		The minimum lot sizes and lot frontage recommendations stipulated within this Design Guide will be embedded in the site-specific DCP.
Amend Riparian Lands and Watercourses Map – Sheet RIP_007	Amend the mapping as it relates to Lot 8.	The mapping should reflect the surveyed and confirmed terrestrial biodiversity areas on the site, including relevant buffer zones, rather than identifying the entire site.
Amend the Green Grid Map	Map the Green Grid along the coastal zone and along Captain Cook Drive	Mapping to be updated to reflect the green grid extending through the Bate Bay frontage and Captain Cook Drive frontage. While ecological corridors will be provided through the site the precise location cannot be defined at this time. Any green grid created through the site can be identified by Council in a future LEP amendment.
Amend Additional Local Provisions Map	Map the site as Area 2 on the Map	Mapping to be updated to identify the site as Area 2 on the Map. This mapping amendment will be accompanied by a new clause 6.26 referencing the map and including site specific controls to guide the future development of the site consistent with the objectives of the planning proposal and the master plan.

The intended provisions are illustrated on the proposed LEP mapping in Section 6.4 of this report.

In addition to the above mapping amendments, a new local provision is proposed to be inserted into the SSLEP 2015.

6.26 Development of land at 251, 260R, 278 and 280-282 Captain Cook Drive, Kurnell.

This clause will apply to the site, and it is proposed the site be identified as “Area 2” on the Additional Local Provisions Map.

Preparation of a Development Control Plan

Insert a subclause that requires the preparation of a site specific DCP to guide the future development of the site. The DCP would seek to address the following matters

- (a) a staging plan for the timely and efficient release of urban land that provides for necessary infrastructure and sequencing,*
- (b) an overall transport movement hierarchy showing the major circulation routes and connections required for a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
- (c) an overall landscaping strategy for the protection and enhancement of remnant vegetation and wetland areas and the establishment of cultural and ecological trails throughout the site,*
- (d) a network of active and passive recreation areas,*
- (e) stormwater and water quality management controls,*

(f) management of natural and environmental hazards, including bush fire, flooding, and in relation to natural hazards, the safe occupation of any land so affected,

(g) detailed urban design controls, including a strategy for the location of building heights,

(h) measures to encourage active street frontages,

(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,

The site specific DCP would need to be prepared prior to development consent being granted for certain development works. This would not be required in relation to the following development

(a) A subdivision for the purposes of a realignment of boundaries that does not create additional lots.

(b) A subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose.

(c) Development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.

(d) Development and works relating to the continuation of sand extraction and rehabilitation operations within Lot 2 in DP 559922.

(e) Development and works relating to the continuation of horse boarding and training activities within Lot 2 in DP 1030269.

It is anticipated that the draft DCP will be further developed in consultation with Council.

Height of Buildings

Insert a subclause that explains the operation of the height of building control to the development of super lots within each precinct. This height of building control is to be linked to the floor space ratio control. The objectives of the controls are to deliver a variety of building heights and built form across each precinct. A limitation of six 12 storey buildings within the Town Centre and Bate Bay precincts is to be set with the six buildings to be focused around the town centre and along the main road.

The site specific DCP will establish design guidance that details appropriate building height transitions; define street edges and provide for equitable outcomes in relation to solar access and view sharing in the design of future buildings.

Floor Space Ratio

Insert a subclause that explains the operation of the floor space ratio control to the development of super lots within each precinct. This floor space ratio control is to be linked to the height of building control. The objectives of the controls are to deliver a variety of building heights and built form across each precinct. Future development applications will be required to demonstrate that the total permitted floor space ratio development of a super lot is not exceeded.

Land at zone boundaries

Having regard to the scale of the site and the nominated precincts it is not possible at the planning proposal stage to definitively designate the final land use zone boundaries within the site. Clause 5.3 of the Standard Instrument - Principal Local Environmental Plan is an optional clause that makes allowance for a level of flexibility in the adherence to land use zone boundaries. This clause was not incorporated into SSLEP 2015.

It is proposed that a site-specific provision be included that can provide flexibility where future investigation of the site in the context of the master plan reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. It is proposed that this clause applies to any land that is within 50m of a boundary to any two zones.

Minimum lot size

The R3 Medium Density and R4 High Density Residential zones will permit and support a range of residential building typologies. A site-specific subclause will be prepared which allows for the townhouses to have a minimum frontage of 7m. Currently clause 4.1A of the SSLEP 2015 requires a minimum frontage of 15m which does not align with the diversity of lot sizes that the master plan proposes to deliver,

Development of land within C2 Environmental Conservation Zone

Important features and community benefits will be realised in the regeneration of the landscape of the site and embedding the cultural trail and cultural enterprise activities on land and delivering a range of community facilities within this land.

In addition to the land uses that would otherwise be permissible under this zone it is proposed to make the following uses permissible in the C2 Environmental Conservation zone but only as it relates to the site:

- (a) Pedestrian and / or emergency vehicle access from the development site to the beach.*
- (b) Infrastructure to support walking tracks, viewing platforms and the like.*
- (c) Community facilities, including surf lifesaving club with associated car parking, amenities, and ancillary uses.*
- (d) Cultural enterprise which is defined as a First Nations owned business operating to provide cultural experiences or services within the Kurnell Peninsula. Such businesses providing employment opportunities for First Nations peoples.*

Development of land within the SP3 Tourist Zone

The SP3 Tourist Zone provides for a variety of tourist-orientated development and related uses. The focus of the master plan is to encourage a variety of tourist and visitor accommodation and experiences. Consequently, it is proposed that residential flat buildings be precluded from the list of permissible land uses in order to strengthen the objectives of the zone.

In addition, it is proposed that additional permitted uses be permitted in this zone as it applies to the site for the purpose of Artisan Food and Drink industry which would enable the development of a building the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. The premises would be permitted to include

- (a) a retail area for the sale of the products,*
- (b) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, which can include liquor, take away meals and drinks or places for entertainment,*
- (c) facilities for holding tastings, tours or workshops.*

Active street and building frontages

Development of mixed-use buildings in the R4 High Density Residential zone should be encouraged in order to provide for dynamic neighbourhoods which support the operation of the town centre. Buildings with ground floor commercial and retail land uses are to present activated street frontages. The buildings should

- (a) be located fronting roads, regional open space areas or pedestrian plazas.*
- (b) have a limit of retail and commercial ground floor land uses 250 square metres.*

Noise Affected Land

This subclause will clarify that development consent may be granted for development within the site even if the development will increase the number of dwellings and people within the ANEF contour of 20 or greater. Future development applications will need to demonstrate compliance with Australian Standards AS2021-2015, or as updated by the relevant authority.

The planning proposal is accompanied by a draft site-specific Development Control Plan (DCP) which provides detailed design guidelines and controls for the delivery of the master plan. It is anticipated that the draft DCP will be further developed in consultation with Council.

7.3. JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

Section A – Need for the planning proposal

Q1. *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

Yes

The planning framework for the site was established in 1989. It is outdated and does not align with the current statutory planning framework. There is a need for change and an imperative to establish controls which reflect both current planning practices and the vision to deliver a new mixed-use community on the site.

The process to amend Chapter 5 of SEPP Precincts commenced in 2016. At this time, there was no clear State or local strategic planning framework applying to the majority of the site (Lot 2 North and Lot 2 South).

In 2017, the DPE advised that “...*the SEPP review process will set the land use framework for the site, within the context of the broader Kurnell Peninsula and South District.*”

A SEPP Amendment was formally lodged in 2020 and included a Strategic Assessment Framework, which provided an evidence-based approach which aligned with the overarching strategic objectives to deliver housing, jobs, significant ecological outcomes and to recognise First Nations people.

The DPE has undertaken a strategic review of the planning controls and the SEPP Amendment, and this is documented in correspondence dated 15 August 2022 in which it is stated:

The Department embarked on a strategic review of the former Kurnell State Environmental Planning Policy (now State Environmental Planning Policy (Precincts – Central River City) 2021) in 2017, which included consideration of the proposal.

Evaluating the proposal against new strategic merit definition under the DPE’s new Local Environment Plan (LEP) Making Guidelines (2021), the direction set by Council’s Local Housing Strategy (conditionally approved by the Department on 11 June 2021), the expectation to deliver high quality place-based outcomes and in the context of the growing need for new and diverse housing in metropolitan Sydney, demonstrates to the Department **that the project has strategic merit**. This is because:

- it provides a considerable opportunity for additional, diverse and long-term housing supply for Sutherland Shire;
- it presents the opportunity to restore landforms and vegetation on the site suited to the natural surrounds and new and compatible uses;
- it allows for the dedication of remaining foreshore land to complete full public beachfront access along Wanda Beach; and
- the site’s considerable size enables opportunities for good urban design and landscape outcomes that could integrate well with the surrounding natural aspects of the beach foreshore, wetlands and the Kamay Botany Bay National Park.

In determining that the project had strategic merit, and as a direct result of the Strategic Assessment Framework, the DPE requested that *...the proposal documentation be updated to reflect the LEP making guideline and to take into account, feedback from Council and the relevant agencies.*

This planning proposal has been prepared in response to the DPE’s direction and reflects the outcomes of the Strategic Assessment Framework and the feedback received during the Scoping Proposal phase.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes

The planning proposal is the best means of achieving the objectives and intended outcomes.

A new planning framework is required to be established for the site, which reflects the current format of planning controls, and will make permissible the proposed suite of land uses, heights and development densities. The vision cannot be achieved through a series of clause 4.6 variation requests to the SSLEP2015 controls or via an amendment to the DCP alone.

A new planning framework could be achieved by either

- An amendment to Chapter 5 of SEPP Precincts, which would subsequently amend the SSLEP 2015 or
- A planning proposal to amend the SSLEP 2015 and the relevant provisions of the SEPP Precincts.

As highlighted in response to Q1, a SEPP Amendment was submitted in 2020. In refining the intended development outcome to reflect the feedback received and in preparing a new master plan, the DPE has recommended that the proponent submit a planning proposal in accordance with the LEP Making Guidelines.

Section B – Relationship to strategic planning framework.

Q3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

Yes

The planning proposal aims to give effect to the objectives and actions of the following district and regional plans and strategies:

Table 13 Assessment against Strategic Plans.

Strategic Plan	Consistency with the Strategic Plan
<i>A Metropolis of Three Cities: Greater Sydney Region Plan</i> (The Region Plan)	<p>The site is located within the Eastern Harbour City. The Region Plan estimates an expected population of 3.3 million by 2036, increasing from 2.4 million in 2016. The Region Plan is underpinned by four main pillars, being Infrastructure and collaboration, Liveability, Productivity and Sustainability.</p> <p>The site is identified as an urban area under the Region Plan.</p> <p>The intended development outcome of the planning proposal seeks to:</p> <ul style="list-style-type: none"> ▪ Deliver approximately 4,300 new homes, including 269 affordable housing apartments. ▪ Provide retail and commercial capacity capable of supporting 2,196 FTE jobs during operation (direct and indirect) ▪ Deliver 340,207m2 of public open space and recreation facilities ▪ Rejuvenate the site through new ecological linkages, which connect with and enhance The Greater Sydney Green Grid. ▪ Widen Captain Cook Drive from two lanes to four lanes, providing the necessary road infrastructure ▪ Install the necessary water, sewer and electrical infrastructure in line with the site’s progressive redevelopment. Altogether (formerly Flow Systems) has been engaged to provide a sustainable infrastructure strategy. The site is ready and capable of being serviced by the necessary infrastructure.

The planning proposal and associated master plan demonstrate that the intended development outcome and overall renewal of the site will create a great place for people to live, work and play and is consistent with the directions, objectives and intent of the Region Plan.

The planning proposal aligns with the overarching strategic objective to deliver a diverse range of housing types, in areas that are supported by infrastructure.

The existing bus network will be upgraded, providing frequent public transport within 400m walk of new dwellings, connecting residents to surrounding local and strategic centres, and the train services at Cronulla and Woolooware. This aligns with the strategic objective to provide homes in proximity to frequent public transport.

*Our Greater
Sydney 2056 -
South District Plan*

The site is located within the Sydney South District, which is expected to accommodate 204,100 new residents and will require 83,500 additional dwellings by 2036. There is a strong focus on providing new jobs in health, education, professional industries and population serving industries.

Consistent with the Region Plan, the site is identified as an urban area within the District Plan, with the exception of Lot 8. Lot 8 is identified as industrial land, however, has never been used for that purpose due to the environmental and cultural values present on the land.

The intended development outcomes of the planning proposal are consistent with the planning priorities of the District Plan, as follows:

- **Infrastructure** - the site is located within 16min drive of Miranda, which is a key Strategic Centre. All homes will be within 400m walking distance of frequent public transport, connecting residents to nearby train stations.
- **Collaborative City** – the planning proposal will deliver 340,207m² of public open space in the form of district and local parks, 400m² community facilities hub, 400 public car spaces in dedicated parking areas adjacent to the 2km of public beach being delivered, a surf lifesaving club, ancillary uses and associated amenities and an SES depot.
- **A city for people** – the land use zones include a new local centre, with additional retail spread across the site, totalling approximately 9,800m². Formal pedestrian pathways will be provided connecting each of the precincts, as well as informal pedestrian pathways throughout the site.
- **Housing the city** - approximately 4,300 new homes, including 269 affordable housing apartments will be delivered over a 20 year period.
- **A city of great places** – all residents will be within 400m of designated open space and will have access to a new 2km public beach front.
- **A well connected city** – the frequent public transport servicing the site will mean that future residents will be connected to Mirada (a strategic centre) within approximately 30mins.
- **A city in its landscape** – 67% of the site is designed as landscaping and open space. The masterplan and land use zoning has been purposefully designed to strengthen the Green Grid connections.

	<ul style="list-style-type: none"> ▪ A resilient city – the location of building footprints on the site has been purposefully designed to remain free of natural hazards, including the coastal hazard line, sea level rise and potential bushfire hazards.
<i>Future Transport Strategy 2056</i>	<p>The Future Transport Strategy is part of a suite of government strategies, policies and plans that integrate and guide land use planning. It was refreshed in 2022 to include the notation of 15-minute neighbourhoods.</p> <p>The planning proposal is consistent with the Strategy as it:</p> <ul style="list-style-type: none"> ▪ Will improve road infrastructure, converting a 5km stretch of Captain Cook Drive from two lanes to four lanes and providing on-road cycle lanes. ▪ Will provide frequent public transport to the site, connecting residents to strategic centres ▪ Provide bus stops within 400m walking distance of 95% of new residential dwellings.
<i>Strategic Cycleway Corridors – Greater Sydney and Western Parkland City Overview</i>	<p>The Strategic Cycleway Corridors has identified a strategic cycle network throughout Greater Sydney, connecting centres and precincts.</p> <p>As part of the public benefit, the widening of Captain Cook Drive will include formalised on-road bicycle lanes that are consistent with the vision to extend the cycle corridor from Cronulla to Kurnell.</p>
<i>NSW Housing Strategy 2041</i>	<p>The planning proposal is consistent with the four pillars of the NSW Housing Strategy, as follows:</p> <ul style="list-style-type: none"> ▪ Supply – The site is a brownfield site, ready for active redevelopment and can be readily serviced by the required infrastructure to meet the projected population. The site is a 210.5 hectare site in single ownership in the Eastern Harbour Centre. The planning proposal has the capacity to deliver 4,300 dwellings over a 20-year time frame ▪ Diversity – the land use zoning and the master plan demonstrate a diverse range of medium and high density dwelling products. The master plan design has taken cues from the DPEs Low Rise Medium Density Design Guide and capacity has been made within the LEP mapping and instrument changes to allow for diverse and new housing typologies to be delivered, providing housing choice and affordability. ▪ Affordability – 7.5% of all residential dwellings, equating to approximately 269 residential dwellings, are designed as affordable housing; 30 seniors houses will be dedicated to the LALC for First Nations elders and the diversity in housing products will create different price points. This equates to a total of 299 affordable housing dwellings. ▪ Resilience - land use zoning and site setbacks have been purposefully designed to respond to natural hazards such as coastal processes, sea level rise, bushfire and acoustic considerations, with all residential dwellings located outside the Sydney Airport flight path.
<i>NSW Visitor Economy Strategy 2030</i>	<p>The planning proposal is consistent with the strategic vision of the NSW Visitor Economy Strategy 2030 by contributing to the value and size of the Sutherland Shire’s visitor economy by delivering 580 luxury hotel rooms / cabins and 880 tourism jobs. The planning proposal provides a significant opportunity to meet the shortfall in commercial tourism accommodation.</p> <p>The site will become a destination for tourists due to the cultural offerings within the site as well as the unique natural qualities adjoining, allowing visitors to experience the adjacent</p>

National Park, Towra Point Nature Reserve, and learn and interpret the Kurnell Peninsulas deep First Nations History.

Consistent with the NSW Visitor Economy Strategy 2030, the planning proposal will deliver increased tourism and visitor accommodation and infrastructure, as well as additional permanent jobs in the tourism sector.

Assessment Criteria for Strategic and Site-Specific Merit

- The planning proposal addresses the Assessment Criteria within the DPE LEP Making Guideline, as summarised below:

Table 14 Strategic and Site-Specific Merit Assessment

Provision	Consistency
Does the proposal have strategic merit? Does the proposal:	
<i>Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site.</i>	Yes.
<i>This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or</i>	Refer to the Strategic Planning Assessment Report submitted with the planning proposal and Table 13 above.
<i>Demonstrate consistency with the relevant LSPS or strategy has been endorsed by the DPE or required as part of a regional or district plan; or</i>	
<i>Respond to a change in circumstances that has not been recognised by the existing planning framework.</i>	
Does the proposal have site-specific merit? Does it give regard and assess impacts to:	
<i>The natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)</i>	Yes.
<i>Existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates.</i>	Refer to Section C – Environmental, social and economic impacts which discusses the site-specific merit of the planning proposal in further detail.
<i>Services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision</i>	

Q4. Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Yes

As stated in the letter issued by the DPE in August 2022, the proposal is consistent with *the direction set by Council's Local Housing Strategy (conditionally approved by the DPE on 11 June 2021)*.

It is understood that Council is reviewing the *Sutherland Shire Draft Local Housing Strategy 2041*, however, the planning proposal and master plan are consistent with the overall objective of the current strategy to deliver a diverse range of housing, for all ages.

The planning proposal is consistent with the following endorsed strategic plans as discussed in the Strategic Planning Assessment Report submitted with the SEPP Amendment, with this planning proposal and as summarised below.

Table 15 Consistency with endorsed local strategies

Council or other endorsed strategy	Consistency
<p><i>Sutherland Shire Local Strategic Planning Statement (LSPS)</i></p>	<p>Consistent</p> <p>The LSPS provides a 20-year land use vision for the Sutherland LGA and is intended to implement the objectives and priorities of the Region Plan and District Plan.</p> <p>The site is identified as a deferred matter under the SSLEP 2015 and therefore is not presently subject to the LSPS. Notwithstanding the LSPS includes a structure plan that identifies the following future features for the site:</p> <ul style="list-style-type: none"> ▪ Land use is part industrial and part bushland. The site is identified as Urban Land under the Region Plan and District Plan and the LSPS appears to be not consistent with those plans. ▪ Coastal Destination zone and Boat Harbour, nominated as a Tourist Destination. ▪ Identification of green grid links through the site and walking tracks along the southern Bate Bay frontage <p>The planning proposal is consistent with the four following themes:</p> <p>Infrastructure and Collaboration – Necessary infrastructure will be delivered, in line with the development staging nominated in the planning proposal, including the expansion of Captain Cook Drive and upgrades to create a frequent bus service, connecting Kurnell to Cronulla and Woollooware Bay.</p> <p>Liveability - Redevelopment of the site will deliver a new suburb of four mixed use precincts supported by open space and sporting opportunities, community facilities, recognition of the strong First Nations and cultural values of the site and Kurnell Peninsula, and a diverse range of housing typologies. Housing that will allow residents to age in place and recognition of the site as a Coastal Destination, through the transformation and dedication for public open space and environmental purposes of a 2km stretch of beach front and frontal dune for public use and enjoyment, consistent with the LSPS.</p> <p>Productivity – Approximately 2,196 FTE jobs will be created during full occupation (direct and indirect) with a strong focus on the health and tourism sectors. The LSPS acknowledges that there is a latent demand for short stay tourist and visitor accommodation and health is one of the largest employment sectors in the Shire.</p> <p>Sustainability – 67% of the site will be dedicated to open space purposes, in varying forms. This will include a tree canopy cover of 30%,</p>

Council or other endorsed strategy	Consistency
	<p>where not located within an APZ. The rehabilitation and stabilisation of the frontal dune will protect the site from coastal processes. Significant ecological corridors will be created within the site, which will enhance the Green Grid and Greenweb connections and will support the establishment of native vegetation. This is reflected in the proposed land use zones. WSUD treatment has been incorporated in the masterplan and can be implemented during construction and occupation to enable ongoing monitoring and best practice water quality outputs are implemented and maintained.</p>
<p><i>Sutherland Shire Draft Local Housing Strategy 2041 (LHS)</i></p>	<p>Consistent</p> <p>On 14 June 2021, the LHS was adopted by Council and subsequently approved by the DPE as Phase 1.</p> <p>The LHS addresses housing supply, mainly through the theoretical capacity under existing planning controls and not through the release of new land or land upzoning. Currently LHS only provides for a housing supply for the 6-10 year housing target.</p> <p>Council is in the process of updating the LHS, to include a clear demonstration of how the housing targets will be achieved and a strategic capacity target for 2036 and 2041.</p> <p>According to the NSW Greater Sydney Urban Development Program Dashboard for Sutherland Shire Council:</p> <ul style="list-style-type: none"> ▪ There were 5,886 dwelling completions between the 2017-2022 period ▪ The five year housing supply forecast is currently projected at 3,540. <p>That is a total projection of 9,426 dwellings to be completed over a 10-year period, up to 2027. According to Council, the population projections suggest a need for an additional 22,375 dwellings by 2041 or up to 945 dwellings per year.</p> <p>That is 12,949 dwellings below the 2041 housing target.</p> <p>In accordance with the LEP Making Guidelines and the assessment period project timeline, the planning proposal is likely to be gazetted at the end of 2025. This means that the housing supply provided by future development would likely commence in 2027 and run through to 2047.</p> <p>Council has yet to identify how they will achieve the housing targets or what land is available to meet this supply. Council states that the greatest dwelling capacity is within the R2 Low Density Residential zone land and that all remaining capacity within the R4 zone is forecasted to be exhausted by June 2031 (Shire Strategic Planning Committee Business Paper PLN018-22).</p>

Council or other endorsed strategy	Consistency
	<p>Council states that the realisation of future housing opportunities will take time, with an industry lag of 6-7 years after sites are identified.</p> <p>The planning proposal has the ability to unlock this strategic brownfield site to deliver both R3 and R4 zoned land and provide a dwelling supply of 200-280 dwellings per year, or an average of 26% of the year-on-year housing supply for 18 years, needed to meet Sutherland Shires projected dwelling targets.</p> <p>This will be delivered in a way that does not impact nor alter the character of existing suburbs in the Sutherland Shire and protects the current residents from further densification within existing established suburbs.</p> <p>The planning proposal is consistent with the strategic objective to deliver long term housing and land supply.</p>
<p><i>Sutherland Shire Economic Informing Strategy</i></p>	<p>Consistent</p> <p>The Sutherland Shire Economic Strategy identifies four key economic growth objectives, with the planning proposal contributing to three of those objectives, being:</p> <p>Objective 1: <i>Increase the number of FTE jobs by 10,000 FTE.</i> Development in accordance with the master plan would directly generate and indirectly support 2,196 FTE jobs.</p> <p>Objective 2: <i>Increase the business output by 15%.</i> Development in accordance with the master plan would generate \$232M in output.</p> <p>Objective 4: <i>Increase the average tourism spend by 20% (\$46M).</i> Development in accordance with the master plan would generate \$68.3M per annum, associated with the tourism component.</p>
<p><i>Sutherland Shire Open Space Strategy</i></p>	<p>Consistent</p> <p>Refer to the Landscape and Open Space Strategy.</p> <p>All local and district open space areas can be designed and delivered consistent with the requirements of the Sutherland Shire Open Space Strategy in terms of area, dimension, access to street frontage, parking and associated onsite facilities and amenities.</p>

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Yes

The planning proposal is consistent with the following strategy:

Kurnell 2020: Corridor Delineation Report 2009.

