



# **PROJECT APPROVAL MP06\_0209**

## **WEST KEIRA RETAIL DEVELOPMENT AND ALTERATIONS AND ADDITIONS TO WOLLONGONG CENTRAL SHOPPING CENTRE**

### **SECTION 75W MODIFICATION TO PROJECT APPROVAL**

#### **MOD 3**

**Prepared for**



**by BBC Consulting Planners**

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**SUBMITTED IN SEPARATE A3 FOLDER**

Comparison of Approved Project Application Drawings and Section 75W Drawings

# 1. INTRODUCTION

## 1.1 Overview

This report accompanies a request to the Department of Planning and Infrastructure to modify the Project Approval for the “Wollongong Central Redevelopment”, pursuant to the provisions of Section 75W of the Environmental Planning and Assessment Act, 1979 (“the Act”).

Approval was granted on 28 April 2008 by the then Minister for Planning to the Concept Plan and Project Application for the Wollongong Central redevelopment, as follows:-

- Concept Plan for Wollongong Central redevelopment (MP 06\_0335); and
- Project Application for Wollongong Central redevelopment (MP06\_0209).

Since 2008, The GPT Group have been working towards implementing the approvals.

The Wollongong Central redevelopment comprises two sites – West Keira and Wollongong Central (the latter formerly referred to as “Crown Central”). The approved scheme involves the erection on the West Keira site of a new six-level retail centre including a single-level basement car park, three levels of retail space and two levels of above-ground parking, and the interconnection of this new centre via a tunnel and a bridge over/under Keira Street with Wollongong Central, which itself will be the subject of alterations and additions.

On 22 December 2008, Modification Application No. 1 was approved, which modified the determinations and conditions of both the Concept Plan and Project Application approvals, generally to correct minor condition errors or ambiguity; reflect the staged construction and occupation of the project; and ensure clarity in interpretation.

On 22 December 2008, Modification Application No. 2 was approved, which modified the Project Approval only, in relation to urban design improvements and to address issues that were outstanding at that time such as the detailed design of the pedestrian bridge over Keira Street, improvements to the existing pedestrian bridge over Crown Street Mall, and the proposed vehicular ramp to the West Keira site from Regent Street. The key issues addressed by Modification Application No. 2 are not changed by this modification. For example, the Keira Street bridge will retain similar proportions and the same minimalist appearance as approved and the Crown Street Mall bridge will still be upgraded to reflect the quality of the Keira Street bridge.

Since the approval of the Project Application, and the two modifications that followed, the proponent has undertaken a further detailed design review alongside urban design firm Civitas. Detailed design reviews are common on projects with such complexity and speculation.

This third modification application (“Modification No. 3, or MOD 3”) is lodged to modify the Project Approval only, seeking approval to refine the detailed design of the development.

Various amendments are proposed for the West Keira building which will enhance the appearance of the building and aid in improving visitor circulation within. Improvements will

also be made to the Wollongong Central development to tie in with the changes to the West Keira building.

In brief, the proposed modifications relate to:-

- improved pedestrian access for the West Keira redevelopment via a through-site link in a north-south direction;
- breaking up the internal retail levels of the West Keira redevelopment into more legible north-south colonnades via redistribution and reorientation of internal retail spaces;
- creating a light well into the West Keira redevelopment across all the retail levels and the upper car park level;
- creating a 'gateway' corner element for the West Keira redevelopment on the corner of Crown Street, Crown Lane and Keira Street;
- realignment of the approved pedestrian bridge over Keira Street to minimise its appearance;
- improved ground floor streetscape and activation for the West Keira redevelopment along Keira Street through vehicle access amendments, façade interest and inviting entry features;
- improved aboveground activation through playful façade elements and activity, particularly from the repositioned first floor food court; and
- improved customer and service vehicle access from Richardson Lane.

The proposed alterations will primarily elevate the importance of pedestrian movement, enjoyment and activation all around and through-out the West Keira building. The urban design improvements provide more legibility and finer grain features to the proposal. Key to those outcomes is the urban designer's advice to the Proponent that the built form of the West Keira redevelopment should be read as two building elements with a light-filled pedestrian way.

This modification application does not alter the essence of the approved project. It will remain a new six-level retail centre on the West Keira site, including single-level basement car, three levels of retail space and two levels of above-ground car parking and interconnections with Wollongong Centre via a tunnel and bridge across Keira Street, with alterations and additions to Wollongong Central itself. The approved project will continue to occupy the same land after being modified in accordance with this application. Design parameters such as access off particular streets, bridge and tunnel connections, retail floorspace and land uses are the same if not similar as the approved project. The gross floor area of the project will be reduced.

A residential tower and a commercial tower (and associated car parking levels) will be constructed at a later stage on the roof of the podium of the new building on West Keira. The entire major project is the subject of the Concept Plan approval, while all works other than the residential and commercial towers above the West Keira retail podium and their associated parking are the subject of the Project Approval. This modification application does not preclude the residential and office developments from proceeding as per the Concept Plan approval. The conditions on the Concept Plan approval allow the residential

and commercial developments to be subject to Part 4 assessment under the Environmental Planning and Assessment Act 1979.

## **1.2 Consistency with Concept Plan Approval**

This application does not propose to modify the Concept Plan approval, or the Concept Plan drawings. The design modifications reflected in the amendments have no implications for the Concept Plan approval, and the project as modified will remain consistent with the Concept Plan approval.

## **1.3 Documentation**

This report:-

- describes the modifications to the project, including a justification for the design changes;
- provides a schedule of the drawings which have been amended, listing the updated revision numbers and issue dates;
- provides a schedule of design changes on a drawing by drawing basis;
- provides a schedule of conditions to be modified;
- considers the relevant environmental planning instruments and policies; and
- considers the relevant provisions of Section 75W.