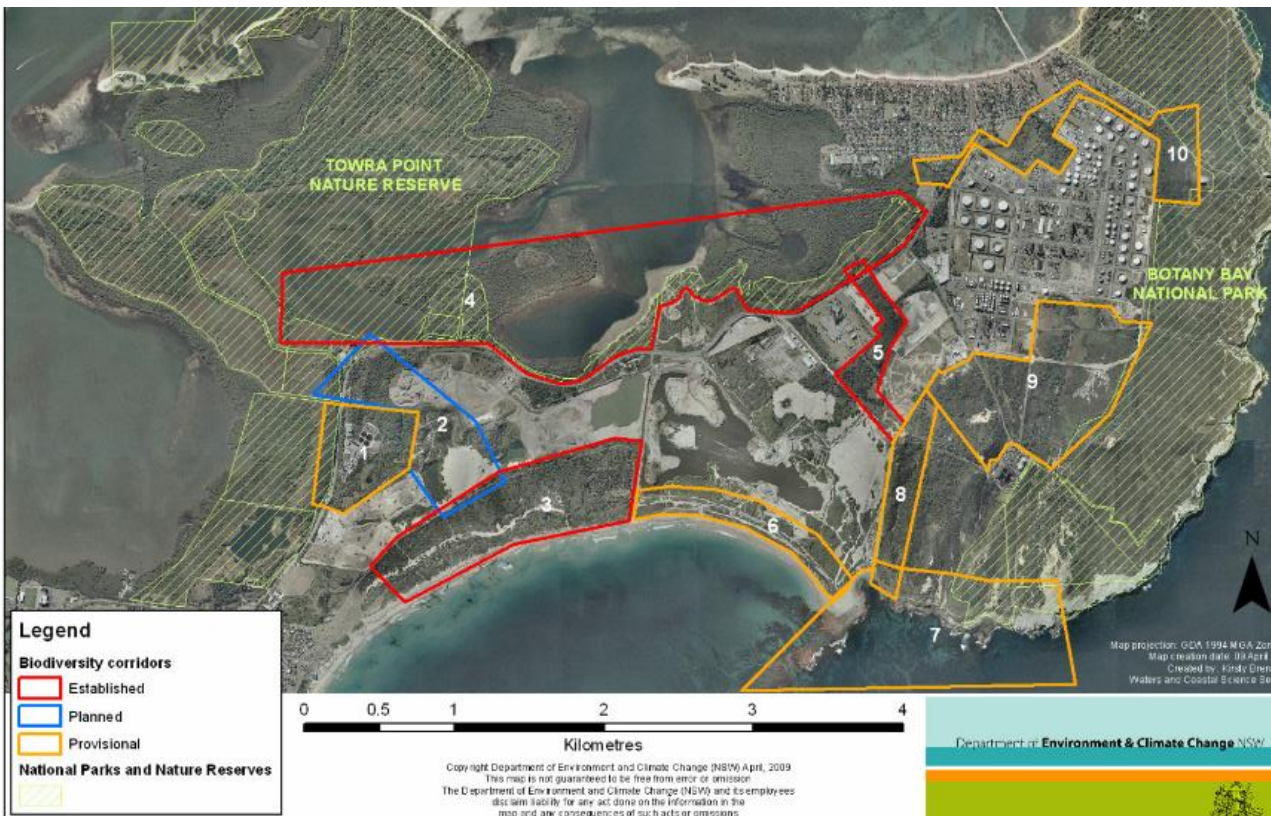
This report identifies a single biodiversity corridor along the frontal dune of at least 200m wide.

The planning proposal through the proposed C2 Environmental Conservation zone, provides for a corridor of approximately 200m-230m wide along the Bate Bay beach front, as well as expanding the corridor adjacent to Tabbigai by 100m and introducing new north-south connections through the site that vary in width from 100m to 400m.

These corridors are capable of supporting habitat and the movement of fauna through the site. This far exceeds the expectations documented within the Corridor Delineation Report.

The Cultural and Ecology Strategy supporting the planning proposal sets out the vision and provides a framework for the types of flora and fauna habitats that may be established on the site. The species identified reflect those native to the area and/or that are no longer present or near extinction, such as the Green and Golden Bell frog.

Figure 30 Biodiversity Corridors within the Kurnell Peninsula



Picture 17 Existing and planned corridors

Source: DPE of Environment & Climate Change NSW



Picture 18 Proposed corridors

Source: Group GSA

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes

The planning proposal is consistent with relevant State Environmental Planning Policies (SEPP) as identified and discussed in Table 16.

Table 16 Consistency with SEPPs

Relevant Document	Consistency
<p>SEPP (Precincts—Central River City) 2021</p> <p>Chapter 5 Kurnell Peninsula</p> <p>Chapter 5 aims to conserve the natural environment of the Kurnell Peninsula, whilst promoting and encouraging commercial, industrial, and tourist development that is consistent with the peninsula’s landscape attributes.</p>	<p>To be amended by the planning proposal</p> <p>The intended outcome of the planning proposal is to transfer those parts of the site which are subject to the SEPP Precincts, to the SSLEP 2015 and apply standard instrument zones, which reflect the future development outcome detailed in the master plan.</p> <p>Upon gazettal, the SEPP would be amended to remove reference to the site, and therefore the SEPP will no longer apply.</p>

Relevant Document	Consistency
SEPP (Biodiversity and Conservation) 2021	
<p>Chapter 2 Vegetation in non-rural area</p> <p>Chapter 2 aims to preserve the amenity and biodiversity values of vegetation in non-rural areas of the State.</p> <p>Clause 2.6(1) requires that a permit be granted by Council before vegetation can be cleared in a non-rural area.</p> <p>Clause 2.6(2) requires that approval be granted by the Native Vegetation Panel if native vegetation is cleared that exceeds the biodiversity offsets scheme threshold of 2,500m² pursuant to clause 7.2 of the Biodiversity Conservation Regulation 2017.</p>	<p>Consistent</p> <p>The site currently contains limited vegetation and is largely a brownfield site that has been cleared. Small wetland communities exist within Lot 2 North and Lot 8.</p> <p>Development of the site, in accordance with the planning proposal and the master plan, presents a significant and unparalleled opportunity to create habitat corridors and vegetation communities on the site, which connect with and expand on those species which presently exist on the Peninsula.</p> <p>Whilst the planning proposal does not seek development consent for the clearing or removal of vegetation, the associated widening of Captain Cook Drive will require the removal of periphery vegetation which exists within the road corridor.</p> <p>EcoPlanning has assessed the vegetation within and adjacent to the road corridor to determine the affectation of the civil design for the proposed widening of Captain Cook Drive.</p> <p>EcoPlanning states that the majority of the existing road corridor supports cleared land or mown exotic grasslands on the verge of the existing road. A narrow band of native vegetation is present along portions of the existing road corridor, although much of this vegetation is heavily disturbed from previous clearing and weed invasion.</p> <p>The future construction of Captain Cook Drive will also include improved stormwater management devices, ultimately improving the quality of water entering Quibray Bay from Captain Cook Drive.</p>
SEPP (Resilience and Hazards) 2021	
<p>Chapter 2 Coastal Management</p> <p>Chapter 2 requires that development consent not be granted in coastal zones unless the likelihood for adverse impact is considered and, where relevant, the development is designed and managed to avoid impact.</p>	<p>Consistent</p> <p>There are a number of areas of the site which are located within the Coastal Environmental Area, being the southernmost portion of Lot 2 South, and the northernmost portion of Lot 2 North. Inland from the Coastal Environment Area, the site is identified as being in the Coastal Use Area. Development under the master plan is consistent with the objectives and requirements of Chapter 2 as follows:</p> <p>Royal Haskoning DHV recommended that a minimum setback of 100m from the frontal dune for future</p>

Relevant Document	Consistency
	<p>development be achieved. The planning proposal seeks to rezone the frontal dune to C2 Environmental Conservation which has a width of 200m-230m, which restricts future development in this zone.</p> <p>Existing work has been undertaken by the proponent to stabilise and manage the frontal dune from erosion and this process will continue.</p> <p>Lot 2 North is subject to sea level rise at 2.6m. Lot 2 North will be raised from the current level of RL2-4 to RL5, in the location of the development footprint.</p> <p>The NSW Coastal Design Guidelines assessment checklist has been completed and confirms that future development in accordance with the master plan would not be subject to an unacceptable risk of coastal hazards.</p>

Chapter 4 Remediation of Land	Consistent
<p>Clause 4.6 requires in the event of a change of land use, the planning authority must consider whether the land is contaminated, if the land can be suitably remediated for the proposed use.</p>	<p>The site supports a number of land uses. Lot 2 North, is currently used for private recreation purposes (horse stables / horse riding), Lot 2 South hosts an ongoing sand extraction operation which is also being rehabilitated and filled with VENM in accordance with the relevant EPL, Lot 8 is currently largely undisturbed, overgrown with bitou bush, has a small wetland area and a large intact midden and has remained undeveloped, and Lot 9 has an unused building located on it previously used to house aircraft signal beacon.</p> <p>A Preliminary Site Investigation (PSI) has identified the following potential environmental concerns on the site:</p> <ul style="list-style-type: none"> ▪ Weathering of hazardous building materials including asbestos, zinc and/or lead from older building materials used in Lot 2 North and Boat Harbour Cabins in Lot 2 South, and potential historical use of pesticides beneath structures in those localities. ▪ Storage and preparation of herbicide spray solutions from concentrates in the chemical storage area on Lot 2 South for localised weed control on Lot 2 South; ▪ Importation for rehabilitation of the quarry void of VENM and PASS, with the potential for natural occurrence of metallic mineralisation; ▪ Incidental release of diesel fuel associated with storage of diesel fuel within two ASTs and transport and use of fuel for refuelling equipment across the site; and

Relevant Document	Consistency
	<ul style="list-style-type: none"> ▪ Potential migration of impacted groundwater into the site from off-site sources including the former Breen Holdings waste landfill immediately west of Lot 2 South and industrial properties north east of Lot 2 South. <p>A qualitative assessment of the above items identified low risk levels associated with them.</p> <p>In response to the advice and direction provided by EPA during the scoping proposal phase, the proponent engaged an accredited site auditor (Enviroscene Pty Ltd) to undertake a Site Audit. This confirmed that the site is suitable or can be made suitable for the proposed land uses. This issue is discussed further in the discussion of local planning directions below.</p>

SEPP (Transport and Infrastructure) 2021 (Infrastructure SEPP)

Chapter 2 Infrastructure	Consistent
<p>This chapter aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development.</p>	<p>Development on the site will involve the subdivision of numerous lots and will result in the delivery of more than 3000 residential dwellings.</p> <p>The Transport and Infrastructure SEPP aims to facilitate the efficient delivery of infrastructure across NSW and identifies matters that should be considered in relation to development adjacent to road corridors, including consideration of potential amenity impacts to future residents.</p> <p>Clause 2.119 of the Infrastructure SEPP requires consideration of potential road noise or vibration impacts on development for residential purposes, on land adjacent to a road corridor, with an annual average daily traffic volume of more than 20,000 vehicles. Captain Cook Drive exceeds this threshold and triggers the need for consideration of acoustic impacts for future development.</p> <p>To mitigate noise intrusions from Captain Cook Drive and preserve the overall amenity for residents, employees, and visitors, a 70m wide acoustic buffer zone along the northern and southern site frontages to Captain Cook Drive has been incorporated into the master plan. This buffer zone accommodates the projected widening of Captain Cook Drive from two lanes to four lanes.</p> <p>It can be anticipated that future development applications for residential development adjacent to Captain Cook Drive will need to demonstrate compliance with the provisions of the Infrastructure SEPP. Depending on the</p>

Relevant Document	Consistency
	<p>scale of development under individual development applications, the concurrence of Transport for NSW under Schedule 3 of the Infrastructure SEPP may also be required.</p> <p>TfNSW has been a key stakeholder, actively involved in providing advice to the proponent PWG throughout the preparation of the planning proposal.</p> <p>The matters identified by TfNSW have been addressed as part of the technical traffic advice prepared by SCT Consulting, the concept civil engineering designs prepared by Diversi and the accompanying QS report.</p>

SEPP (Housing) 2021

Chapter 2 Affordable housing	Consistent
Chapter 3 Diverse housing	<p>This planning proposal is consistent with the Principles of the Housing SEPP as follows:</p> <p>The LEP mapping and instrument changes make provision for a diverse range of housing to be delivered on the site. This includes build-to-rent, affordable housing and housing for seniors.</p> <p>It is proposed that 7.5% of dwellings will be provided as affordable housing and will be delivered in a staged approach, providing a 15-year supply of affordable housing.</p> <p>The master plan identifies the delivery of different precincts which offer a diversity in amenity and lifestyle choices, including an active town centre and more suburban lifestyle arrangements.</p> <p>Provision has been made for seniors housing and the ability to age-in-place. The master plan includes 750 dwellings or beds for seniors housing.</p> <p>The site will be serviced by infrastructure, including a frequent bus service, with all residents to be located within 400m of a bus stop, meeting the location requirements for developments within an accessible area.</p> <p>Other site design and location criteria such as setbacks, buffers and ecological corridors are capable of being met and adequate provision has been made for that within the master plan, including any required additional APZ's for SFPP, such as seniors housing.</p>

Relevant Document	Consistency
	<p>Future development applications will be subject to assessment against the relevant chapter of the SEPP Housing.</p>
<hr/> <p>SEPP 65 – Design Quality of Residential Apartment Development</p> <hr/>	
<p>Clause 28(2) requires that the Apartment Design Guide (ADG) be taken into consideration when assessing a development application for a mixed-use development with a residential accommodation component.</p>	<p>Consistent</p> <p>Any future development application for residential flat building typologies over three storeys and containing four or more apartments will be required to demonstrate compliance with SEPP65 and the ADG at the time of lodgement.</p> <p>The residential building envelopes within the master plan and the typical floor plan layouts have all been designed to achieve compliance with the requirements of SEPP65, in particular:</p> <ul style="list-style-type: none"> ▪ Solar access and overshadowing – 70% ▪ Natural cross ventilation – 60% ▪ Deep soil planting – 7% ▪ Communal open space – 25% ▪ Building separation – minimum 12m ▪ Room sizes and private open space <p>A detailed assessment of SEPP 65 compliance will be undertaken during future development applications.</p>
<hr/> <p>SEPP (Sustainable Buildings) 2022</p> <hr/>	
<p>Chapter 2 Standards for residential development—BASIX</p> <p>The Sustainable Buildings SEPP requires residential development to achieve mandated levels of energy and water efficiency.</p>	<p>Consistent</p> <p>The Sustainable Buildings SEPP requires residential development to achieve mandated levels of energy and water efficiency.</p> <p>The master plan has been designed with building massing and orientation to facilitate future BASIX compliance.</p> <p>This will be documented at the relevant development application stage.</p>
<p>Chapter 3 Standards for non-residential development</p>	<p>Consistent</p> <p>Future development on the site is to be designed and sited in a way that maximises solar access and captures breezes. The master plan and road layout have been designed to facilitate such opportunities.</p>

Q7 *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions) or key government priority?*

Yes

The planning proposal is consistent with relevant Local Planning Directions under Section 9.1 of the EP&A Act as identified and summarised in Table 17.

Table 17 Consistency with Section 9.1 Directions

Local Planning Directions	Assessment	Consistency
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	<p>The planning proposal is consistent with the overall intent of the Region Plan and achieves the overarching Directions of the Region Plan, centred around housing supply, housing diversity and housing affordability, creating great places that are resilient and provide for an increase and expansion of the greater Sydney Green Grid.</p> <p>It is acknowledged that a key objective of the Region Plan is to protect the Sydney Airport Operations. In this regard, the planning proposal is not inconsistent with the plan in relation to aircraft noise as the master plan has been designed to locate future residential accommodation outside of the flight paths. Other detailed mitigation measures will be applied at the detailed design phase. It is also highlighted that the airport operations are in a state of potential change and the area of the site which is subject to aircraft noise will be developed as one of the later stages in the development (15+ years).</p>	Yes
1.2 Development of Aboriginal Land Council Land	Not applicable	N/A
1.3 Approval and Referral Requirements	This is an administrative requirement for the PPA.	N/A
1.4 Site Specific Provisions	<p>The planning proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner generally consistent with the SSLEP 2015.</p> <p>The proposed land use zones are Standard Instrument zones which are currently contained within the SSLEP 2015.</p> <p>It is proposed to incorporate local provisions relating specifically to the site not to introduce restrictive planning controls but to introduce a framework to facilitate the delivery of the master plan. The local provisions will be inserted within a new clause, clause 6.26 of the SSLEP 2015, which provides the necessary flexibility at the zone boundary, and to enable certain additional permitted uses within the site to facilitate the vision of creating the cultural trail within the site. The local provision will enable</p>	Yes

Local Planning Directions	Assessment	Consistency
	<p>development to occur in accordance with the objectives of the planning proposal.</p> <p>This is specifically relevant as the site is a large brownfield site with no existing internal road network and therefore, a streetscape structure does not currently exist. Until such time that an internal road network is created, the boundaries of the land use zones, height and FSR's need to be flexible.</p> <p>Other provisions have also been included that provide greater clarity around the mapped heights and FSR's and permit or restrict certain types of developments.</p> <p>The proposed local provisions are further discussed in the Explanation of Provisions.</p> <p>The planning proposal is broadly consistent with the objective of this Direction.</p>	
1.4A Exclusion of Development Standards from Variation	<p>Not Applicable</p> <p>The planning proposal does not seek to exclude the application of clause 4.6 of the SSLEP 2015.</p>	N/A
Focus Area 1: Planning Systems – Place-based		
1.5 – 1.22	<p>Not applicable.</p> <p>The site is not located in any of the Place-based areas identified under the relevant Directions.</p>	N/A
Focus Area 2: Design and Place		
This Focus Area was blank when the Directions were made		N/A
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	<p>The planning proposal facilitates the protection and conservation of the environment through the introduction of the C2 Environmental Conservation zone to the site.</p> <p>New ecological areas environmental and cultural corridors are proposed to be created and will be zoned C2 - Environmental Conservation which reflects the vision and intent to increase biodiversity and create opportunities for indigenous cultural education and tourism enterprise to be established on site to celebrate the cultural significance of the site.</p>	Yes
3.2 Heritage Conservation	<p>The site does not contain items of European local or State heritage significance.</p> <p>Part of the site (the northern extent of Lot 8) contains a large intact midden, referred to as the McCue midden. The location of the site within the Kurnell Peninsula is of cultural significance.</p>	Yes

Local Planning Directions	Assessment	Consistency
	<p>The planning proposal and master plan have been guided by the outcomes of the ACHAR, engagement with First Nations peoples, through the Connecting with Country framework and specialist ecological advice from the project team.</p> <p>The area which contains the midden is to be protected and conserved. An ecological and cultural framework has been prepared which provides principles that will guide future development within the C2 - Environmental Conservation zone that will facilitate the conservation, use and management of land for cultural and ecological purposes.</p>	
3.3 Sydney Drinking Water Catchments	Not applicable	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	N/A
3.5 Recreation Vehicle Areas	Not applicable	N/A
3.6 Strategic Conservation Planning	Not applicable	N/A
3.7 Public Bushland	<p>The planning proposal is consistent with this Direction as follows delivery of the master plan will:</p> <ul style="list-style-type: none"> ▪ Enhance and expand corridors along the site boundary, where adjoining the Kamay Botany Bay National Park. ▪ Rehabilitate the site with new biodiversity corridors that are suitable for the reintroduction of ecological species and potential areas of habitat creation for species that are known to the Peninsula. <p>The proposed land use zones and development controls direct where urban development will be undertaken, provide generous separation to the surrounding bushland and include setbacks that provide for the protection and enhancement of these areas.</p>	Yes.
3.8 Willandra Lakes Region	Not applicable	N/A
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable	N/A
3.10 Water Catchment Protection	Not applicable	N/A
Focus Area 4: Resilience and Hazards		

Local Planning Directions	Assessment	Consistency
4.1 Flooding	<p>The site is not identified as flood prone land under the SSLEP 2015. Notwithstanding, flood modelling has been undertaken for the site and the surrounding catchment.</p> <p>The flood modelling assessed various scenarios, including the current situation, the base case with the site rehabilitated, and the rehabilitated site including the development detailed in the master plan. This modelling involves mapping flood depth, velocity, and differences for the various scenarios.</p> <p>The results from this modelling reveal that surface flows from the future site development are expected to discharge with generally low velocities towards Lindum Road in the west and Lot 8 to the east. The proposed future ground level of Lot 2 North which will sit at approximately 5 metres, is 2.4 meters above the combination of the 100-year Annual Recurrence Interval (ARI) still water level, sea level rise projections up to 2120, and the 100-year ARI local wave setup based on the Kurnell Coastal Engineering Study Revision 2.0 report by Royal Haskoning DHV. The site is not flood affected.</p> <p>For further details on the planning proposals consistency with this Direction, refer to the Flood Report prepared by EGIS.</p>	Yes
4.2 Coastal Management	<ul style="list-style-type: none"> ▪ The planning proposal is consistent with the objective of this direction for the following reasons: ▪ All future development is located landward of the coastal erosion hazard land identified in the Bate Bay Coastal Management Plan. ▪ Development under the master plan will not be located on land that has been identified as land affected by a current or future coastal hazard. ▪ The planning proposal is consistent with the relevant actions listed within the Bate Bay Coastal Management Plan. ▪ The master plan has been prepared having regard to the requirements of the Coastal Design Guidelines 2023. ▪ For further details on the planning proposals consistency with this Direction, refer to the Coastal Management Plan prepared by Royal Haskoning DHV. 	Yes
4.3 Planning for Bushfire Protection	<p>Lot 8, Lot 9 and Lot 2 North are mapped as bushfire hazards however Lot 2 South is not identified on the bushfire mapping. Land adjoining the site is land mapped as a bushfire hazard of varying degrees. Consultation with RFS has occurred and advice has been received which has informed the master plan design</p>	Yes

Local Planning Directions	Assessment	Consistency
	<p>This planning proposal is consistent with this Direction as the master plan:</p> <ul style="list-style-type: none"> ▪ Complies with the requirements of the Planning for Bushfire Protection Guidelines 2019. ▪ Establishes compliant asset protection zones (APZs) for residential and SFPP uses and provides for buffer areas adjacent to the National Park. ▪ Incorporates perimeter roads around the development precincts. ▪ Contains provisions for adequate water supply for firefighting purposes. ▪ Demonstrates that the site is safe from bushfire hazards and that the land uses are appropriately located. ▪ Further details on the planning proposal's consistency with this Direction is detailed in the Strategic Bushfire Study prepared by EcoLogical Australia. 	
<p>4.4 Remediation of Contaminated Land</p>	<p>A Preliminary Site Investigation (PSI) has been prepared by Tetra Tech and an Environmental Site Assessment (ESA) has been prepared by HEC. Envirocene Pty Ltd reviewed the PSI and ESA and prepared a site audit statement considering both these reports and the historical information relating to the sand extraction and rehabilitation operations and documentation relating to ongoing compliance with relevant EPLs.</p> <p>The PSI identified and assessed the following potential environmental concerns for the site:</p> <ul style="list-style-type: none"> ▪ Weathering of hazardous building materials including asbestos, zinc and/or lead from older building materials used in Lot 2 North and Boat Harbour cabins in Lot 2 South, and potential historical use of pesticides beneath structures in those localities. ▪ Storage and preparation of herbicide spray solutions from concentrates in the chemical storage area on Lot 2 South for localised weed control on Lot 2 South. ▪ Importation for rehabilitation of the quarry void of VENM and PASS, with the potential for natural occurrence of metallic mineralisation; ▪ Incidental release of diesel fuel associated with storage of diesel fuel within two ASTs and transport and use of fuel for refuelling equipment across the site; and ▪ Potential migration of impacted groundwater to the site from off-site sources including the former Breen Holdings inert 	<p>Yes</p>

Local Planning Directions	Assessment	Consistency
	<p>waste landfill immediately west of Lot 2 South and industrial properties north east of Lot 2 South</p> <ul style="list-style-type: none"> ▪ A qualitative assessment of the above risks found low risk levels which did not warrant additional assessment. ▪ The ESA was undertaken to confirm the status of the areas of the site not subject to VENM importation, through soil and groundwater sampling. Based on the outcomes of the investigation, the investigation areas of Lot 2 North and Lot 2 South are considered to be suitable for the existing and future land uses. ▪ Following an assessment and verification of the outcomes from the PSI and ESA, the site audit has confirmed the site is or can be made suitable for development subject to ongoing regulation of the site's rehabilitation, including annual environmental audits, further investigations, and monitoring. Further, the site audit confirms that the completion of the recommended additional investigations are unlikely to produce any new findings that would contradict the conclusions of the PSI and ESA. ▪ Further information on the nature of the required further investigations and monitoring is outlined in Section 6 of this report. ▪ The additional investigations primarily aim to verify assumptions outlined in the site audit. The site audit confirms that should these investigations identify any contamination issues, they would not preclude the development potential of the site. In the event remediation is deemed necessary, it can be reasonably and practically integrated into the approval process. 	
4.5 Acid Sulfate Soils	<p>Lot 2 North has a high probability of containing acid sulfate soils, potentially Class 3 or Class 4. Lot 8 is mapped as Class 3 and 4.</p> <p>Lot 2 South has been filled with VENM and has received small quantities of potential acid sulfate soils (PASS) in accordance with the site's EPL. The nature of the site's hydrology and the way the PASS was placed in the landform ensures there is a low risk of acidification.</p> <p>The Geotechnical Factors report prepared by Tetra Tech states that any ground disturbance greater than 1m in depth for Lot 8 and 9 only, should be accompanied by an Acid Sulfate Soil Management Plan however the remainder of the site does not present a risk.</p> <p>The planning proposal seeks to raise the ground level of Lot 8 from its current levels to RL5 in the location of the development</p>	Yes

Local Planning Directions	Assessment	Consistency
	<p>footprint. This would further limit the exposure of acid sulfate soils.</p> <p>The findings in the Geotechnical Factors are considered to meet the intent of the Direction and confirm that the future development in accordance with the master plan does not pose any environmental risk, providing the mitigation measures are adopted.</p> <p>An Acid Sulfate Soils Study can be prepared to inform the preparation of future development applications.</p>	
4.6 Mine Subsidence and Unstable Land	Not applicable	N/A
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	<p>The planning proposal is consistent with the objectives of this direction as follows:</p> <ul style="list-style-type: none"> ▪ Significant and ongoing consultation has occurred with TfNSW. A bus shuttle strategy, a Green Travel Plan and an Active Transport Strategy have been prepared by SCT Consulting, to satisfy the requirements of this Direction. ▪ At the end state of development, bus route 987 is proposed to be re-routed through the site, providing future residential occupants convenient access to frequent public transport. The bus service will connect residents to Cronulla station. ▪ The increased residential population will support the viability and increased frequency of the current bus route servicing the site. ▪ The master plan has designed the site to ensure all main roads have bi-directional cycle lanes. ▪ Captain Cook Drive will be upgraded, and bicycle lanes will be installed, connecting with the broader active transport network as well as the efficiency of the road itself. ▪ The site itself has been designed as a mixed-use community, providing local jobs in proximity to housing, all connected by an integrated active transport network. Improving access to housing, jobs and services by establishing internal and external active and public transport infrastructure. 	Yes
5.2 Reserving Land for Public Purposes	The proposed LEP mapping identifies two areas to be dedicated to Council. These areas are identified as the C2 Environmental Conservation land on the LEP maps and are located along the frontal dune and within the wetland area on Lot 2 North.	Yes

Local Planning Directions	Assessment	Consistency
	<p>As part of the letter of offer, the proponent also proposes to dedicate a total of eight local parks and three district parks to Council, which will ultimately be rezoned RE1 Public Recreation, following the land dedication and completion of embellishment works.</p> <p>The proposed land dedication for public purposes will be part of ongoing discussions with the relevant planning authority during the assessment of the planning proposal.</p>	
<p>5.3 Development Near Regulated Airports and Defence Airfields</p>	<p>This planning proposal is consistent with the objectives of this direction as follows:</p> <p>The master plan has been designed so that residential land uses are not located directly beneath the flight path:</p> <ul style="list-style-type: none"> ▪ The western portion of the site remains unconstrained from acoustic impacts associated with aircraft noise. The eastern portion of the site will be developed with acoustic attenuation typical of many residential suburbs affected by aircraft noise, however, the land uses are not deemed incompatible. ▪ The Obstacle Limitation Surface (OLS) is at a minimum RL130 over Lot 2 North. This is well in excess of any proposed building on the site. The proposed building heights, at a maximum 12 storeys and 44m will not interfere with the OLS. ▪ The proponent has consulted with the Sydney Airport Corporation through the Scoping Proposal phase and the submitted Acoustic Report prepared by EMM addresses those concerns and feedback from Air Services Australia on the scoping proposal. 	<p>Yes</p>
<p>5.4 Shooting Ranges</p>	<p>Not applicable</p>	<p>N/A</p>
<p>Focus Area 6: Housing</p>		
<p>6.1 Residential Zones</p>	<p>The planning proposal is consistent with the objectives of this direction as follows:</p> <ul style="list-style-type: none"> ▪ Development in accordance with the master plan will deliver 3,585 dwellings (2,743 high rise apartments, 582 medium density apartments and 258 duplex / townhouse) and 750 seniors dwellings / rooms. ▪ The land use zonings provide a mix of medium density and high density residential housing stock that is capable of accommodating a diverse range of housing. ▪ There is sufficient capacity within the infrastructure network (electricity and water) to service the development. 	<p>Yes</p>

Local Planning Directions	Assessment	Consistency
	<p>Altogether will create a network onsite to provide for the sewerage needs.</p> <ul style="list-style-type: none"> ▪ The road network is capable of supporting the development, up to Stage 3A, at which point Captain Cook Drive will need to be widened, which the proponent has committed to undertaking. ▪ The master plan has demonstrated an exceptional placed based outcome that responds to the unique natural qualities of the site and provides for the efficient use of active and available land supply, that is suitable for residential purposes. ▪ The site is relatively unconstrained and presents a substantial brownfield site in single ownership that is capable of providing a 20-year residential supply between two nearby and established residential communities. ▪ The residential zoned land is suitably set back from the site boundaries to provide sufficient buffers between urban land and the adjacent National Park, the frontal dune, Wanda Reserve or the wetland areas. 	
6.2 Caravan Parks and Manufactured Home Estates	Not applicable	N/A
Focus Area 7: Industry and Employment		
7.1 Employment Zones	<p>The planning proposal is consistent with the objectives of this Direction as follows:</p> <ul style="list-style-type: none"> ▪ The existing operations on the site are nearing end of life. Except for Lot 8, the site is not identified as being zoned for industrial purposes, nor is it located within an Employment Land Precinct. ▪ Lot 8 has never been used for any form of industrial or urban development. This site contains a midden and wetland and past development applications have been refused due to the site's cultural and environmental qualities. The rezoning of this land to C2 reflects the site's attributes whilst also providing for employment opportunities associated with cultural education and tourism. ▪ Notwithstanding the above, the planning proposal will provide significant employment growth for the Sutherland Shire and Kurnell and aligns with the objective of the Direction, which is to encourage employment growth in suitable locations. ▪ The proposed land use zones and the intended development outcome provide for a mix of employment 	Yes

Local Planning Directions	Assessment	Consistency
	<p>generating land uses, including a new local centre, tourism, cultural tourism, education, aged care and general retail, generating 2,196 FTE jobs.</p> <ul style="list-style-type: none"> ▪ This exceeds the employment currently generated onsite and provides sustainable employment opportunities for future generations, at a capacity greater than which the current operations can sustain. ▪ The proposal provides for significant new Cultural Enterprise employment opportunities which far outweigh the retention of the industrial land zoning over Lot 8 and reflect the cultural values and significance of this area. ▪ Section 9.1 Direction provides flexibility in the application of the direction and enables a planning proposal to be inconsistent with the terms of this direction where the proposal is of minor significance. The rezoning of Lot 8 as proposed represents a loss of 0.17% of the 2020 total employment land supply in the Sydney metropolitan area and is insignificant in terms of impact and loss of industrial zoned land. ▪ The local centre will provide a full line supermarket and approximately 9,800m² commercial/retail GFA. The projected population of approximately 7,304 residents will generate a demand for approximately 7,500m² of retail GFA. Given the demand generated by the future population, it is not expected that the proposed new town centre would detract from existing local centres such as Wooloware Bay. <p>For further details on the planning proposal's consistency with this Direction, refer to the Economic Impact Assessment prepared by Hill PDA.</p>	
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	N/A
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable	N/A

Local Planning Directions	Assessment	Consistency
Focus Area 9: Primary Production		
9.1 Rural Zones	Not applicable	N/A
9.2 Rural Lands	Not applicable	N/A
9.3 Oyster Aquaculture	Not applicable	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	N/A

Section C – Environmental, Social and Economic Impact

Q8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

Future development in accordance with the master plan, provides plans for both avoidance and improvement of flora and fauna habitat values on site, and as such it is intended to be “nature positive”. It will provide for the restoration and revegetation of 141 ha or about 67% of the site as open space corridors and will significantly increase the coverage of native flora and fauna on site.

This will be managed in perpetuity for ecological and cultural values, as set out in the Ecological and Cultural Management Strategy.

A high proportion of the site has been cleared for sand extraction. However, a number of native plant communities are identified in Lot 2 North and Lot 8, and these include the threatened ecological communities saltmarsh, swamp oak Floodplain forest, and coastal swamp sclerophyll forests.

Native vegetation will be retained and conserved. Remaining vegetation will be augmented by substantial revegetation of the remediated sand quarry that will aim to regenerate ecological communities at risk elsewhere on the Peninsular, including the threatened ecological communities of Littoral Rainforest, Kurnell Dune Forest, Bangalay Sand Forest and Freshwater Wetlands. Some threatened species are known or likely to occur within the habitats remaining on site. However, habitats for these species are predicted to remain and be expanded as revegetation occurs.

No critical habitat or threatened species, populations or ecological communities or their habitats are likely to be adversely impacted because of the proposal.

Q9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The site is free of major constraints. There are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further design development.

Preliminary and detailed investigations have been undertaken as outlined below.

Urban Design

Shadow Analysis

Group GSA conducted a detailed shadow analysis to assess the impact of the proposed built form presented in the master plan on the communal open space and public open spaces. The analysis primarily focused on solar access to the indicative communal open space during the winter solstice between 9 am and 3 pm, ensuring that the majority of the communal open space, at ground level, receives a minimum of 50% direct sunlight for at least 2 hours, in line with the requirements specified in the Apartment Design Guide (ADG).

The master plan strategically situates taller built forms adjacent to key transport routes and public open spaces to maximise the location and amenity benefits they offer. To mitigate any potential impact, the design of public and communal open spaces prioritises solar access (north-facing orientation) to optimise their layout.

The shadow analysis results are as follows

- **Communal Open Space:** an average of 78.36% between 9:00am – 3:00pm (Refer to Figure 31)
- **Public Open Space:** an average of 87.46% between 9:00am – 3:00pm (Refer to Figure 32)

Figure 31 Shadow Analysis – Communal Open Space



Source: Group GSA

Figure 32 Shadow Analysis – Public Open Space



Source: Group GSA

The master plan has demonstrated that future development proposals can meet ADG compliance on this requirement.

ADG Testing

Group GSA has undertaken a solar access analysis on winter solstice 22 June from 9:00am - 3:00pm. The output of this testing is intended to provide a representation of the number of hours facades receive solar access during this time period.

The ADG requires at least 70% of apartments in a building to receive a minimum of 2 hours of direct sunlight between 9am and 3pm mid winter (winter solstice). High level envelope testing demonstrates that 79% of building facades for the built form in the master plan receive two or more hours of sunlight across the site.

Through this typology testing, it is clear that that future development proposals can meet ADG compliance on this requirement.

An overview of the site-wide solar access model is provided in Figure 33 below.

Figure 33 Indicative Solar Access Assessment



Source: Group GSA

Visual considerations

Visual Impact

A Visual Impact Assessment (VIA) has been prepared by Group GSA. The VIA has assessed the visual impact of the planning proposal from four key viewpoint locations as informed by the advice and direction received from Sutherland Shire Council, the SDRP and DPE in their feedback on the Scoping Proposal (refer to Figure 34 below).

Figure 34 Viewpoint Locations



Source: Group GSA

The VIA has been prepared in accordance with national, international, and best-practice visual assessment policy, in particular the *Guideline for Landscape Character and Visual Impact Assessment* practice note prepared by Transport for NSW - Centre for Urban Design. The process involved a thorough analysis to gauge the sensitivity of each viewpoint receiver and the potential magnitude of impact the proposal might have on the existing visual landscape.

Sensitivity, in this context, refers to the physical scale of the proposal concerning the overall view, considering aspects such as distance, size, and the presence of other significant visual elements.

Magnitude refers to the relative physical scale of the proposal in comparison to the total extent of the view including distance and size, and the presence of other prominent visual features.

The findings of the VIA are summarised below and have been integrated into the concept design and form the basis for site-specific mitigation strategies. These strategies are aimed at addressing and minimising any potential adverse visual impacts from the proposal.

Overall, the proposal depicted in the master plan has a low-moderate visual impact on its context and a conclusion can be drawn that the layout and built form have an acceptable impact on the surrounding context.

A summary of the key site-wide mitigation measures is proposed and outlined below:

- **Establish Ecological Corridors:** Create north-south ecological corridors, at least 150m wide, to visually separate the built skyline.
- **Building Heights:** Ensure maximum building heights align with the local topographic peak (44m RL) at Kamay Botany Bay National Park. There may be opportunities for exceeding these heights with further articulation and rationale provided.
- **Height Strategy:** Use a height strategy with variable building densities across the site to break the visual mass of precincts.
- **Density Concentration:** Concentrate density within the site's centre, forming a third ridge visually linking the National Park to Wanda Reserve, offering greater height placement opportunities.
- **Height Reduction Towards Waterfront:** Lower the built form's height towards the Bate Bay waterfront to match the surrounding context's slope toward the ocean.
- **Prominence Retention:** Maintain the prominence of Quibray Bay and Towra Point by:
 - Setting a 4 - 6 storey maximum height (23m) in Quibray Bay, ensuring the development sits 16m under the western ridgeline and is significantly set back from the foreshore.
 - Retaining ecological integrity by restricting development, ensuring it remains outside the Wetland Proximity Area SEPP (Resilience and Hazards) 2021.
 - Introducing a 25m maximum height (6 Storey) for development, sitting 20m under the ridgeline highpoint in Kamay Bay National Park, preserving the green horizon line.
- **Coastline Visibility:** Ensure coastline visibility by:
 - Retaining ecological integrity of waterfront dunes and Coastal Use Area, restricting development within 180m of the southern site boundary.
 - Reducing built form height towards Bate Bay while maintaining heights of up to 4-6 storeys, set back from the coast as per SSDCP2015.
- **Height Limitation:** Limit heights to 8 storeys along Tabbigai on the eastern boundary and 6 storeys to the south towards Boat Harbour.
- **Towra Point Prominence:** Retain Towra Point's prominence by introducing a 6 storey maximum height (25m), ensuring development sits over 10m under the western ridgeline within Wanda Reserve. Use suitable materiality and articulation to blend the proposal into the landscape.
- **Setback Measures:** Implement wide built form setbacks to site boundaries, allowing for topographic changes, landscaping, and tree canopies to obscure visibility:
 - Maintain at least 100m separation between Wanda Reserve and the Resource Recovery Facility from the western boundary.

- Setback development at least 70m from Captain Cook Drive, as per the EMM Noise and Vibration Study 2020.
- Introduce a maximum height of 12 Storeys throughout the site master plan, keeping all development within a 20m range of the 38m ridge height of Wanda Reserve.

These measures incorporate materiality, landscaping, and height adjustments to blend the proposal into its landscape and reduce visual impact.

As a result of the implementation of these mitigation measures the VIA has determined the following visual impact experienced by each viewpoint are outlined in Table 18Error! Reference source not found. below:

Table 18 Visual Impact Assessment Results

Viewpoint Number	Magnitude	Sensitivity	Overall Visual Impact Rating
VP1	Low	▪ Low – Moderate	▪ Low
VP2	Low – Moderate	▪ Low	▪ Low – Moderate
VP3	Low	Low	Low
VP4	Moderate	▪ Moderate	▪ Moderate

Biodiversity

Towra Point Nature Reserve

The northern part of the site adjoins Towra Point Nature Reserve.

Towra Point Aquatic Reserve, adjoins the nature reserve, includes much of the remaining important seagrasses (including the endangered population of *Posidonia australis*), mangroves and migratory wading bird habitats in Botany Bay (NPWS 2001). It represents major habitat supporting commercial and recreational fish stocks in the coastal Sydney region.

These two conservation reserves complement each other.

While the proposal has the potential for indirect impacts from changes to stormwater and changes to human activity on the site, it will be nature positive and will help to augment and protect the two adjacent conservation reserves. Existing wetlands that adjoin Towra Point Aquatic Reserve will be rehabilitated and will be dedicated to add additional habitat and buffer lands to the reserve.

The Stormwater Assessment provides detailed information for the management of stormwater to provide for high quality management of stormwater discharge in a way that protects the marine estate.

The Biodiversity Assessment Report prepared by Cumberland concludes that development in accordance with the intended outcomes of the planning proposal is predicted to benefit the two Towra Point conservation reserves, by providing additional wetland and terrestrial vegetation buffers, and by providing extensive storm water controls to maintain or improve water quality entering the wetlands from the site.

Groundwater Dependant Ecosystem (GDE)

The ground water levels and ground water flows within the site have been monitored for many years, with monitoring ongoing. This work has modelled future groundwater levels and confirmed that the rehabilitated land will not alter the groundwater levels as the quarry is filled and rehabilitated.

No change in groundwater level is anticipated beneath Lot 2 North and observed groundwater levels between 2007 and 2019 are consistent with anticipated groundwater levels after rehabilitation of Lot 2 South. That is, groundwater levels will be like those currently observed in the western two-thirds of Lot 2 South and will rise in the eastern one-third when the hydraulic boundary of the dredge pond is replaced by VENM fill during rehabilitation. Furthermore, it is understood that stormwater quality and quantity have been designed so as to not exceed pre-development (post rehabilitation) flows. All stormwater flows and water quality that

exceeds the base case are to be treated and managed on site before being discharged into the environment. Increased stormwater run-off is not expected to impact on groundwater levels.

As no decrease in depth to groundwater is anticipated for the development it is considered unlikely that GDEs in or adjacent to the site will be impacted by reduced groundwater levels. The final landform will result in changes to the landform where development will occur, but the landform of surrounding areas will remain unchanged and the depth to groundwater in these areas is also expected to remain unchanged. Accordingly, no impact on nearby GDEs within or surrounding the site is expected to occur.

Captain Cook Drive

To support the future projected population at the time of full occupation, Captain Cook Drive will be widened to four lanes (two in each direction) between Elouera Road and the track to Boat Harbour Drive. The extent of the proposed widening is identified in

Figure 35 below.

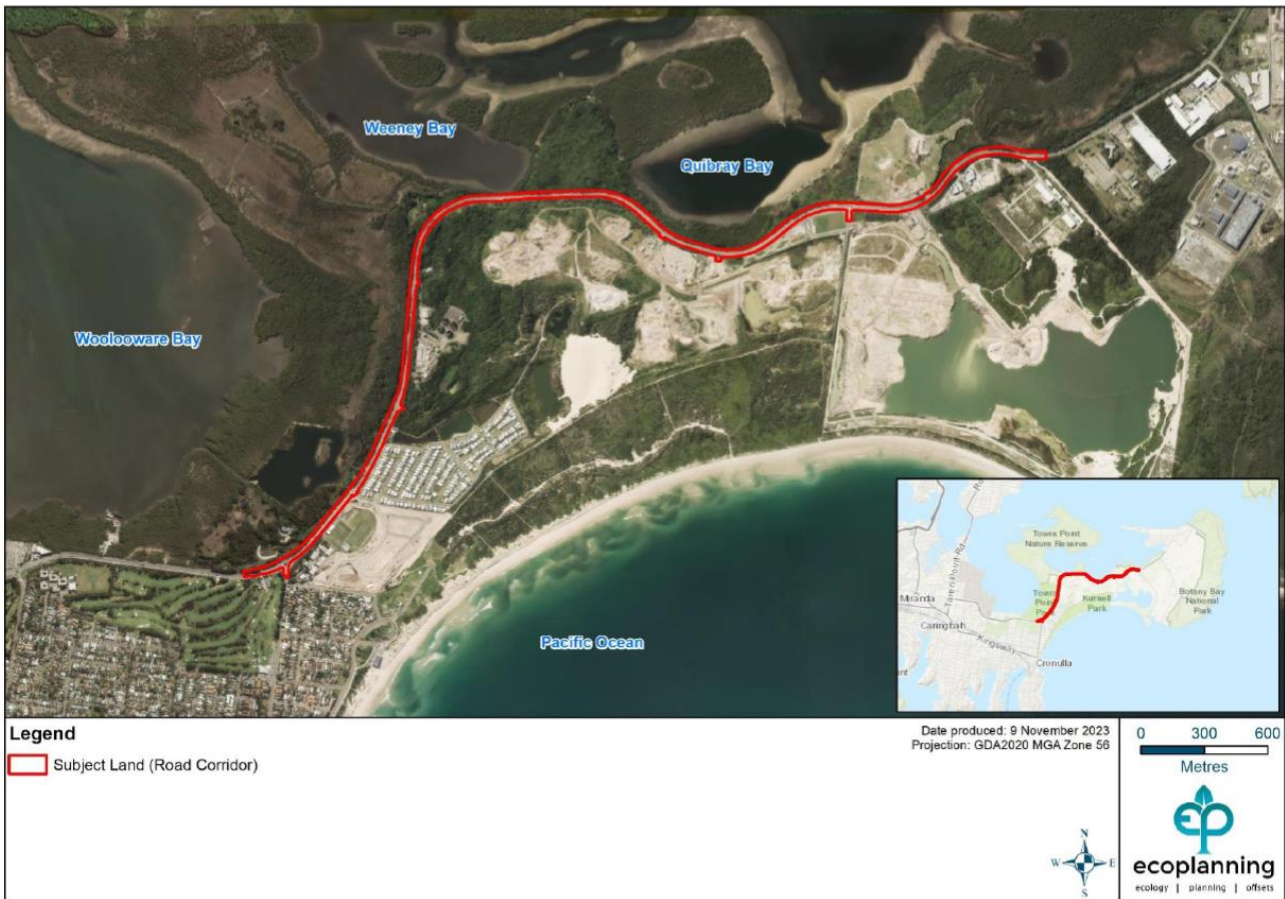
Eco Planning has undertaken an Ecological Constraints Assessment (ECA) to identify the known ecological values and features of the Captain Cook Drive Road reserve between the site and Elouera Road. The ECA will assist with the future detailed design of the Captain Cook Drive widening to identify likely assessment requirements and ecological implications of the construction activities. The ECA confirms that the widening of Captain Cook Drive would not result in serious or irreversible damage and that future road construction could occur subject to sensitive design.

Eco Planning has reviewed and validated the Plant Community Types (PCTs), within the road corridor and adjacent areas. Based on these investigations, the vast majority of the road corridor supports cleared or heavily disturbed land associated with the existing road and the mown road verge (which rarely supports any native vegetation). Within the 16.430 ha road reserve an area of 3.697 ha of native vegetation was mapped with areas of exotic grassland (2.589 ha) and planted vegetation including landscaped areas (0.19 ha) also identified. The ECA confirmed that generally, vegetation within the road corridor was highly modified and impacted by previous disturbances including clearing, weed invasion and nutrient-laden run-off.

A total of 16 flora species and 56 fauna species credit species have been identified as potentially occurring within the road reserve based upon the attributes listed above.

A detailed assessment of the proposed road design will be required, once the concept road design has been more fully resolved with TfNSW and following the issue of a Gateway Determination. Given that the Biodiversity Offset Scheme (BOS) is likely to be triggered, a Biodiversity Development Assessment Report will be required to describe the proposal, identify the measures to avoid and minimise impacts on biodiversity, and the type and quantum of biodiversity credits required to offset the impact of the proposal. The BDAR will also include assessments under the EPBC Act, FM Act and other relevant legislation and planning policies.

Figure 35 Extent of proposed widening to Captain Cook Drive



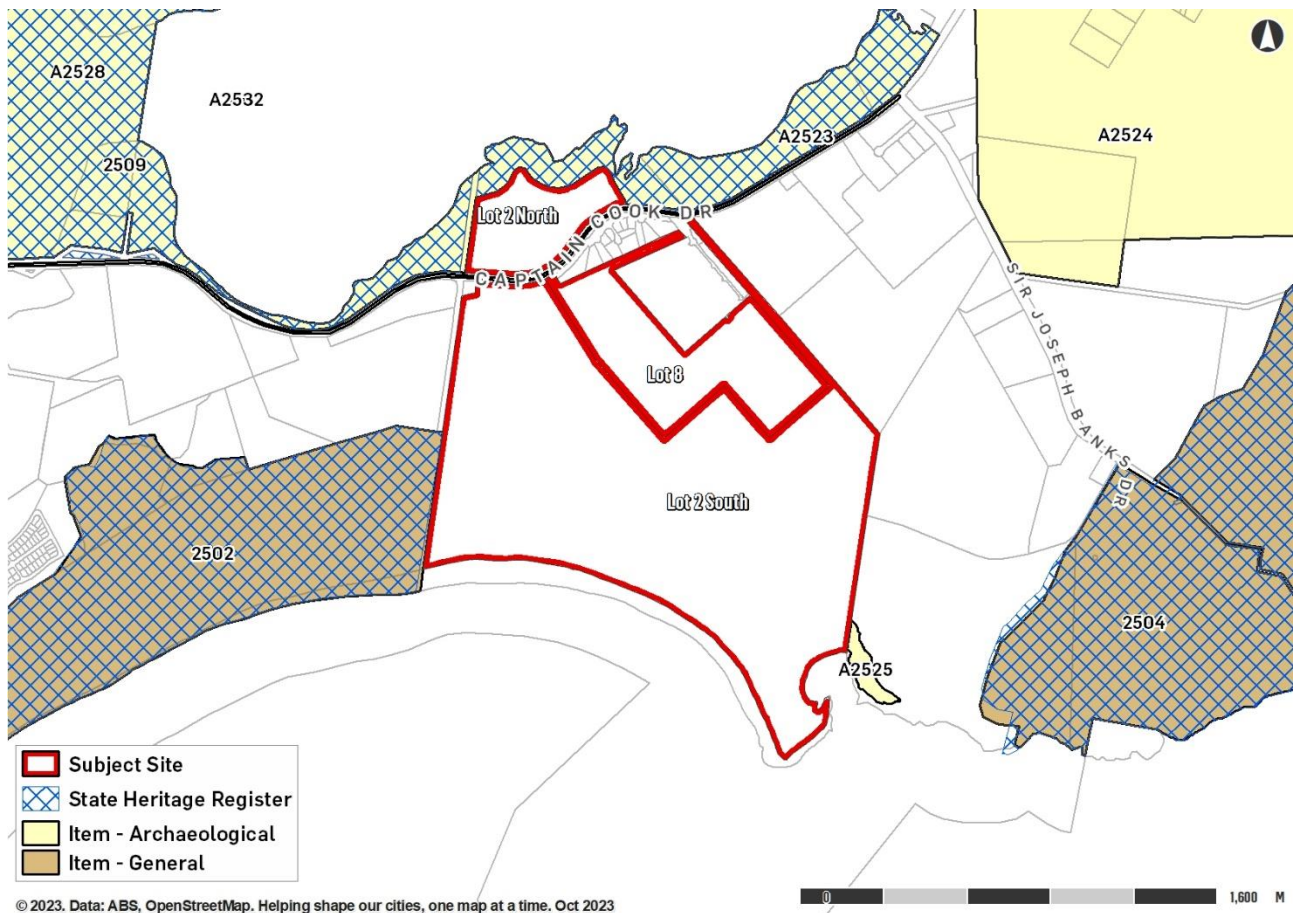
Source: Eco Planning - Ecological Constraints Assessment

Heritage considerations

European Heritage

Whilst the site does not contain items of European heritage significance, it is located adjacent to items of State, local and archaeological significance. These predominately relate to the natural landscape features that have valuable evidence of Indigenous occupation prior to European settlement, the natural history of the State and early settlement. This includes Towra Point Nature Reserve and Botany Bay National Park in addition to the Cronulla Sand Dune and Wanda Beach Coastal Landscape and the former Boat Harbour house site group. Surrounding heritage affectations are mapped below.

Figure 36 Surrounding Heritage Items



Source: Urbis

The Boat Harbour house site, otherwise known as the clifftop village (heritage item A2525), is a depression-era village that was located within the Kamay Botany Bay National Park boundary and the structures are no longer present. The precursors to Boat Harbour Cabins that are located within the southeastern pocket of the site were constructed circa 1930. The cabins do not have a direct relationship with the clifftop village and have been in a continual state of change and modification. None of the cabins erected in 1930 are present on the site today.

While the cabins have some social significance and research value in their present configuration and it is recommended by EMM that this be documented, the cabins do not qualify as heritage items. No other items of potential heritage are identified as being located on site.

Non-European Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by EMM Consulting to identify the Aboriginal archaeological and cultural values of the project area, assess the impacts of the proposed rezoning on the identified Aboriginal sites and cultural values, and identify any future cultural heritage management requirements.

The majority of the site is best described as a brownfield site that has been actively used for sand extraction and rehabilitation, agriculture and recreation activities for more than 160 years. The topography of the site has been significantly modified and disturbed over this timeframe due to historical land use practices.

Comprehensive research and previous archaeological surveys have been conducted on the site from the 1980s to the present. These identified a total of 17 Aboriginal sites within the project area. Out of these, 16 sites have been impacted on account of the current sand extraction operations and in accordance with the granted 'consent to destroy' permits issued under the National Parks and Wildlife Act 1974.

EMM conducted an extensive analysis of academic materials related to the project area. The result of this analysis determined that only one validated archaeological site, known as the McCue Midden (52-3-1110), remains within the site. McCue Midden covers an approximate area of 250 meters by 120 meters situated in

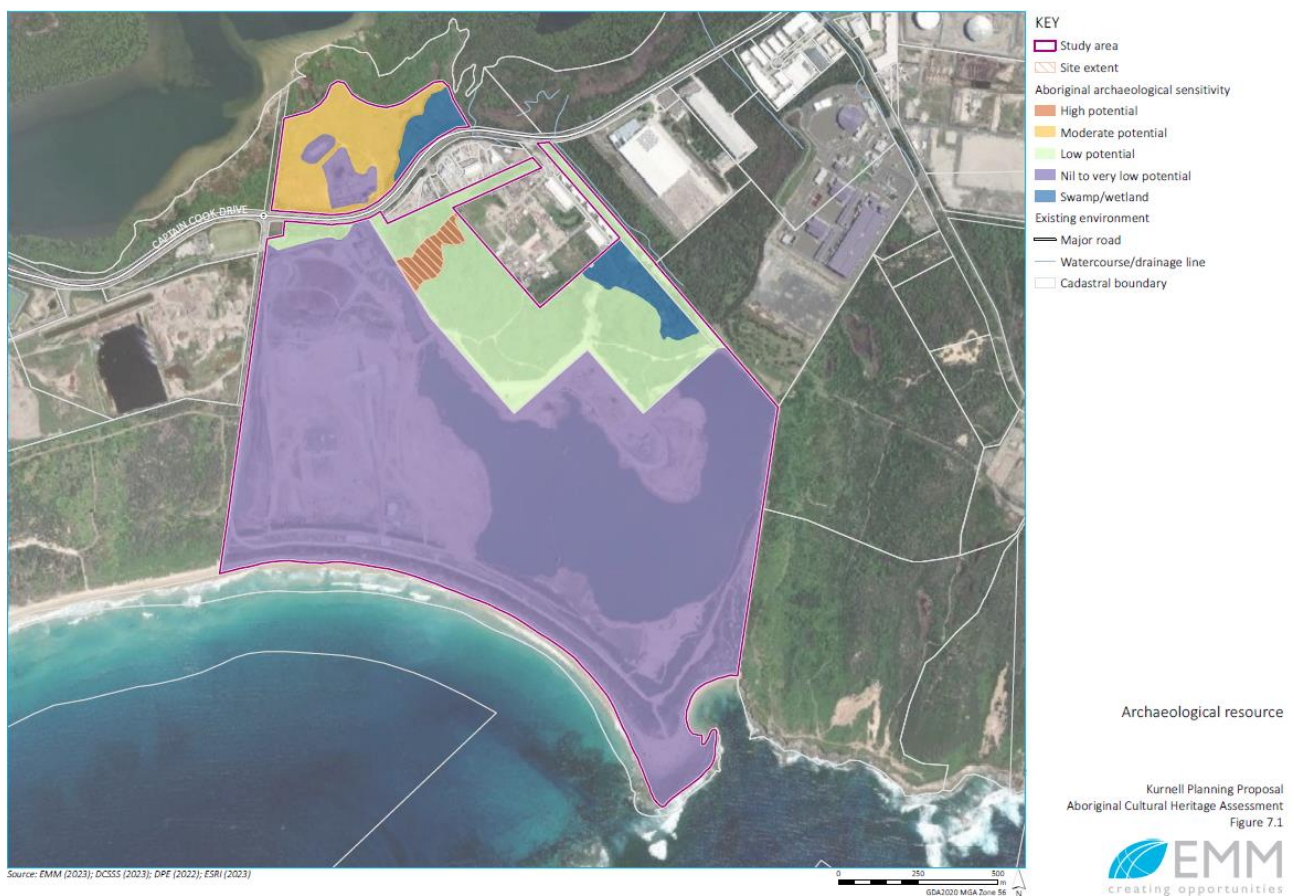
the northwestern corner of Lot 8. The proposed Master plan has been carefully designed to protect and enhance the ongoing viability and value of the McCue Midden.

An area of moderate archaeological potential was also identified in a portion of Lot 2 North that excludes the horse riding facilities and a low-lying swampy area. Lot 2 North overlooks Quibray Bay, and previous research suggests that the area may contain cultural material, albeit in a low - density. Due to the site's geology, Lot 2 North is likely covered with an overburden of modern drift sand, but to date, this area has not been extensively investigated, or any prior investigation (e.g. Rolfe 1931) has been poorly documented. EMM recommend that, whilst this does not pose a constraint to the planning proposal, further analysis may be required when development consent is sought for this portion of the site.

No site-specific cultural values have been identified for the project area to date. At a general level, the Aboriginal community has highlighted the importance of water and wetland ecosystems and of restoring and enhancing the natural and cultural landscape, especially with regard to the McCue midden site.

The classification of the site in terms of Aboriginal Archaeological sensitivity is outlined Figure 37 below.

Figure 37 Areas of Aboriginal Archaeological Sensitivity



Source: EMM

The proposed Master plan has been carefully designed to minimise the impact of development on the Aboriginal archaeological and cultural values of the project area. This is achieved by carefully siting proposed development areas away from sections of the site identified as having potential for Aboriginal archaeological and/or cultural sites, particularly the identified extent of the McCue Midden.

The envisioned master plan also presents an opportunity to celebrate the significance of the McCue Midden by establishing a Cultural Trail. This trail aims to offer educational and interpretative experiences for both visitors and residents. While the Cultural Trail partially overlaps with the southern portion of the McCue Midden, specific construction methods have not yet been determined at this stage of the planning proposal. Nonetheless, the ACHAR confirms a sensitive project design and low-impact construction methodology are envisioned to prevent any adverse impacts on the McCue Midden.

Extensive community consultation conducted during the ACHAR and Connecting with the Country processes confirms that it is unlikely for items of Aboriginal Cultural Heritage to be discovered during the site's future

development. As per the ACHAR findings, the planning proposal is not anticipated to affect any known tangible or intangible ACH items on the site. The La Perouse LALC was contacted by the Council as part of the stakeholder engagement process carried out in relation to the Scoping Proposal. The LALC did not raise any concerns regarding the proposal. Therefore, the planning proposal and master plan are supported from an Aboriginal Cultural Heritage perspective.

The ACHAR recommends that works of any kind, including geotechnical testing and other environmental investigations are not permissible within the vicinity of the McCue Midden without obtaining an AHIP from Heritage NSW.

Acoustic Considerations

The acoustic environment of the site is influenced by the flight operations of Sydney Kingsford Smith Airport, road traffic noise from Captain Cook Drive and industrial noise from the nearby land uses. As such, a Noise Impact Assessment has been prepared by EMM Consulting to assess the potential impact of noise experienced by the site and recommend suitable noise mitigation strategies, where necessary.

This assessment established the existing ambient noise environment for the site and assessed the existing and potential acoustic emissions that will impact the site. The report also addresses the matters raised by DPE, Sydney Airport Corporation and the federal DPE of Transport Greater Sydney Commission South District Plan and DPE scope for noise and vibration, including the Scoping Proposal feedback and the Local Planning Directions.

The results of the site-specific investigation have informed the suitability and location of land uses on the site as presented in the master plan. Importantly, the results confirm that all land use types proposed under the land use zones and within the master plan are suitable, with a small proportion of the site potentially subject to acoustic attenuation measures.

Aircraft Noise

The primary acoustic consideration for development at the site is aircraft noise exposure. The majority of air traffic at Sydney Kingsford Smith Airport occurs on two parallel north-south runways. One of the departure flight paths is located to the west of the site whereas, one of the arrival flight paths passes over the eastern portion of the site.

To assess this noise impact, EMM has completed an extensive aircraft noise survey of the site. An analysis was conducted of noise monitoring data collected at five fixed stations on site during a 13-month period. The quantity of aircraft data used in the assessment is unprecedented in EMM's experience and is representative of movements for any given day at Sydney Airport for both arrivals and departures on runways that potentially impact the site. The aircraft noise assessment comprises a comprehensive and accurate reflection of existing and potential aircraft noise exposure.

Aircraft noise emissions have been sourced from EMM's previous studies undertaken at the site over a five-year period. This comprises monitoring, collecting, and analysing noise data over the site since September 2011, including:

- Monitoring was completed over a one-month period in September 2011;
- Unattended monitoring was completed over a 13-month period, between August 2014 and September 2015, with additional monitoring established at the Kurnell Public School (adjacent to the location of the airports monitoring station);
- Monitoring was complete over a one-month period in September 2017; and
- Attended noise monitoring on 30 November 2017 at the site.

The acoustic assessment adopted the guidelines in Australian Standard (AS 2021 - 2015) as well as extensive on-site measurement of aircraft noise to assess the likely noise exposure of different areas across the site.

In accordance with AS2021, all areas of the site are either classified as 'acceptable' or 'conditionally acceptable' for any type of land use. Through rigorous design development, residential land uses have been located outside of the indicative flight path for planes arriving at Sydney Kingsford Smith Airport.

The Sydney Airport Master Plan 2039 provides the most current airport operations and related noise information from the Sydney Airport and was also considered. Contemporary noise metrics are also provided as well as movement information, respite data and flight path patterns to provide a comprehensive suite of

information. This was aided by existing noise contour maps for Sydney Kingsford Smith Airport as published in the airport's master plan. Together, all this information would ensure that potential future occupants of the Site are well-informed about aircraft noise.

Based on the advice received in response to the Scoping Proposal the acoustic assessment has been updated to include other metrics in noise assessment, e.g., N70 events and maximum noise levels used by Sydney Airport to demonstrate how many aircraft noise events are louder than 70dB(A). The acoustic report finds that these were the highest nearest to the arrival flight path while fewer were associated with the departure flight path. This corresponds with the ANEF contour mapping on the site.

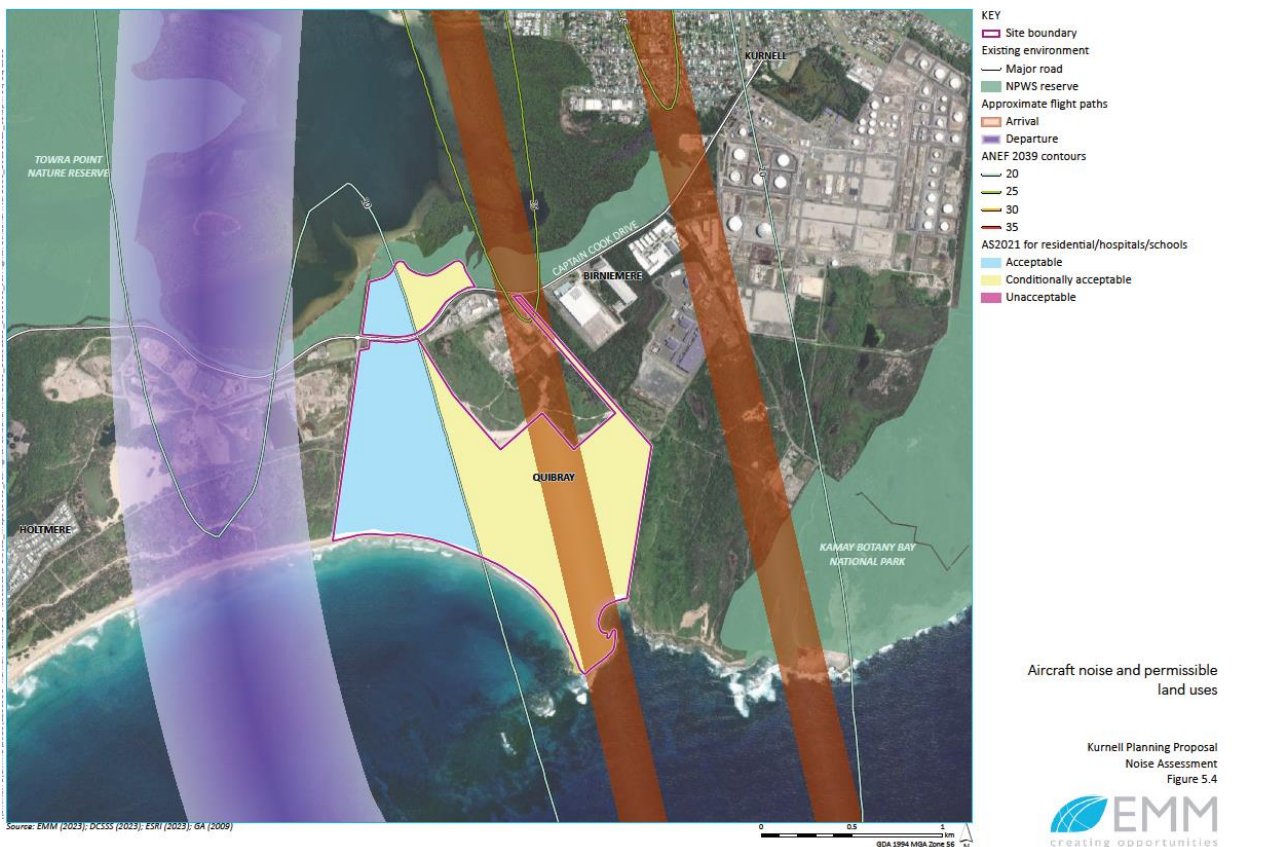
The master plan design has strategically placed noise-sensitive residential developments outside the flight path zone (see Figure 38). This placement ensures a superior level of external noise amenity is achieved for land uses more susceptible to aircraft noise. Additionally, it aims to minimise the cost of building upgrades required to meet internal noise level standards for areas exposed to higher aircraft noise levels.

Regarding development potential, commercial, retail, hotels/motels, and all other development types are either acceptable or conditionally acceptable across the site. In line with AS2021 guidelines, there are no land use restrictions for any development type.

In instances where sites are conditionally acceptable for specific land uses, the building structure must be designed to meet internal AS2021-2015 maximum noise levels.

Overall, the Noise Assessment confirms that through the proposed siting of the future development, the noise emitted from the arrival of aircraft from Sydney Airport can be adequately addressed through acoustic treatments to the future development.

Figure 38 ANEF Master plan Overlay



Source: Group GSA.

Road Traffic Noise

Traffic Noise Intrusion:

Captain Cook Drive is a sub arterial road which connects the Kurnell Peninsula with Woollooware Bay and the Sutherland Shire. To mitigate noise intrusions from Captain Cook Drive and preserve the overall amenity for residents, employees, and visitors, an average 70m acoustic buffer zone along the northern and southern

boundaries of the road has been incorporated into the Master plan. This buffer zone accounts for the projected widening of Captain Cook Drive from two lanes to four lanes in the future.

The majority of this buffer zone will be dedicated to vegetation, which serves the dual purpose of providing a physical barrier to reduce potential acoustic impacts from the road corridor as well as providing a pleasing visual buffer from the road. In the event that any development is proposed within this established buffer zone, additional acoustic attenuation treatments would be necessary to minimise noise exposure. However, as per the master plan's design, no development is situated within this designated buffer zone to ensure the preservation of the amenity of surrounding areas.

Traffic Noise Emission:

The planning proposal is anticipated to generate increased traffic movements, leading to higher levels of noise emitted from Captain Cook Drive. These changes in road traffic volumes and associated effects are expected to occur gradually as the site undergoes development in stages. The potential noise impacts resulting from the development-induced road traffic have been thoroughly assessed using the criteria outlined in the NSW Road Noise Policy (RNP). It is estimated that the traffic noise generated by the completion of the Proposal will contribute to an increase of approximately 4 decibels (dB) in the existing noise environment. This predicted increase will happen gradually as the site development progresses and aligns with the criteria outlined in the RNP related to relative noise increase.

As part of future considerations, the expected traffic noise generation will be carefully evaluated and factored into each subsequent development stage to ensure compliance with noise regulations and standards. This ongoing assessment aims to monitor and manage the potential noise impacts arising from the development's traffic movements.

Industrial Noise

The current operations at the Breen Resources site have been assessed to be below residential intrusiveness triggers. Consequently, significant impacts are not anticipated, and a detailed assessment of the current noise levels from the Breen Resources site will be conducted during the development application stage. At present, an active state significant development application for the Breen Resource Recovery Facility is under review by the NSW DPE, with a status of "more information required."

Following discussions with the EPA on August 2, 2023, and in alignment with the publicly available 'Responses to Submissions Related to Noise and Vibration' document dated August 22, 2022, it has been stipulated that all material handling, stockpiling, and processing for the future resource recovery facility at the Breen site, if approved, will occur within fully enclosed buildings, except for clay material and wet soils, which will be dried outside.

Furthermore, guided by EPA advice, Stage four of the master plan adjacent to the Breen site will be executed within the 10-15 year development cycle. This timeline allows ample time to conduct further assessments of noise intrusions resulting from any potential future development of the Breen site.

It is noted that the Breen noise impact assessment exhibited on the DPE's portal does not make an allowance for permitted residential uses at Besmaw's site (as highlighted by Urbis' submission of objection dated 2 September 2021 and as available on the DPE's portal). Consequently, it's expected that the DPE will necessitate the Breen proposal to appropriately mitigate its noise impact. Regardless of the outcome of the Breen proposal, industrial noise from the lawful operation of the Breen site will need to be considered during the development application stage for any residential development within the western areas of the Besmaw site.

Regarding the Sydney Desalination Plant, the estimated operational noise intrusion level at the site boundary is 36dBA, as per the levels determined in the Preferred Project Report for Sydney's Desalination Project prepared for Sydney Water. The nearest proposed sensitive structure as part of the planning proposal is approximately 650m from the desalination plant, resulting in an operational noise intrusion level of 32dBA. Therefore, the operational noise levels from the desalination plants are below levels likely to be intrusive or to affect acoustic amenity.

Open Space

Open space areas within the eastern portion of the site have been purposefully designed to be active open space areas or include more formalised and structured gardens. There are no Australian Standards or requirements for open space areas subject to acoustic emissions. The planning proposal does however include a range of open space areas across the site, some of which will not be affected by the ANEF 20+ contours and provide for more leisurely areas for the enjoyment of users. There are many high quality,

usable open space areas throughout Sydney, subject to Acoustic Considerations such as Callan Park, which do not limit their usability or function. If required, at the detailed design phase, pergolas or the like can be provided however there is no requirement for such items. The proposed vegetation and tree canopy will help further reduce emissions within this area.

Air Quality

In response to the Scoping Proposal submitted to Sutherland Shire Council in March 2023, advice was received by DPE, EPA and Council on key focus areas to build on the information provided in the previous Air Quality Impact Assessment (AQIA) prepared by AECOM back in 2020 to support the SEPP Amendment.

Feedback received on the AQIA included:

- Department feedback and advice – Kurnell Scoping Proposal from DPE dated 10 August 2023
- Environment Protection Agency (EPA) feedback and advice were provided on 8 June 2023 regarding setback distances and land use conflicts associated with the adjoining Breen Proposal. Upon review of the previous response, revised feedback was provided by the EPA dated 18 August 2023.
- The Environmental Science Unit of Sutherland Shire Council on 6 June 2023.

To address the above, the revised AQIA includes a quantitative assessment of potential air quality impacts from vehicle emissions associated with the planning proposal on future sensitive receptors on Captain Cook Drive, and an assessment of reverse amenity impacts from air pollutants, including dusts, odours, and airborne toxins from the potential future development of the Breen site. This included a review of existing and potential emission sources in the vicinity of the site, providing appropriate mitigation and management measures.

Historically, the Peninsula was dominated by heavy industry which impacted local air quality. However, the continued reduction in heavy industrial uses to light industrial and other land uses including recreational and residential, has improved local air quality. Changes from heavy industry include the conversion of Caltex Kurnell Refinery to a fuel terminal and the closure of the Continental Carbon Australia Plant.

The Greenhills Voluntary Planning Agreement was executed in 2010 between the Sutherland Shire Council, Breen Holdings and Frasers Property Australia (formerly Australand). The VPA encompasses 124ha of the Kurnell Peninsula including the landfill site to the west, and has resulted in the creation of open space, hockey and soccer fields and a skate park. The VPA at its conclusion, will see the cessation of landfill operations to the west of the site further reducing air quality impacts.

The AQIA encompassed both quantitative and qualitative evaluations. These assessments, both quantitative and qualitative, aimed to comprehensively evaluate potential air quality and amenity impacts from various sources and activities. The qualitative evaluations considered broader aspects that might impact the environment and surrounding community, while the quantitative assessments provided more precise assessments using dispersion models for specific sources.

Quantitative Assessment:

A quantitative air quality assessment using a dispersion model was undertaken for:

- Reverse Amenity Impacts (Dust and Odour): Evaluated potential dust and odour impacts resulting from proposed Landfill activities and the operation of the Resource Recycling Facility by Breen, utilising a dispersion model for precise assessment.
- Amenity Impacts from Traffic Emissions: Assessed potential amenity impacts resulting from traffic emissions specifically along Captain Cook Drive.

Qualitative Assessment:

- Amenity Impacts near Mangroves: Evaluated potential amenity impacts associated with development in close proximity to mangroves.
- Amenity Impacts from Urban Canyons: Assessed potential amenity impacts linked to the formation of urban canyons within the proposed internal road network.
- Reverse Amenity Impacts from Aircraft Emissions: Considered potential reverse amenity impacts stemming from aircraft emissions under the Sydney Airport flight path.

- Reverse Amenity Impacts from Cronulla Sewage Treatment Plant: Evaluated potential reverse amenity impacts, particularly related to odour and nitrous oxide emissions, originating from the operation of the Cronulla Sewage Treatment Plant.
- Reverse Amenity Impacts from Kurnell Ampol Fuel Terminal: Assessed potential reverse amenity impacts such as odour and air emissions arising from the Kurnell Ampol Fuel Terminal.

Based on the quantitative dispersion modelling results the proposed setback distance of the western most sensitive receptors within the Town Centre Precinct closest to the Breen Facility is considered appropriate to minimise potential reverse amenity air quality and odour impacts from the Breen Proposal. Similarly, the proposed setback distance of 70m from Captain Cook Drive for the nearest receptors within the Town Centre Precinct and Quibray Bay Precinct is considered adequate to mitigate any potential adverse impacts.

Additionally, a qualitative impact assessment on vehicle emissions within internal roads was conducted, focusing on the potential creation of urban canyons that could lead to poor dispersal conditions. The review of street aspect ratios based on proposed street cross sections and building setbacks suggested that due to larger street widths and setbacks, potential street canyons would be of a low to mid-depth resulting in better dispersal conditions.

Reverse amenity impacts from air pollutants and odour were also assessed from a range of sources including the Cronulla WRRF, AMPOL Fuel Terminal, Biogenic emissions from Mangroves and aircraft emissions from Sydney Airport were also assessed qualitatively. A qualitative assessment of these sources concluded that all sources were unlikely to have a significant impact on the air or odour amenity of future receptors within the planning proposal Site.

Overall, the report indicates that if the identified planning and design considerations are implemented to minimise potential air quality impacts and if additional recommended studies are undertaken at the development application stage, no significant air quality impacts are foreseen as a result of the planning proposal.

Traffic and Transport Infrastructure

A Transport Strategy and Impact Assessment ('the Transport Strategy') which includes an Active Transport Strategy, Bus Strategy, and Green Travel Plan has been prepared by SCT Consulting and accompanies this planning proposal. This Transport Strategy outlines the proposed transport strategy aimed at enhancing accessibility to, from, and within the site while evaluating the impacts on the surrounding transport network resulting from the planning proposal.

Overall, the proposed master plan, supported by the outcomes of the Transport Strategy addresses the relevant transport requirements of the *Local Planning Directions Section 5.4 as Integrating Land Use and Transport* and additional comments from the DPE of Planning and Environment (DPE) on the Scoping Proposal.

To support the sustainable operation of the development from a transport perspective, several design considerations have been embedded into the master plan and other initiatives identified for implementation. Key components of the transport response by mode for the project are summarised in the subsequent sections. These design considerations and initiatives:

- Improve connectivity including equitable and accessible access to, from and within the development via walking, cycling and public transport
- Reduce the overall travel demand and reliance on private vehicles to reduce environmental impacts
- Create places for people and ensure people and goods can move safely through the site (prioritising in order, walking, cycling, public transport, freight and general traffic).

An overview of the key findings from the Transport Strategy is provided below:

Previous Modelling

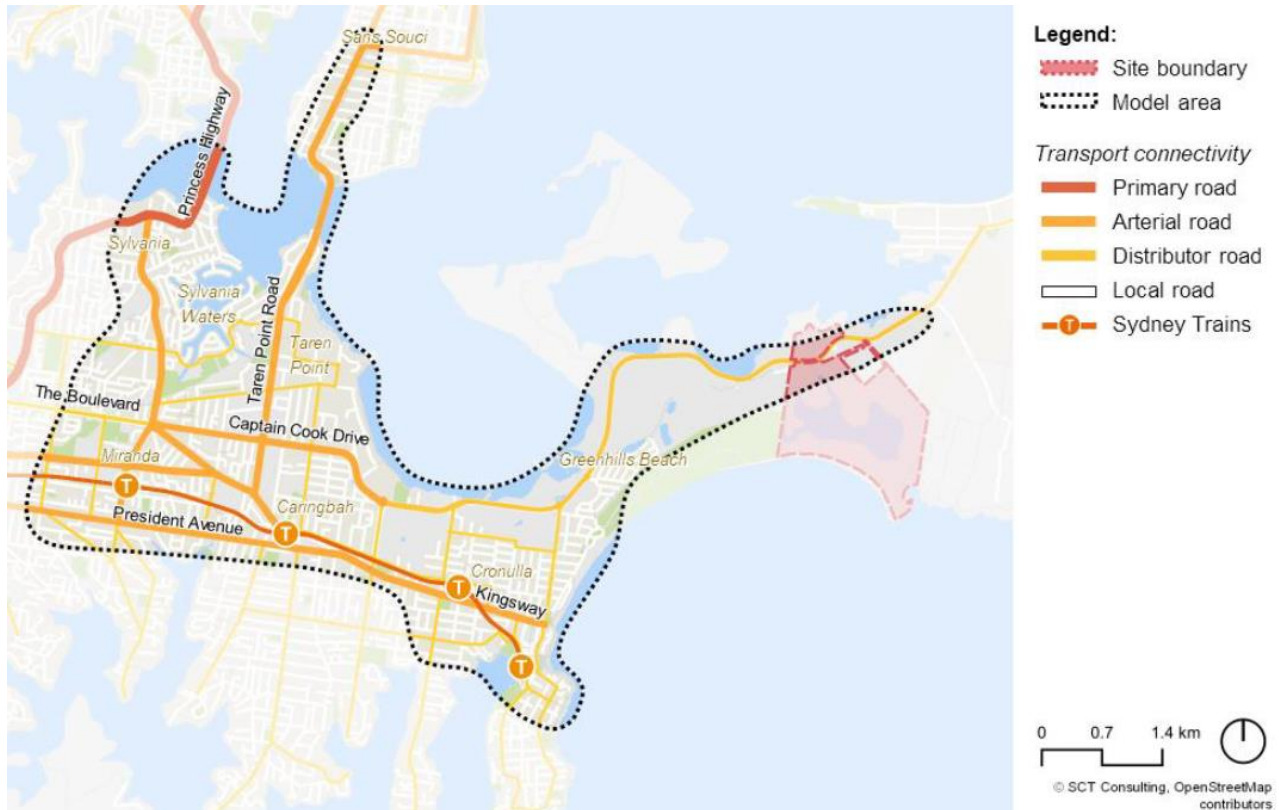
In support of the earlier phases of the SEPP amendment process, a *Kurnell Peninsula Phase 1 Transport Assessment* (TTPP, March 2020) was prepared by TTPP. The transport study was based on a site master plan and land use yield as documented in *Masterplan Design Statement* (PTW Architects, August 2020).

Since these earlier studies, the project has evolved and responded to feedback from ongoing consultation with key stakeholders including Sutherland Shire Council (SSC), Transport for NSW, Government Architect NSW (GANSW as part of the DPE of Planning, Housing and Infrastructure), which has resulted in the current

master plan. The current Transport Strategy prepared by SCT leverages the results and recommendations from the previous traffic modelling, where appropriate, by comparing and contrasting the similarities and differences between the two master plans (and their associated land use mix and yield) and the consequent impact on the road network.

The previous transport study included the development of an extensive mesoscopic traffic model as agreed with Sutherland Shire Council and Transport for NSW (refer to Figure 39). This model was used to evaluate various future scenarios (with and without development) to identify and inform capacity improvements for the road network. These improvements encompassed upgrades necessary for the broader region's growth, undertaken by Sutherland Shire and TfNSW, as well as enhancements directly attributed to this project. This modelling determined that there is capacity within the road network to support the creation of a new coastal community, subject to the implementation of the recommended transport and infrastructure upgrades.

Figure 39 Traffic Model Boundary



Source: SCT Consulting

Recommendations for upgrades within the modelling boundary included the widening of Captain Cook Drive and enhancements to several local intersections, commitments made by Sutherland Shire Council and TfNSW. The completed upgrades are summarized Figure 40 below and in Table 3-6 of the Transport Strategy. Presently, all upgrades have been executed, except for the new and extended clearways on Taren Point Road (No.5).

Figure 40 Committed Road network upgrades for the future year base network



Source: Bitzios; 2019

Road Network

The site is accessed via Captain Cook Drive, which is a major arterial road aligned in an east-west direction, connecting the Kurnell Peninsula with The Boulevard in Miranda. Secondary access to the site will be afforded from an entrance on Lindum Road, a local road which runs in a north-south direction along the site's western boundary. The proposed master plan results in a consistent vehicle generation to the previously modelled scenario and therefore would result in a similar impact on the road network.

The Transport Strategy therefore confirms that the recommendations from the previous modelling are still relevant and applicable, including widening of Captain Cook Drive to four lanes (two in each direction) to accommodate the planning proposal and the wider upgrades in the Sutherland Shire LGA.

A concept design for the widening of Captain Cook Drive has been prepared by Diversi Consulting in collaboration with TfNSW and the Council. However, the Transport Strategy identifies that the widening of Captain Cook Drive is not required upon the opening of the initial stage due to the phased implementation of the project.

The analysis undertaken by SCT Consulting identifies that the expected traffic volumes on Captain Cook Drive will not exceed the nominal free-flow lane capacity of 1,200 vehicles per hour and trigger the need to widen Captain Cook Drive until after the opening of Stages 2 and 3A. This determination implies that the implementation of stages 1A and 1B can proceed without the immediate requirement for widening Captain Cook Drive.

Furthermore, the Transport Strategy undertook SIDRA intersection modelling to develop concept layouts for the three intersections proposed to access the site. It confirmed that all three site access intersections can operate at an appropriate level of service as outlined below:

- Captain Cook Drive | Lindum Road: LoS B
- Captain Cook Drive | Main Street (West): LoS C
- Captain Cook Drive | Main Street (East): LoS B

The widening of Captain Cook Drive will ensure that vehicular, public, and active transport can sufficiently access the site and provide continued employment and housing growth within the catchment area without causing adverse traffic impacts on the local road network.

Eco Planning has undertaken an Ecological Constraints Assessment (ECA) to identify the known ecological values and features of the Captain Cook Drive Road reserve between the site and Elouera Road. The ECA will assist with the future detailed design of the Captain Cook Drive widening to identify likely assessment requirements and ecological implications of the construction activities. The ECA confirms that the widening of Captain Cook Drive would not result in serious or irreversible damage and that future road construction could occur subject to sensitive design.

Public Transport Services

The site is not located within the walking (or cycling catchment) of the rail network, as a result, public transport accessibility is provided by bus service (Route 987) which currently operates at a frequency of 1-2 services per hour along Captain Cook Drive. The Cronulla and Woolooware Train Stations are located roughly 6km south of the site and provide a direct connection to the Sydney CBD and Bondi Junction. Trains depart every 10-15 minutes during weekday peak commute times.

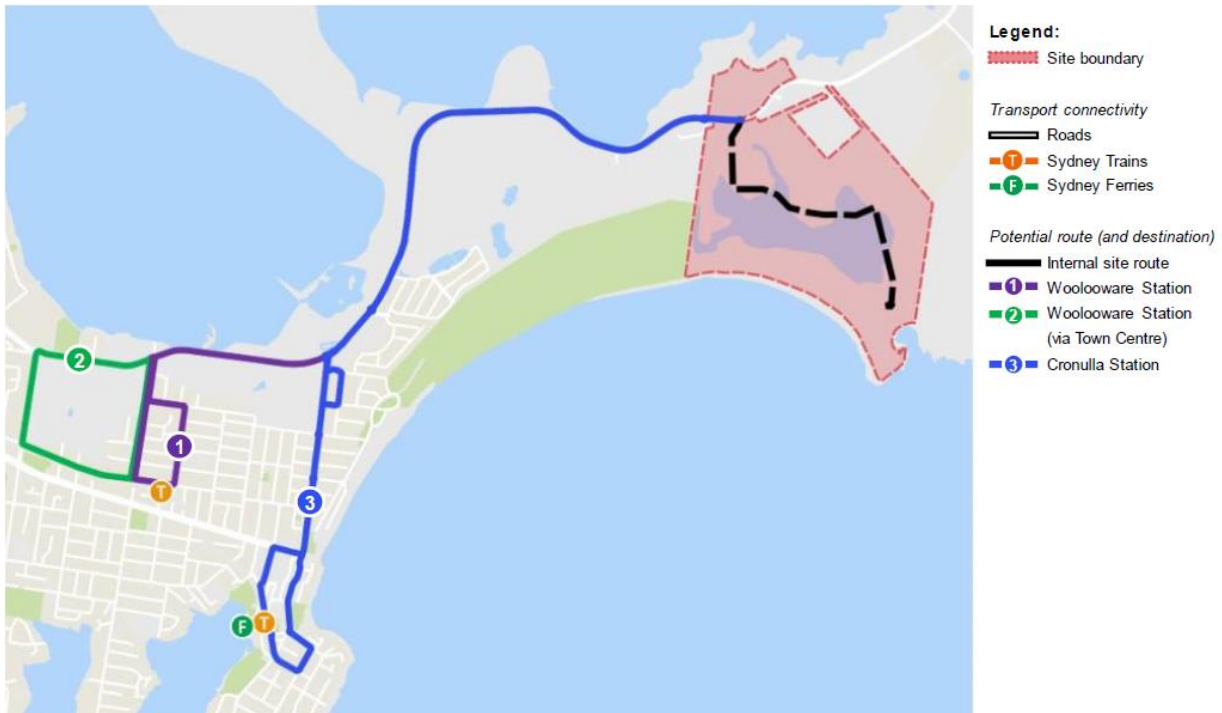
To provide improved public transport accessibility to the site, a staged bus strategy has been prepared to support the development, and also improve bus services for the Kurnell Peninsula in the long run.

Whilst the site is progressively delivered and developed, it is proposed that a shuttle service will operate between the site and a nearby station to provide an accessible and convenient public transport connection. Both Woolooware Station and Cronulla Station were considered for the destination of the shuttle, with an additional route diverting to Woolooware Town Centre as a second destination for site customers also considered, as displayed in Figure 41 below.

The Transport Study recommends the shuttle route to Woolooware Station is 18km long (loop distance) and equates to a 32-minute total loop journey time as the best and most desirable option, on account of the following:

- There is less traffic congestion end route to Woolooware Station, which will improve travel times and the reliability of the service.
- Customers interchanging to rail (which represent the majority of users) are connected to the same T4 Eastern Suburbs & Illawarra Line services.
- Customers who have a destination in Cronulla Town Centre are still able to access a Route 987 service to Cronulla.

Figure 41 Potential routes and destinations for shuttle service



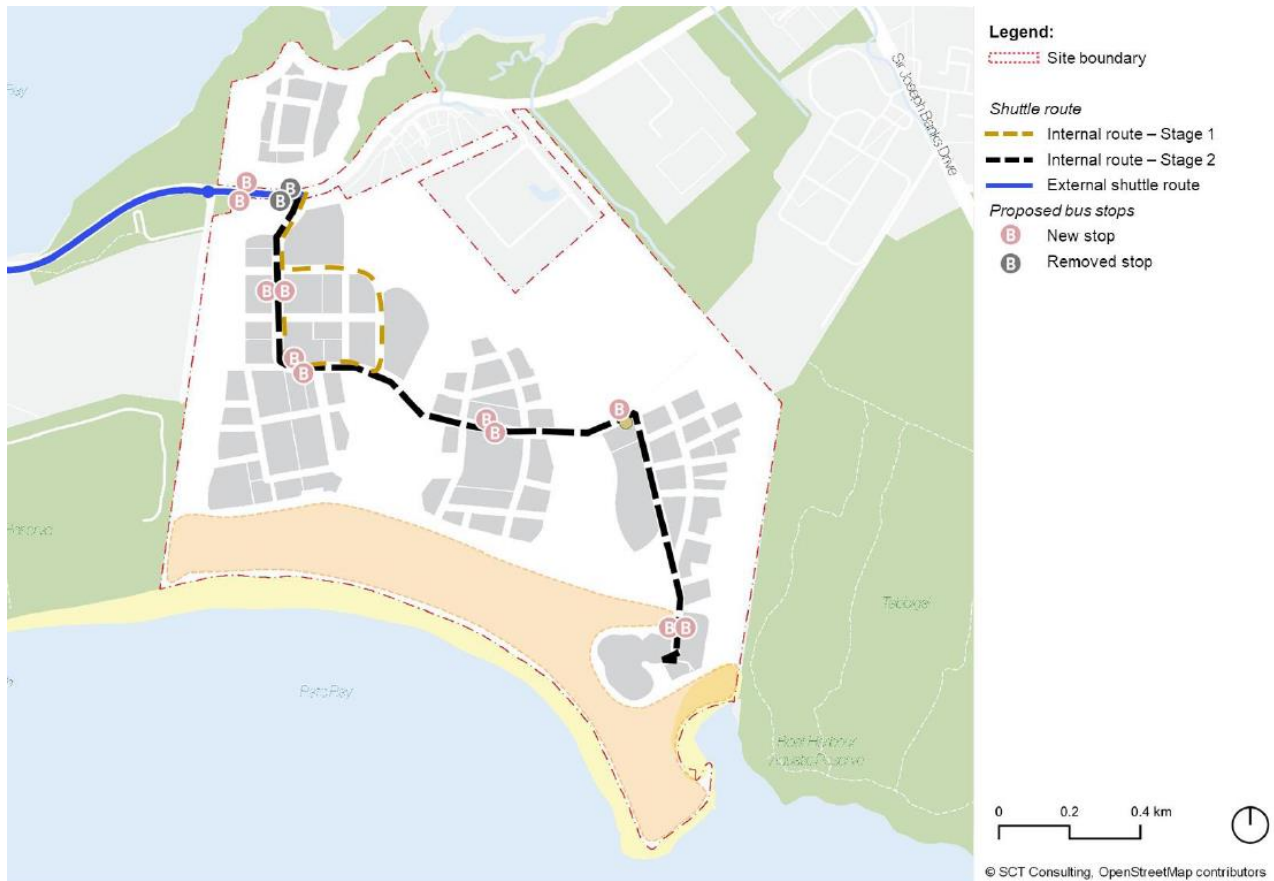
Source: SCT Consulting

Within the proposed site, the shuttle bus service would operate on the identified primary bus corridor through the Town Centre and Bate Bay precincts, and along the secondary bus access through to Boat Harbour South.

To service the precincts along the interim bus corridor, six (6) bus stop pairs have been nominated to balance customer accessibility and bus travel times. These bus stops will be provided progressively as the various stages of development are completed and occupied. Due to the proximity of Quibray Bay (Stage 1A) and Town Centre Neighbourhood (Stage 2) to the existing bus stops on Captain Cook Drive, the shuttle service will only be required once Stage 1B is fully completed and operational.

The Transport Strategy confirms that the proposed shuttle service will successfully provide interim public transport accessibility within the site and to nearby centres, consistent with the objectives of a 30-minute city. Figure 42 below identifies the proposed shuttle route and stops.

Figure 42 Proposed shuttle route and stops

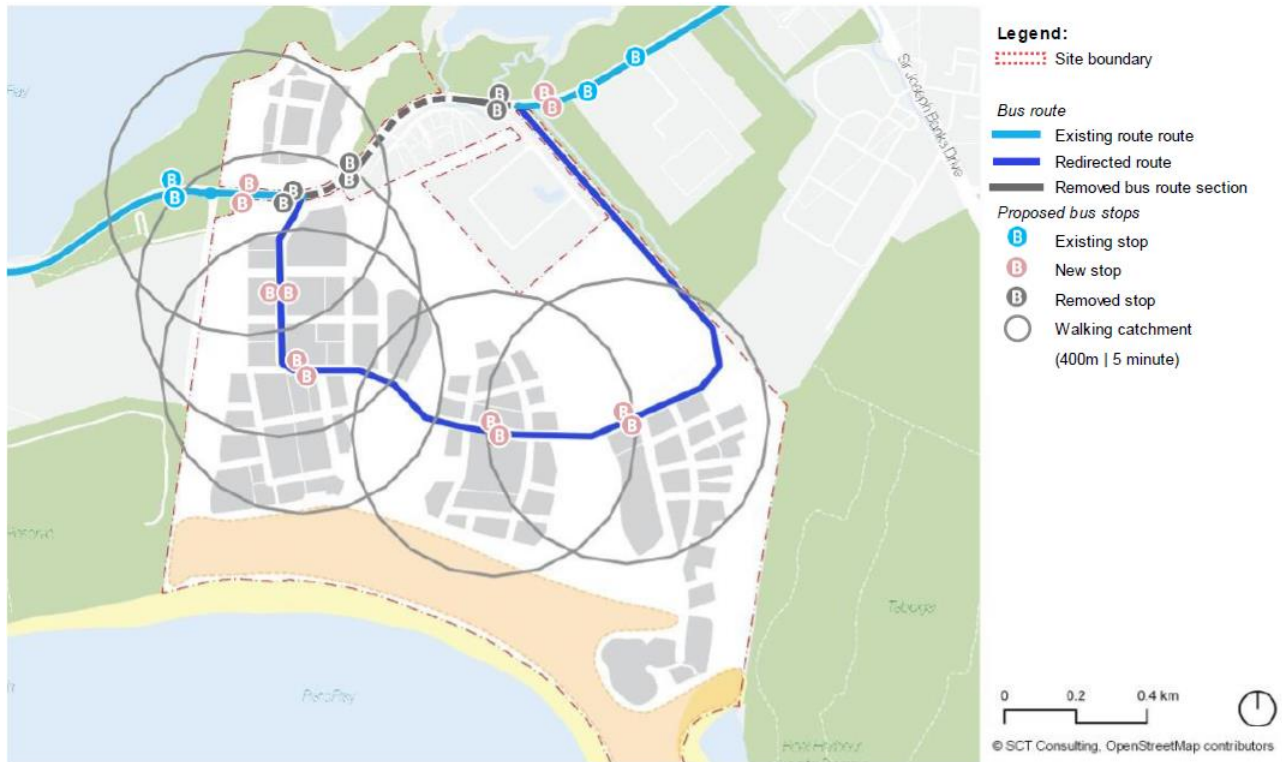


Source: SCT consulting

During previous discussions with TfNSW, it was envisaged that the interim shuttle service would operate until the expected patronage could justify a regular bus service. The transition from a shuttle service to a regular route service could be either supported by the rerouting of the 987 bus route through the site, or the establishment of a new regular bus service. The rerouting of the existing 987 bus route has been chosen as the preferred option as it will balance operational costs whilst benefiting the wider community.

The proposed redirection of the 987 bus route will utilise the proposed main road which circulates throughout the site and extends from Captain Cook Drive. The route will be serviced by 6 bus stop pairs, located on the main road to service each proposed neighbourhood. This will maximise the quantum of residential and commercial floor area within a 400m walking catchment. It is proposed that a base case of one (1) bus service every 10 minutes will be provided, with an aspirational case for one (1) bus service every 5 minutes. This would ensure that the resultant change in average journey time is reduced from existing levels by 2.5 minutes for the base case and 5 minutes for the aspirational case. Additional analysis undertaken by SCT Consulting confirms that if there are two or less additional bus services, the current journey time would remain as existing.

Figure 43 Proposed re-routing of the 987 bus service



Source: SCT Consulting

Overall, the proposed interim bus shuttle strategy and future rerouting of the 987 bus service would provide a successful and affordable outcome for the future residents of the site. The proposed strategies will ensure that public transport access within the site and to nearby centres is available and improve the existing traffic environment.

Summary

The planning proposal is supported by robust traffic analysis to ensure that the existing traffic environment is improved or maintained. The widening of Captain Cook Drive will ensure that vehicular traffic generated by the planning proposal is managed and does not adversely affect vehicular accessibility along the Kurnell Peninsula.

The proposed public transport strategy will provide reliable and efficient bus services to ensure access within the site and to nearby centres is successfully achieved. The proposed re-routing of the 987 bus route along with additional bus services will reduce the existing journey time. This will ensure that no adverse impacts on the existing public transport network are generated.

Stormwater and Water Quality

A Stormwater Management Report has been prepared by EGIS Consulting to outline the preliminary Stormwater Design Strategy for the site. The design strategy has generally been prepared in accordance with the recommendations and comments received by DPE, the Department of Primary Industries and Sutherland Shire Council during the Scoping Proposal Process and other relevant regulatory instruments.

The Stormwater Design Strategy comprises two key elements, Stormwater Drainage and the Water Quality System. The Stormwater Design Strategy represents a strategic plan devised by EGIS to effectively manage stormwater and address potential flooding concerns. The strategic interventions outlined in this strategy serve as a foundational framework. Subsequent detailed design stages will delve deeper into the specifics of stormwater infrastructure, roads, open spaces, and individual buildings, providing comprehensive details on how these strategic interventions will be implemented.

Moreover, the proposed development presents a unique opportunity for significant site renewal before the commencement of construction. This offers a unique opportunity to create an integrated and comprehensive site-wide solution for stormwater management, ensuring a cohesive and sustainable approach to address these critical considerations.

Stormwater Drainage

In accordance with the guidelines from the Sutherland Shire Council and relevant authorities, the stormwater drainage of the site will be designed to convey all stormwater up to and including the 1% AEP storm event.

At a high level, the overall approach to the stormwater drainage strategy focuses on collecting and managing runoff across the site, starting from building roofs and progressing through street drainage systems, ultimately directing the water outlets into Quibray Bay. While adopting a natural overland drainage approach where feasible, a conventional pit and pipe approach has been utilised for roadways and individual development precincts. This conventional approach leads to a pond and swale system integrated into the landscaped areas, promoting a more natural water flow.

The stormwater drainage system for the neighbourhoods operates on the major/minor principle. Minor flows are directed into an in-ground reticulating pipe network connected to the proposed Local Water Centre managed by Altogether. Major flows exceeding the pipe network's capacity are channelled via overland flow along the internal road network.

For each precinct, stormwater outlets utilise swales and surface drainage measures rather than conventional pit and pipe systems, directing water toward the northern part of the site before discharge towards Quibray Bay. To prevent infiltration before runoff has passed through the required treatment drain treatment drain, all stormwater channels and basins will be lined. Conceptual designs for stormwater outlet controls, aligning with Sutherland Shire LGA and the Woolloomare Bay Town Centre designs, are outlined in the Stormwater Management Report.

The stormwater outlets will incorporate adequate erosion and scour protection measures, to ensure minimal long-term impacts stemming from the site's flows. Potential concepts for the stormwater outlet controls have been included in the Stormwater Management Report.

Moreover, these outlets will be strategically planted with vegetation buffers to effectively mitigate any potential downstream impacts, ensuring a balanced and environmentally sensitive approach to water management.

The stormwater design strategy adheres to the requirements outlined in the Sutherland Shire DCP 2015, incorporating provisions for onsite detention systems (OSDs). The future detailed stormwater design strategy will investigate the requirements for each individual block and precinct to ensure that OSD systems are provided and adequate for each individual precinct.

Water Quality System

The Water Quality Strategy for the site encompasses two distinct systems, one tailored for individual precincts and another designed for the broader site. These systems will be coordinated to ensure that the water discharged into the receiving waters maintains a Neutral or Beneficial Effect (NorBE).

The strategy involves employing a network comprising swales and ponds where water quality measures are predominantly integrated. It follows a two-pronged approach, employing hard engineering solutions like tanks, filters, and GPTs (gross pollutant traps) within the development precincts while employing more natural measures like bioretention and wetlands further downstream. This approach ensures effective drainage and water quality management throughout the site.

Individual Precincts

The water-sensitive urban design (WSUD) systems within each precinct will comply with the water quality targets outlined by the Sutherland Shire Council, Sydney Water, and DPE Guidelines. The primary WSUD devices that will be implemented for the first phase of treatment with the precincts will include underground rainwater tanks and Gross Pollutant Traps (GPTs).

Additionally, the GPTs will be strategically placed within the individual precincts to capture and remove debris, litter, and other contaminants before the water is discharged into the downstream stormwater network. These GPTs will be designed in various forms such as filter chambers, filter baskets, trash racks, and in-ground GPTs, and will be installed at all buildings and precinct outlets to ensure effective contaminant capture and removal.

The retention and reuse rainwater tanks will capture rainwater and runoff from rooftop areas for domestic greywater use. The tank systems will assist in diminishing the volume of stormwater existing at the site which reduces the detention and treatment load from the downstream network.

Broader Site

In addition to the above WSUD methods for the individual precincts, the master plan provides regional water quality measures consistent with the NSW Water Quality Objectives and the ANZECC guidelines. The water quality management approach for the broader site would be designed to maintain or improve the existing water quality values. The WSUD controls that will be designed for this stage include bioretention systems and wetlands.

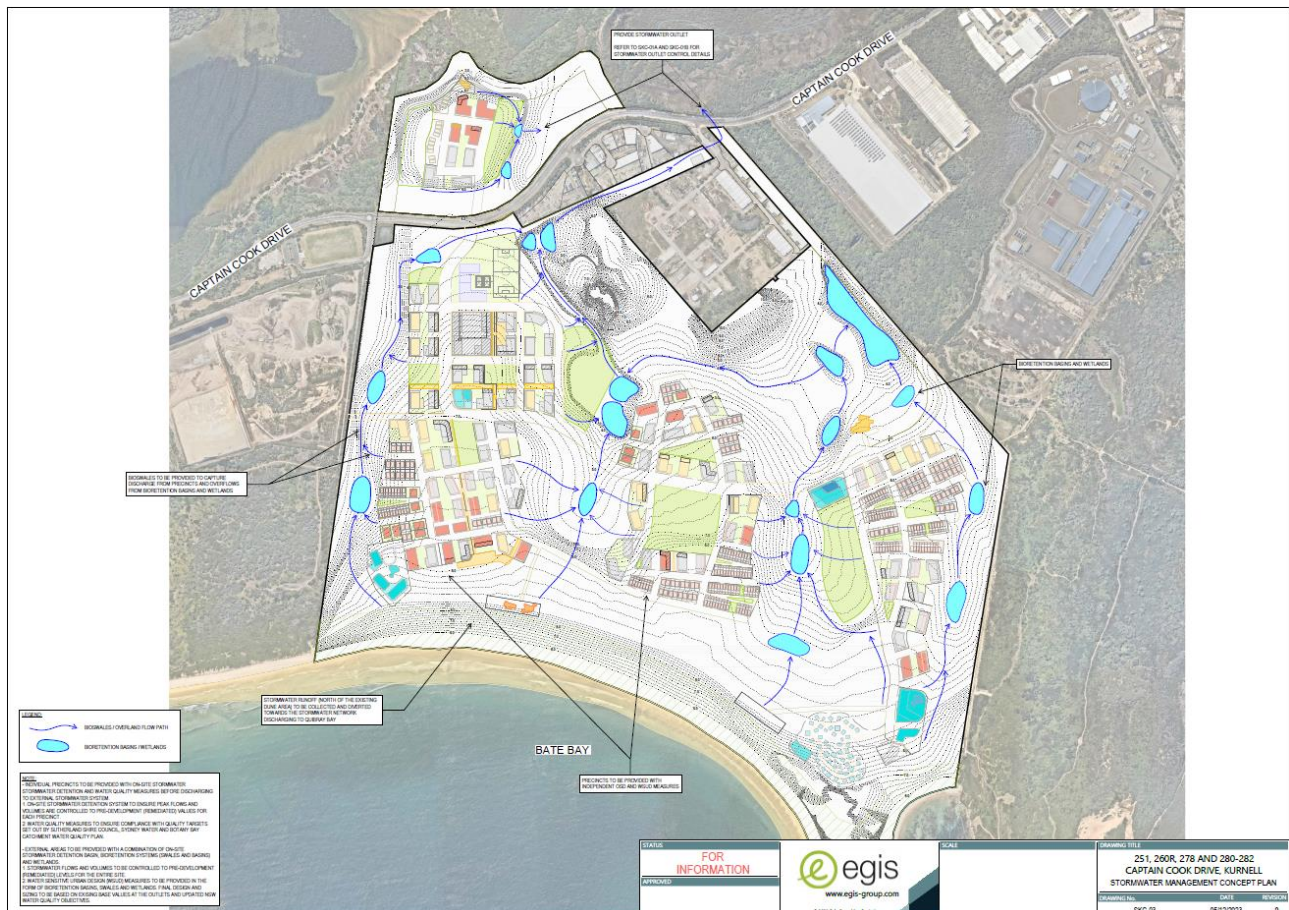
The bioretention systems will be generally located within the proposed ecological corridors and will seek to remove sediments and nutrients including finer sediment particles and contaminants through the use of filter media. The targeted pollutants are generally captured by a range of physical, chemical, and biological processes associated with the filter media, plants, and soil community. The site contains existing coastal wetlands within Lot 8 and Lot 2 North which provide an important natural water quality function. The proposed water quality system will establish permanent wetlands within the ecological corridors and revegetated areas of the site. The wetlands will comprise 7% of the total site area, as recommended by preliminary analysis undertaken by EGIS.

Summary

The overall Stormwater Design Strategy, including the stormwater drainage and water quality system, will provide a combination of WSUD measures and stormwater discharge strategies. This will ensure that the system enables a Neutral or Beneficial Effect (NorBE) on the receiving environments.

The design of the water management system for the site will generally achieve a high quality water management solution. An overview of the water management strategy is provided in Figure 44 below.

Figure 44 Stormwater Management Strategy



Source: EGIS

Flooding Impacts

A Hydrology and Hydraulic Analysis (HHA) has been prepared by EGIS Consulting to present the strategy for the management of flooding associated with the planning proposal. The HHA assesses the existing 1% AEP flood behaviour discharge from the site to inform flood impacts and flood planning levels for future development. The HHA adopted the “rain-on-grid” method which applies the rainfall pattern to the site and surrounds, allowing the digital terrain model to determine the slope and location of overland flow paths within the site. As requested during the Scoping Proposal stage, the HHR has considered the following scenarios for the 100, 200 and 500-year ARI and PMF storms:

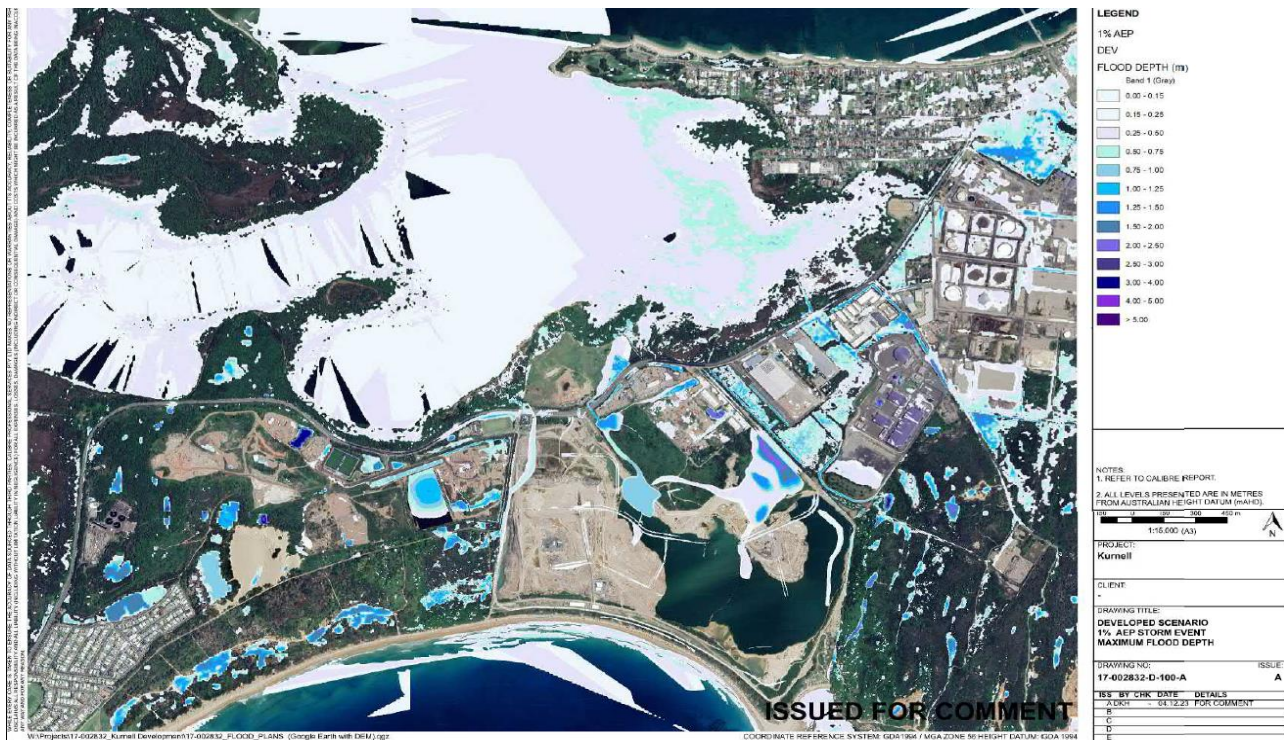
- Scenario 1: Current Case ('Pre-Rehabilitated Site')
- Scenario 2: Base Case ('The Rehabilitated Site')
- Scenario 3: Developed Case

The results of the flood depth and velocity mapping of the developed case conclude the following:

- Surface flows are directed from the western portion of the site towards Lindum Road. An area of ponding then occurs within the southern end of Lindum Road.
- The eastern portion of the site discharges into Lot 8 with ponding occurring in three (3) main locations. This ponding already occurs naturally due to the existing topography, however is marginally increased due to the planning proposal.
- To assess the sensitivity impact of climate change, EGIS has modelled the overland flow paths during the 200-year and 500-year ARI and PMF scenarios. The results conclude that the ponding will occur in the same locations as the 100-year ARI event at Lindum Road and within Lot 8. Whilst the ponding extent increases the general flood behaviour is similar and has no additional impact on adjoining properties.
- The velocity of the overland flows within the site and on the adjacent streets and lots are below 1.0 metre per second with most flows below 0.5 metres per second. This velocity is suitable for the underlying geology of the surrounding area, and therefore the flows discharging from the site should not pose a risk of causing major erosion.

Refer to Figure 45 below which displays the modelled overland flows for the site.

Figure 45 Development Scenario – 1% AEP Storm Event Maximum Flood Levels



Source: EGIS Consulting

Existing ponding occurs along Captain Cook Drive during the base and developed case which reduces the possibility of site evacuation from flooding events. To facilitate evacuation, agreements with landowners west of the site would be necessary to create an access road through existing dunes, currently only passable on foot. For the reasons listed above, EGIS advise that any future detailed flood evacuation plan utilise a “shelter-in-place” approach. However, it is not expected that flood evacuation will be required as determined during the modelling undertaken in the HHA.

Bushfire

ELA has prepared a Strategic Bushfire Study to examine whether the Masterplan contemplated for the site is appropriate given its bushfire risk exposure context or whether it represents ‘inappropriate development’ as described by PBP. The assessment considered the strategic planning principles and assessment considerations outlined in Chapter 4 of PBP.

The Strategic Bushfire Study conducted a comprehensive evaluation of the broader bushfire landscape and risk profile for the area and identified and confirmed the feasibility of implementing bushfire protection measures within the proposed Master Plan. This assessment aligned with the strategic planning principles outlined in the Planning for Bushfire Protection (PBP). An overview of the PBP assessment considerations and outcomes is provided below:

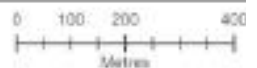
- **Bushfire landscape assessment:** The assessment of the bushfire landscape involved an extensive review that included analysing the broader bushfire landscape, studying bushfire weather conditions, and predicting potential fire behaviour. The Kamay National Park situated to the northeast is the primary fire risk due to its expansive fire catchment and its potential for fire spread toward the site.
 - To protect the site against potential fire risks originating from the northeast, the master plan has strategically incorporated enlarged Asset Protection Zones (APZs) ranging from 107 meters to 180 meters. These extended zones surpass the minimum requirements outlined in the PBP.
 - The implementation of these enlarged APZs has resulted in a substantial reduction in the Bushfire Attack Level (BAL) to BAL-12.5 for all development on the site. Moreover, for most of the development, the classification has been reduced to BAL-Low. This goes well beyond the PBP's stipulation of BAL-29 for residential development, indicating a significantly heightened level of fire protection measures integrated into the site's master plan.
- **Land use assessment:** the land use evaluation examined the suitability of future land uses and the capacity for forthcoming development to adhere to PBP requirements.
 - the current land use assessment and provision of Asset Protection Zones (APZs) in the master plan signify a conservative approach. Presently, SFPP (Special Fire Protection Purpose) APZs have been uniformly allocated across entire precincts within the site. However, in practicality, specific developments such as childcare centres, tourist accommodations, education facilities, seniors living, and other developments will only be situated in certain areas of the site. Despite this, the current model accounts for flexibility in the ultimate delivery of the site, having conservatively modelled the land use assessment to allow for potential development to occur anywhere on the site.
 - During the Development Application (DA) stage, there will be a refinement of APZs to accurately reflect the intended development. At this stage, APZs will be adjusted and tailored to correspond precisely with the finalised development layout and ensure appropriate safety measures are implemented based on the specific locations of different facilities within the site.
 - The land use assessment has confirmed that the implementation of bushfire protection measures, as per the acceptable solutions outlined in the PBP, can be readily achieved through the Master Plan.
- **Access, egress and Evacuation:** The existing and proposed road networks both within and external to the master plan were evaluated to confirm the provision of adequate infrastructure for emergency evacuation and firefighting operations.
 - The master plan provides three access/egress points to Captain Cook Drive for all other stages (other than Stage 1A), and an internal road network that provides connections to each of these points. This exceeds the minimum requirements of PBP. Internal perimeter roads are also provided adjacent to all identified site hazards.
 - While the risk of a significant bushfire necessitating the need for evacuation of the site in its entirety is very low, it is nevertheless important that strategic planning affords the provision of multiple options for evacuation. The key evacuation routes are outlined in Figure 46 below:

Figure 46 Key Evacuation Routes



Offsite Evacuation

- Subject land
- ↔ Major road
- Evacuation routes
- Recommended road connection for investigation



Datum/Projection:
GDA2020 MGA Zone 56
Project: 23SM70509-SC
Date: 12/5/2023

Source: *EcoLogical*

- A key recommendation from the Strategic Bushfire Study that has been incorporated into the master plan is the establishment of managed land and/or APZs along the primary east-west internal evacuation route. This measure aims to ensure that the route maintains a maximum heat exposure of BAL-12.5, ensuring safe usage of this pathway during fire incidents. Additionally, this strategy serves as a precautionary measure to mitigate the risk of internal fire spread that impacts access to Captain Cook Drive.

Furthermore, the study advises the implementation of additional APZs around the main site access points to ensure safe egress onto Captain Cook Drive.

- Initial traffic modelling (STC, 2023) indicates the timing for evacuation along Captain Cook Drive for the residential and employment population, based on an assumed vehicle occupancy of 3.5 people and a lane capacity of 1200 vehicles per hour. Single lane egress (based on the assumption that one lane is occupied by evacuating Kurnell residents) is between 1.6 and 2.2 hours.
- It is important to note, that whilst full site evacuation has been considered, the onsite refuge capacity afforded by the master plan confirms that there will be a significant opportunity for the provision of safe refuge within buildings.
- The master plan outlines six potential refuge building locations strategically associated with tourism, potential education facilities, and commercial developments located in accordance with NSP setback requirements from the adjacent hazard. While these locations are only indicative, the Strategic Bushfire Study demonstrates that multiple refuge locations can be achieved at all stages of development. The Transport assessment confirms these indicative locations are within a 10-minute walking distance from all buildings and public open spaces.
- Notwithstanding, the need for evacuation or refuge is primarily required for occupants within 100m of the bushland hazard interface. When evaluating evacuation or refuge needs from this perspective, it becomes evident that the master plan has the potential to result in low bushfire risk outcomes. Furthermore, the evacuation and refuge capacity outlined in the master plan represents a very cautious response to the risk, indicating a design that is resilient against bushfire threats.
- **Emergency services:** There is currently one Rural Fire Service (RFS) brigade situated near the site in Kurnell. Additionally, there are supplementary NSW Fire and Rescue resources stationed in Cronulla. In the event of a fire originating within the Kamay National Park, support would also be provided by National Parks and Wildlife Service (NPWS) resources.
- **Infrastructure:** An assessment of the issues associated with future infrastructure provision has been undertaken. The Strategic Bushfire Study has assessed the master plan's capacity to provide a water supply capable of addressing major bushfire events, as well as to ensure that the provision of electricity and gas supply does not negatively affect bushfire protection measures.
- The assessment confirms that meeting the acceptable solution requirements for water supply can be achievable for future development within the site. Similarly, in terms of gas and electricity supply, the expectation is that an acceptable outcome can be achieved. These findings imply that the infrastructure planning aligns with the requirements for managing bushfire risks effectively while meeting the needs of the proposed development.
- **Adjoining land:** The impact of development on neighbouring landowners and their ability to conduct bushfire management has been assessed through the Strategic Bushfire Study. The master plan has been designed to ensure it doesn't compromise any existing offsite bushfire management efforts. The master plans demonstrated alignment with the PBP regulations, and ensures that any future development will not necessitate alterations to the current bushfire management practices for adjacent bushfire-prone vegetation. Additionally, all APZs in the master plan will either be entirely within the site boundaries or established via public roads. As a result, there are no foreseen concerns regarding the proposal's impact on neighbouring land concerning bushfire management.

Geotechnical

A Geotechnical Factors Report has been prepared by Tetra Tech Coffey to determine whether the site is capable of supporting urban landforms and development. Due to the existing process on-site which controls the nature of the fill used for rehabilitation on Lot 2 South and the engineering methods used to treat the placed fill, the construction of the proposed land uses on the site is suitable for the site.

The Geotechnical Factors Report recommends the use of piled foundations on Lot 2 South and Lot 8, with Lot 2 North capable of supporting the proposed land uses and development through undertaking normal earthworks and geotechnical procedures. Overall, the site is capable of supporting the planning proposal and future urban development.

Contamination

During the previous SEPP Amendment process, a scope of works to assess the contamination and viability of the site was agreed upon with the DPE. Broadly this included the preparation of and submission of the following

- **Preliminary Site Investigation (PSI):** Tetra Tech Coffey considered and investigated the historical land uses for Lot 2 North and Lot 2 South and their potential for contaminating activities. As part of this, a Preliminary Site Investigation of contamination was undertaken to demonstrate that the site is suitable for urban development.
- **Environmental Site Assessment (ESA):** Harwood Environmental Consultants prepared an assessment of contamination status for areas of the site not subject to progressive rehabilitation with VENM.

In assessing these reports and during the scoping phase of the planning proposal, the DPE sought comments and feedback from the EPA, who recommended the engagement of an accredited site auditor to review the abovementioned investigations and documentation and prepare a site audit statement to confirm that the issues of contamination have been appropriately considered and resolved.

The proponent engaged an accredited site auditor (Envirosceen Pty Ltd) Ltd to prepare a site audit statement.

The site is comprised of several lots, each with distinct uses or conditions. These can generally be broken down into Lot 2 North, which is currently used for private recreation purposes (horse stables / horse riding), Lot 2 South which is being rehabilitated and filled with VENM in accordance with the relevant EPL; Lot 8 which is currently largely undisturbed, overgrown with bitou bush, has a small wetland area and a large intact midden and has remained undeveloped; and Lot 9 which has an unused building located on it.

As part of the PSI, the following potential environmental concerns were identified and assessed at the site (Lot 2 North and Lot 2 South)

- Weathering of hazardous building materials including asbestos, zinc and/or lead from older building materials used in Lot 2 North and Boat Harbour Village in Lot 2 South, and potential historical use of pesticides beneath structures in those localities.
- Storage and preparation of herbicide spray solutions from concentrates in the chemical storage area on Lot 2 South for localised weed control on Lot 2 South;
- Importation for rehabilitation of the quarry void of VENM and PASS, with the potential for natural occurrence of metallic mineralisation;
- Incidental release of diesel fuel associated with storage of diesel fuel within two ASTs and transport and use of fuel for refuelling equipment across the site; and
- Potential migration of impacted groundwater to the site from off-site sources including the former Breen Holdings inert waste landfill immediately west of Lot 2 South and industrial properties north east of Lot 2 South.

The ESA was undertaken to confirm the contamination status of the areas of the site not subject to VENM importation, through soil and groundwater sampling. A summary of the findings is provided below:

- The soil in Lot 2 North generally comprised natural light grey/brown sands overlying yellow sand with peat layers.
- The soil in Lot 2 South generally comprised fill material described as coarse brown sand with gravels and clay overlying natural yellow sand.
- The concentrations of all analytes in soil in the investigation areas of Lot 2 North and Lot 2 South were below the human health and ecological criteria and therefore suitable for ongoing commercial land use and residential land use and future land uses.
- With the exception of dissolved metals and ammonia, the concentrations of all analytes were below the site criteria for groundwater. The concentrations of these analytes were consistent with historical data.
- With the exception of dissolved metals, the concentrations of all analytes were below the site criteria for surface water. The concentrations of these analytes were consistent with historical data.

Based on the outcomes of the investigation, the investigation areas of Lot 2 North and Lot 2 South are considered to be suitable for the existing and future land uses.

Following an assessment and verification of the outcomes from the PSI and ESA, the site auditor has confirmed the site is or can be made suitable for development subject to ongoing regulation of the rehabilitation activities on Lot 2 South, including annual environmental audits, further investigations, and monitoring. These further investigations include:

- Soil sampling within the final rehabilitated landform to confirm the reported low risk status. The depths of the investigation should be commensurate with the final development proposal and likely exposure scenario.
- Investigations (post demolition) in the footprint of the stables (and associated buildings) to assess the potential for pesticides and asbestos. This should also include an assessment of asbestos in areas of fill on Lot 2 North. Some limited sampling of grassed areas should be undertaken to confirm the low contamination risk from the importation of sand overs.
- Targeted sampling of surface soils in the vicinity of Boat Harbour Cabins (following demolition) and Boat Harbour access road.
- Assessment of groundwater quality around the perimeter of the site and within the final rehabilitated landform. The analytical suite must be sufficient to assess potential contamination due to the placement of non-VENM material. This will require progressive implementation of a program of groundwater monitoring within rehabilitated areas to allow assessment of trends in groundwater quality post-rehabilitation.
- Additional monitoring and assessment to confirm the source of ammonia in groundwater.
- Assessment of hazardous ground gas along the western site boundary by the implementation of a hazardous ground gas monitoring program. This must consider future changes in site conditions due to the proposed development and any operational changes associated with the adjacent Breen site.
- Assessment of groundwater quality along the eastern boundary of the site.
- Assessment of PFAS compounds in the groundwater within the surrounding area to establish ambient concentrations.

These measures are recommended to ensure the availability of sufficient data upon completion of the site's rehabilitation to confirm the conclusions regarding the site's suitability from a contamination perspective.

The additional investigations primarily aim to verify assumptions outlined in the site audit. The site audit confirms that should these investigations identify any contamination issues, they would not preclude the development potential of the site. In the event remediation is deemed necessary, it can be reasonably and practically integrated into the approval process.

The site audit investigation and the completion of the recommended additional investigations are unlikely to produce any new findings that would contradict the conclusions of the PSI that confirm the site can be made suitable for development.

The technical studies confirm that the site is consistent with Chapter 4 of the Resilience and Hazards SEPP and that the site can be made suitable for future land uses.

Acid Sulphate Soils:

Lot 2 North has a high probability of acid sulfate soils, akin to Class 3 and Class 4 on the LEP Map. Lot 8 is mapped as Class 3 and 4. Lot 2 South has been filled with VENM and has received small quantities of potential acid sulfate soils (PASS) in accordance with the site's EPL. The nature of the site's hydrology and the way the PASS was placed in the landform ensures there is a low risk of acidification.

The Geotechnical Factors prepared by Tetra Tech states that any ground disturbance greater than 1m in depth for Lot 8 only, should be accompanied by an Acid Sulfate Soil Management Plan however the remainder of the site does not present a risk.

The planning proposal seeks to raise the RL of Lot 2 North from its current levels to RL5 in the location of the development footprint. This would further limit the exposure of acid sulfate soils.

The Geotechnical Factors findings affirm that future development, aligned with the master plan, doesn't present environmental risks, given the adoption of appropriate mitigation measures. Additionally, if necessary, an Acid Sulfate Soils Study can be prepared to guide future development applications.

Coastal Management

Royal Haskoning DHV has modelled the coastal process and predicted future sea level rise to guide the preparation of the master plan and future development. Further, a probabilistic coastal erosion and shoreline hazard assessment has recently been completed by Royal Haskoning DHV as part of the Bate Bay Coastal Management Plan (Bate Bay CMP) prepared for and endorsed by Sutherland Shire Council. The results of the Bate Bay CMP coastal erosion and shoreline hazards assessment was adopted by Royal Haskoning DHV to evaluate the planning proposal.

The Coastal Management Plan prepared by Royal Haskoning DHV confirms the following:

- The proposed master plan is setback appropriately from the coastal zone to mitigate any adverse impacts from coastal processes and hazards under the action of net sediment loss, sea level rise and climate change over the 100-year planning period to 2120. The proposed setbacks also provide the opportunity for enhancing the amenity of the development through the dedication of land in the frontal dune and the establishment of the east-west ecological corridor.
- The proposed landform of Lot 2 North will suitably mitigate against inundation from coastal processes and will result in the land no longer being considered "flood prone". The proposed ground level is above the modelled future nearshore water level based on the predicted 100-year planning period to 2120.
- The master plan has located all future development outside of all coastal management areas including the Coastal Wetlands and Littoral Rainforest Area, Coastal Environment Area and the Coastal Use Area except for the proposed Surf Life Saving Club (SLSC). The SLSC is proposed to be dedicated to Council with discussions to be held post-lodgement to establish the proposed arrangements.

The Coastal Management Plan determines that the planning proposal has adequately addressed coastal hazards and processes, as well as the actions identified within the Bate Bay CMP.

Land use hazards

Coffey has undertaken a review of land use hazards within the Peninsula, that may pose a risk to future urban land uses on the site. This assessment also considers the potential for development on the site to impact the Kurnell Peninsula evacuation task during emergencies, and the additional evacuation implications for potential sensitive land uses such as aged care and hospitals.

The land use and character of the Peninsula is changing. The factors that influenced land use zones and permissibility in 1989 are not present or prevalent today. The risks posed by the refining activities associated with the Caltex Oil Refinery have been removed. The conversion to a fuel import terminal places the site outside of the SSLEP 2015 mapped refinery risk area well beyond the potential impact distance of the terminal.

The 2014 Kurnell Peninsula Land Use Safety Study Discussion Paper, prepared by Scott Lister, reviewed the changing nature of land uses within the Kurnell Peninsula, with a focus on emergency response management issues presented by the intensification of residential and commercial land uses.

The greatest evacuation risk was determined to be the single access route to the Peninsula. The report notes that whilst further residential development is an issue, it is not an insurmountable one given the opportunity to widen roads and provide additional access ways through planning. The proposed widening of Captain Cook Drive from two lanes to four lanes will significantly reduce pressure on the existing access route, noting that the site is located at the base of the Peninsula, to the west of the hazard area and outside of the identified risk zone. Evacuation of the eastern part of the Peninsula would therefore not be compromised by future development on the site.

For flood events, recommendations from flood consultants (Egis Group) propose that the site population remain onsite during peak flooding, followed by a safe exit via Captain Cook Drive after the flood peak subsides. Concerning bushfire risks, the landscape master plan aims to mitigate on-site risks through strategic landscape treatment, species selection, and the identification of on-site refuges for occupants' safety, as advised by bushfire consultants (Eco Logical Australia).

Notwithstanding, contingency plans for a complete site evacuation scenario have been considered in the context of a widened Captain Cook Drive. In the more restricted (and likely) evacuation scenario towards the west, approximately 2.2 hours of lane capacity would be necessary for the population to evacuate.

During the initial project phase (Stage 1A), even with only 25% of Captain Cook Drive capacity available, the development's minimum clearance time is under half an hour. As the project progresses, the minimum clearance time remains below 1.5 hours for westbound evacuations with 50% of Captain Cook Drive capacity available. For eastbound evacuations towards the Kurnell Peninsula, the minimum clearance time is less than 1 hour under the assumption of full lane availability.

Each of the evacuation strategies is outlined in further detail below:

Flood Evacuation

The outcomes from the TUFLOW modelling reveal substantial ponding on Captain Cook Drive in both the baseline and developed scenarios. As such, the site is isolated during significant flood events, considering that Captain Cook Drive is the primary access route into the Kurnell Peninsula.

While there's a ridgeline located to the west of the site that could potentially serve as an evacuation route, it's crucial to note that this area is privately owned by a third party. Establishing an alternative route would necessitate obtaining agreements with the landowner(s) to the west and creating easements that would encumber the titles of these properties. Additionally, constructing a road for the evacuation would be required as this area presently consists of dunes and is only passable on foot. This is not suitable as emergency access, given the need to potentially allow for the traversing of any proposed access by emergency vehicles and transport for those unable to walk the required route.

Given these constraints, EGIS advises that any future detailed flood evacuation plan should adopt a 'shelter-in-place' approach instead of relying on an alternative evacuation route.

Q10. *Has the planning proposal adequately addressed any social and economic effects?*

Yes.

Social Benefits

The planning proposal seeks to deliver social infrastructure that is not only capable of meeting the demands of the future population but will also provide for additional social infrastructure and services for the broader Sutherland Shire.

The total area of social infrastructure being provided is outlined in Table 19 below.

Table 19 Quantum of Social Infrastructure

Social Infrastructure	Demand	Delivery
Education	478 primary school places or 350 when considering the existing population currently enrolled in non-government schools. 429 high school places or 315 when considering the existing population currently enrolled in non-government schools.	The planning proposal provides capacity for a 2.5-hectare school site. SINSW has confirmed that there is capacity within the existing network however, will reconfirm the need for a school site, once the development delivers the first 1,500 dwellings.
Childcare	160 long day care places. 177 out of school hours care.	The child care place can be delivered within the Town Centre precinct. Additionally, the out of school hours care can be provided for within the school site, and operated by the school.
Health	15 hospital beds.	N/A. There is sufficient capacity within the existing health network to support the projected demand. It is anticipated that a general practice or small medical centre would be provided on-site

Social Infrastructure	Demand	Delivery
Community Facilities	584m ² of community space.	Community facilities including: <ul style="list-style-type: none"> ○ 1 x Surf Life Saving Club ○ 1 x SES Depot ○ Allocation of 400m² of additional community space to be situated within the site.
Open space	2 hectares of small parks 0.6 hectares of district parks 5.8 hectares of district open space 4-5 play spaces 1 sports court.	The supply of open space within the site significantly exceeds the projected open space demand. The future provision of active open space will be determined during future subsequent DAs.

As evident by the above table, the planning proposal and future redevelopment in accordance with the master plan is capable of accommodating the required social infrastructure on site. The site is also capable of delivering significant social infrastructure to the community, that would otherwise be lost if the planning proposal did not progress.

Any demand created on services, such as hospitals, is nominal and not considered realistic to provide those services on site. The site will however provide significant opportunities for aging-in-place and capacity for seniors living and residential aged care facilities, with associated medical facilities, which aids in reducing the strain on public hospital services.

Economic Benefits

The planning proposal will deliver a range of employment generating uses and economic opportunities through the delivery of tourism, retail, commercial, and community services. The planning proposal will significantly contribute towards the economic growth of the Kurnell Peninsula and the Sutherland Shire. Compared to the base case, the planning proposal would support a more intensified economic outcome for the site.

As detailed in the Economic Impact Assessment (EIA) prepared by HillPDA, it is anticipated that there will be sufficient expenditure across the trade area to ensure existing commercial centres capture sufficient trade to maintain their vitality. The proposed land uses at the subject site will create 1,171 FTE ongoing job opportunities on site and help to stimulate the local economy of the Sutherland Shire and the Kurnell Peninsula. A further 1,025 jobs will be supported by the planning proposal, totalling 2,196 FTE jobs. The envisioned local job creation will help to support employment self-containment rates in the LGA, which in turn is associated with positive social and environmental benefits. These benefits include reducing the number of vehicle journeys and length of time to work which therefore reduces vehicles emissions and improves quality of life.

As detailed in the Retail Needs Assessment within the EIA prepared by HillPDA, the planning proposal would generate a main trade area of around 11,450 persons by 2046. Of this, 7,305 persons or 64% are estimated to be accommodated on the site.

The Hill PDA report estimated that retailers on the site could achieve total retail sales of around \$133 million by 2046. Through the application of industry average retail turnover densities (\$/m²) by broad store type to the projected expenditure captured, it is estimated that just over 25,000m² could be supported on site.

A total of 9,806m² of retail is provided to support the residents and workers. Additional F&B is provided throughout the site, in association with the tourism operations.

Based on the population projections, a town centre of 7,500m² could be adequately supported on site. The town centre will comprise a full-line supermarket of roughly 3,500m², supported by 3,000m² of speciality retail offerings and 1,000m² of non-retail uses. The Town Centre neighbourhood will therefore support a diverse range of retail offerings and employment opportunities. Up to a further 3,000m² of retail services can be adequately supported throughout the remainder of the site.

The planning proposal is anticipated to yield significantly enhanced economic outcomes for the site and the wider Sutherland Shire. The site's redevelopment will generate 27,257 FTE jobs (direct and indirect), directly contributing \$1.06 billion to the NSW economy. Upon completion, the site will generate 2,196 FTE jobs (direct and indirect), directly generating \$627 million in gross output, per annum. Once operational,

redevelopment of the site in accordance with the master plan, will contribute \$254 million per annum to the NSW economy.

The net increase in economic activity, when compared to leaving the site unchanged in its current state, is detailed below:

- **Output:** a total net increase of around \$620 million in generated and supported output. Of this, \$229 million is directly generated.
- **Remuneration:** a total net increase of around \$156 million in generated and supported wages. Of this, \$82 million is directly generated.
- **GVA:** a total net increase of around \$251 million in generated and supported GVA. Of this, \$102 million is directly generated by the uses onsite.
- **Tourism expenditure:** a total expenditure of around \$68.3 million, of which \$26 million is estimated to be spent on retail goods and services.
- **Resident retail expenditure:** by 2046, residents on site would generate a total of \$158 million in retail expenditure.
- **Government contributions:** an estimated \$69 million would be contributed towards state/regional and local infrastructure through the Housing and Productivity Contribution and Section 7.12 developer Contributions.

The employment generating uses on site will contribute to the growth of the tourism and retail industries within the Sutherland Shire and the South City District. Such provision of retail, tourism and commercial uses will increase the liveability, productivity and sustainability of the locality whilst also reducing the need for residents to travel to access essential services. Based on the above assessment, Hill PDA concluded that the planning proposal is strongly supported from an economic perspective.

The planning proposal will therefore have positive social and economic benefits for the broader community. It is considered that the proposal has addressed social and economic impacts and is in the public interest.

7.3.1.1. Section D – Infrastructure (Local, State and Commonwealth)

Q11. *Is there adequate public infrastructure for the planning proposal?*

Yes.

Adequate infrastructure can be made available to service the projected demand associated with the planning proposal:

- The proponent will fund and deliver the widening of Captain Cook Drive to support the future urban capacity of the site and ensure that adverse traffic implications are eliminated. The proposed widening of Captain Cook Drive will also deliver profound benefits for the Kurnell Peninsula by improving vehicular and active transport access.
- As described in the Landscape and Open Space Strategy, the planning proposal will deliver extensive public open space. The planning proposal and accompanying Letter of Offer will dedicate approximately 7.86ha of district open space and 3.72ha of local open space into Council ownership. The planning proposal will also deliver extensive managed land and privately owned public space.
- As outlined in the Social Impact Assessment and accompanying Community Infrastructure Needs Assessment, the planning proposal will deliver a 2.5ha school site nearby to the Town Centre neighbourhood. The school site will ensure that nearby educational establishments are not adversely affected by the planning proposal and that quality education can be provided on-site.
- As outlined in the Utilities Servicing Strategy prepared by Altogether, the site will be adequately serviced in relation to wastewater and recycled water by the proposed Local Water Centre (LWC). The LWC will be funded by the proponent and designed, constructed, and operated by Altogether. The proponent will hold responsibility for the internal reticulation network and dwelling connections.
- It has been confirmed that 120 litres per second is available to service the site from the adjacent Sydney Water main along Captain Cook Drive. Altogether will be the water utility provider for the site, through purchasing water from Sydney Water under a Utility Services Agreement and retailing to network customers. The proposed scheme has been operated successfully by Altogether at several development sites.

- As outlined in the Feasibility Letter prepared by Trio Consulting, the planning proposal is capable of being serviced in relation to electricity and communications infrastructure if required to support the proposed development.

Section E – State and Commonwealth interests

Q12. *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?*

During the preparation of this planning proposal, the proponent and representatives from the project team have met with numerous state and federal authorities and government agencies. Details of the consultation with state agencies is provided in **Section 4.1** of this report.

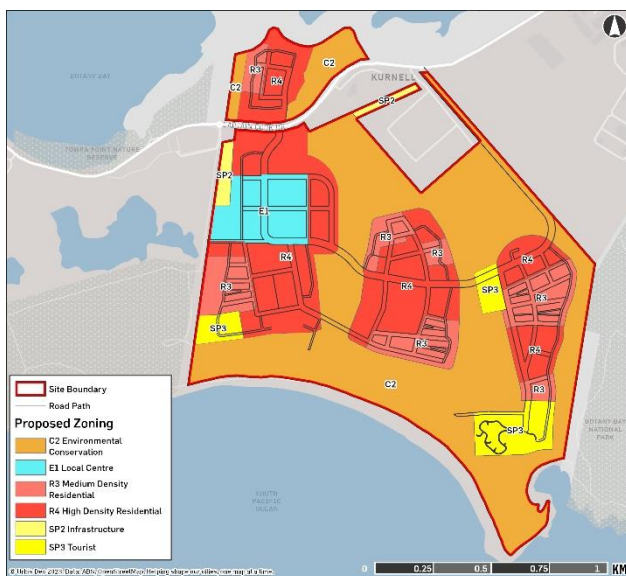
The Gateway Determination will advise the public authorities to be consulted as part of the planning proposal process. Any issues raised will be incorporated into this planning proposal following consultation in the public exhibition period.

7.4. PART 4: MAPS

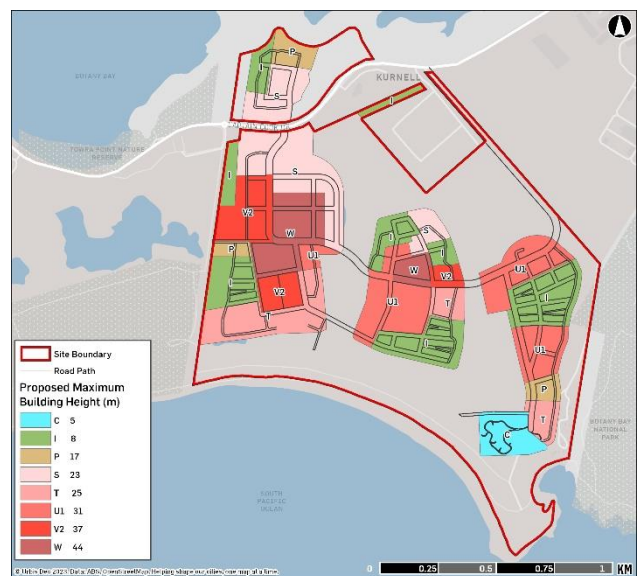
As the site is currently a deferred matter, all mapping applicable to the site, under the SSLEP 2015, will require amending.

Thumbnails of the proposed map amendments are provided below and are also submitted separately with the planning proposal.

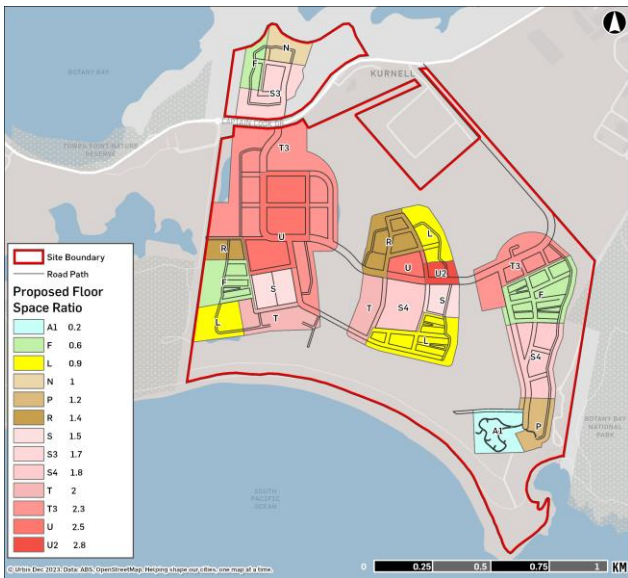
Figure 47 LEP Maps



Picture 19 Land use zoning



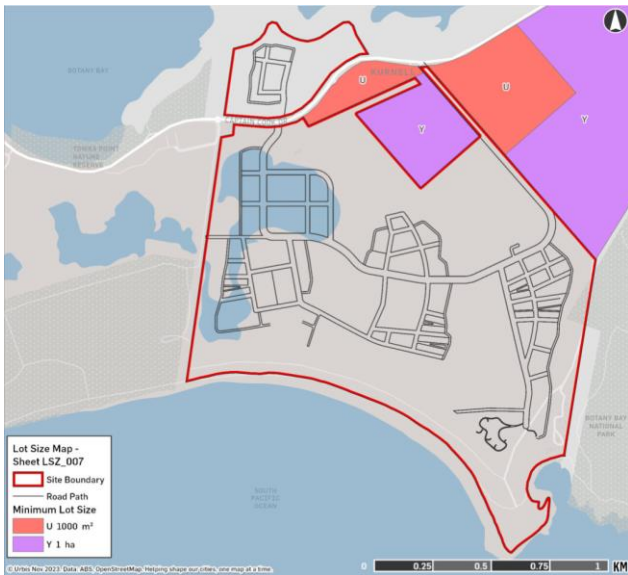
Picture 20 Height of buildings



Picture 21 Floor space ratio



Picture 22 Terrestrial biodiversity



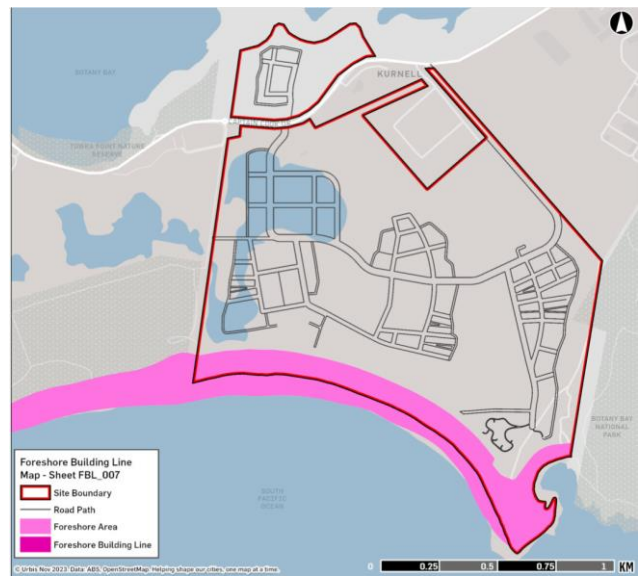
Picture 23 Minimum lot size



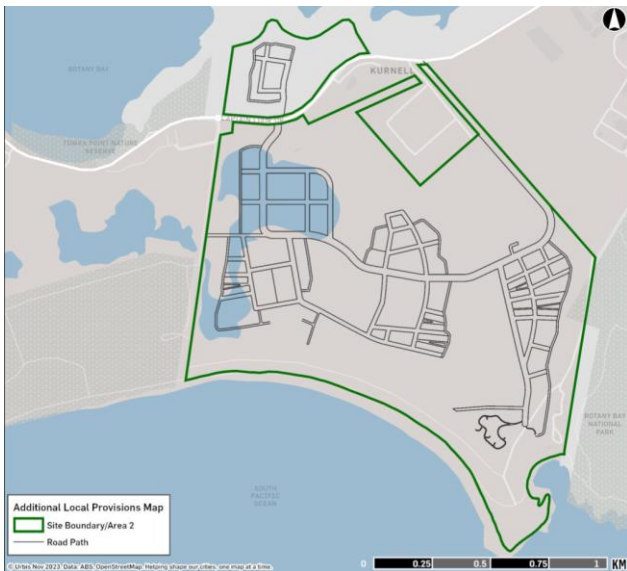
Picture 24 Minimum landscape area



Picture 25 Groundwater vulnerability



Picture 26 Foreshore building line



Picture 27 Additional local provisions



Picture 28 Land application

7.5. PART 5: COMMUNITY CONSULTATION

During the preparation of the planning proposal, the proponent and their appointed technical consultants have conducted various pre-lodgement consultation activities as part of the SDRP and associated processes. This has involved extensive engagement with Council, the DPE, GANSW, and other relevant agencies. A detailed Connecting with Country process was also taken to underpin the master plan and included active engagement with the La Perouse Local Aboriginal Land Council, Gamay Rangers, First Nations traditional owners, and knowledge holders. Targeted engagement and discussions were also undertaken with neighbouring landowners and with SACL.

Consultation with these stakeholders and the wider community will continue throughout the assessment process and next phase of the planning proposal process.

The proponent's community consultation approach will be informed by Sutherland Shire Council's Community Engagement Policy and will seek to achieve the following objectives:

- Deliver clear and factual key messages throughout the planning and approval process.
- Communicate the benefits of the proposal and explain how potential impacts will be mitigated or managed.
- Highlight community sentiment and aspirations for Kurnell and the wider Sutherland Shire.
- Provide opportunities for stakeholders to contribute feedback on the proposal.

The proponent's approach will include a range of consultation activities and engagement channels to provide information on the planning proposal and opportunities for members of the community to provide feedback. These are likely to include:

- A dedicated page on the existing Holt Estate (Besmaw) website.
- Community newsletters to be issued via letterbox drop.
- Advertising in local newspapers and on the Holt Estate social media channels.
- Community information sessions.
- A frequently asked questions (FAQ) document to support responding to community enquiries. This document will be provided to Council to assist in responding to any enquiries that may come directly to it.

The Gateway Determination and planning proposal would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

In addition to the above proponent-initiated community consultation, Division 3.4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the planning proposal will be publicly exhibited for at least 28 days in accordance with the requirements of the DPE guidelines 'A Guide to Preparing Local Environmental Plans'.

7.6. PROJECT TIMELINE

The following table sets out the anticipated project timeline in accordance with the benchmark timeframes in the LEP Making Guideline for Complex planning proposals.

Table 20 Anticipated Project Timeline

Process	Indicative Timeframe
<i>Phase 1 Scoping Proposal</i>	<i>May 2023 – November 2023 (completed)</i>
Stage 2 – Planning proposal	December 2023 – June 2024
Stage 3 – Gateway Determination	June 2024 – August 2024
Stage 4 – Post Gateway	August – December 2024
Stage 5 - Public exhibition and consideration of submissions	December 2024 – June 2025
Stage 6 – Finalisation	June 2025 – September 2025
Notification and gazettal	September 2025

8. CONCLUSION

This planning proposal seeks to amend the SEPP Precincts and the SSLEP 2015 as they relate to the site. The planning proposal aims to translate and amend current land use zones under the applicable controls to be consistent with the standard instrument zones and enable additional uses at 251, 260R, 278, and 280-282 Captain Cook Drive, Kurnell (the site).

The purpose of the planning proposal is to establish a new mixed-use community, encompassing residential, employment, tourism, education, cultural facilities, ecological regenerative zones and public open space areas.

The planning proposal is supported by a master plan, with the ability to deliver:

- 4,333 new dwellings, 750 dwellings for seniors living.
- 7.5% of the residential dwellings as affordable housing.
- Four new hotels and low scale cabins.
- 9,806m² of retail GFA.
- A cultural trail which includes cultural enterprise activities.
- A 2.5 hectare school site.
- Three district parks and eight local parks.
- 2km of public beach front.
- Public car parking, community facilities and surf lifesaving club.
- The restoration and regeneration of ecology, providing 141 hectares of regenerated open space (almost 70% of the site).
- A range of community facilities.

This planning proposal has been prepared in accordance with the DPE 'Local Environmental Plan Making Guidelines' and responds to the feedback received on the scoping proposal, the outcomes of the extensive consultation that has occurred with the relevant State Agencies the SDRP and the local Aboriginal community.

As confirmed within the DPE's advice, dated 15th August 2022, the planning proposal has strategic merit and has the ability to unlock this strategic brownfield site to deliver residential zoned land. The planning proposal will enable the delivery of 200-280 dwellings per year, or an average of **26% of the year-on-year housing supply for 18 years**, required to meet Sutherland Shire's projected dwelling targets.

This planning proposal gives effect to the objectives and actions of the relevant district and regional plans and is consistent with the relevant direction set by Council's Local Housing Strategy, relevant State Environmental Planning Policies, the Kurnell 2020: Corridor Delineation Report 2009 and Local Planning Directions under Section 9.1 of the EP&A Act.

The planning proposal and LEP amendments are supported by a site-specific DCP for the site. To facilitate the objectives of the master plan on the site, the following key amendments to SSLEP 2015 are proposed:

- Amend the Land Zoning map (Sheet LZN_007) to introduce a broad range of land use zones over the site, including:
 - C2 Environmental Conservation
 - SP2 Infrastructure
 - SP3 Tourist
 - R3 Medium Density Residential
 - R4 High Density Residential
 - E1 Local Centre

- Amend the Height of Buildings Map (Sheet HOB_007) to introduce a range of maximum building heights across the site, ranging from 3.5m for the tourist cabins to 44m for the 12 storey mixed-use buildings and town centre hotel.
- Amend the Floor Space Ratio Map (Sheet FSR_007) to introduce a broad range of FSR's across the site, from 0.2:1 – 2.8:1.

In addition to the above mapping amendments, a new local provision is proposed to be inserted into the SSLEP 2015. Upon gazettal of the LEP amendments, SEPP Precincts will also need to be amended to remove the site from the SEPP mapping and remove any associated clauses.

The planning proposal sets out the justification for the proposed LEP and SEPP amendment. It is supported by a suite of technical reports including an Urban Design Report and Landscape Master Plan that includes site and context analysis, which informed the planning proposal and to demonstrate the proposal is suitable in its locality.

It is considered that the proposed amendments to SEPP Precincts and SSLEP 2015 would result in a superior development outcome and generate significant economic and community benefit for the following reasons:

- **Urban design:** The master plan, landscape plan, open space strategy and overall site planning approach which has been curated by Group GSA and has been refined following the advice from the State Design Review Panel over the last 12 months, reflects best practice place-based principles.

The outcome is a landscape-led urban design approach. It includes four distinct precincts with their own unique character, including a town centre and diversity within the different residential precincts. A fine grain scale, with a variety of medium and high-density buildings supported by public open space and active laneways and street frontages, will be delivered.

- **Environmental:** A nature positive approach has been adopted, regenerating the site and establishing new biodiversity corridors of up to 460m in width, which are capable of supporting a range of native and indigenous plant species. Approximately 67% of the site will be dedicated to landscaped, recreational and cultural open space purposes.
- **Social:** The planning proposal delivers significant social benefits, including a diversity of housing typologies, including both affordable housing (7.5%) and seniors housing, ensuring that this new community is a place for all. All dwellings will be within 400m of public open space, with eight local parks and three district parks being delivered. A 2km beachfront is proposed to be dedicated to Sutherland Shire Council (Council) and will include active transport connections through the site.
- **Economic:** The site's redevelopment will generate 27,257 FTE jobs (direct and indirect), contributing \$1.06 billion to the NSW economy. Upon completion, the site will generate 2,196 FTE jobs (direct and indirect), generating \$627 million in gross output, per annum. Occupation of the mixed-use community as detailed in the master plan, will contribute \$254 million per annum to the NSW economy.
- **Infrastructure and services:** The site is adequately serviced or capable of being serviced by the necessary infrastructure, including road, public transport, water, sewer and utilities.

Development under the master plan and the planning proposal would result in significant public benefits by proposing planning controls to facilitate the redevelopment of a key urban brownfield site.

This planning proposal has clear strategic and site-specific merit, and it is considered that the planning proposal is an appropriate form to be adopted by Council and submitted to the DPE for a gateway determination.

9. DISCLAIMER

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