This report accompanies supplementary information, including:-

- the following appendices to this Section 75W Report:-
  - a reduced set of the revised architectural drawings, prepared by Rice Daubney Architects;
  - an Architectural Report to accompany the design changes and address the key issues;
  - a letter prepared by the heritage consultants, Orwell and Peter Phillips;
  - a BCA Report, prepared by Steve Watson and Partners;
  - a supplementary Crime Prevention Report, prepared by Harris Crime Prevention;
  - a supplementary Traffic and Transport Report, prepared by AECOM; and
- in a 'Comparison Folder', copies of the approved and amended drawings, to allow for easy comparison between the approved and amended drawings.

## **2. MODIFICATIONS TO PROJECT APPROVAL**

### **2.1 Overview**

Stage 1 of the Concept Plan approval relates to the West Keira and Wollongong Central Project Application. The West Keira and Wollongong Central sites are identified in Figures 1 and 2 after the body of this report.

The West Keira redevelopment is the primary focus of this Section 75W application. It is a six level retail redevelopment within the CBD block bounded by Market Street in the north, Crown Lane in the south, Keira Street in the east and Regent Street in the west.

Wollongong Central is modified in a relatively minor manner by this Section 75W application, insofar as the West Keira pedestrian overbridge and tunnel across Keira Street have shifted northward and necessitates a modified Keira Street elevation compared with the approved project.

The key aims of the modification application are:-

- to introduce certain enhanced facades, shopfronts and entry arrangements to the West Keira redevelopment which aim to have a significantly positive effect on the urban form and public domain;
- to reflect design refinements to the internal planning of the West Keira redevelopment;
- to modify the Wollongong Central development to tie in with the revised overbridge and tunnel connections across Keira Street; and
- to stage the approved Project so that the West Keira redevelopment can occur as soon as possible and the Wollongong Central redevelopment, other than works necessary to allow for the bridge and tunnel connections, can occur at a latter stage.

The modification application also seeks to clarify the meaning and intent of a number of the Project Approval conditions relating to such matters as the minimum number of car parking spaces, consistent hours for crane use, the timing for release of an Occupation Certificate in relation to roadworks and the payment of Section 94A Contributions in light of the staging of the project.

A schedule of modified drawing revision numbers, and a full schedule of modifications to each drawing, is included in Sections 2.4 and 2.5 respectively. A schedule of modifications to various conditions is provided in Section 2.6.

The modifications are of minimal environmental impact, and the project will remain substantially the same development as that originally approved. Further, the project will remain consistent with the approved Concept Plan.

The proposed modifications and key issues outlined in this application will have a substantial net public benefit, and are worthy of support in their entirety.



## 2.2 Description of Proposed Design Modifications

Modifications to individual drawings, including floor plans, elevations and sections, are listed in the detailed schedule at Section 2.4 of this report. The following points are made with respect to the broad intentions of the proposed amendments. A detailed Architectural Report covering these matters is contained in **Appendix 6**.

### 2.2.1 Enhanced Connections

The proposed modifications provide more permeable connections through the site to the expanding northern mixed use neighbourhood, the retail environment to the east and the open space precinct to the south-east.

They also open up the internal planning to the sky and the inner colonnade to the Keira Street frontage to provide visual interest and attraction into the development.

### 2.2.2 Active Frontages and Streetscapes

The proposed modifications build on the existing approval by increasing the extent of active street frontages through:-

- an entry forecourt at the corner of Crown Street, Crown Lane and Keira Street to compliment the approved piazza space created by relocating Crown Lane;
- increased opportunities for alfresco dining along Keira Street;
- relocating the former ground floor food court to the first floor and providing it with absolute street frontage to provide presence and activation; and
- increasing the number of shopfronts and active spaces along Keira Street via relocation of a current vehicular accessway to the basement car park and deletion of the approved discount department store service corridor along the first floor frontage.

### 2.2.3 Façade Modulation and Articulation

The ongoing urban design analysis of the approved project has placed significant emphasis on breaking up the approved bulk and scale of the West Keira building into two built forms with an emulated laneway between. A key component of that is the creation of a welcoming entry forecourt which will act as a “gateway” gesture at the corner of Crown Street, Crown Lane and Keira Street. The forecourt provides a gathering space, creates a threshold between the public and private domain and is designed in a manner than invites visitors through the site from Keira Street, Crown Street Mall and Wollongong Central.

The materiality of the facades includes the proposed use of Corten Steel pre-weathered architectural steel as blades, columns and laser cut screens; glazed and solid shell materials with patterns reflecting the form of the Illawarra Flame Tree; white patterned or perforated concrete; and timber decorative fixtures.

The built form of the facades is layered and multi-faceted to reflect the form of the Illawarra Escarpment and provide immediate visual breaks to the Keira Street length.

The facades provide articulation and interest via pop out window boxes and operable louvered walls along the first floor food court, thus allowing visitors to engage with the streets and mall below. The façade modulation also allows visitors to immediately ascertain the entry portals to the building.

The proposed facades are a significant improvement over the existing approved facades.

#### **2.2.4 Natural Light and Ventilation**

The proposed modifications enable visual connections from the street to the lower ground level and first floor food court and shops through the use of highly transparent facades.

Natural light and ventilation is also provided into the middle of the development from above through the north – south orientation and void openings to the sky.

The forecourt at the ground floor level provides light permeation to the upper level, and instant recognition of the aboveground level from street positions.

The foodcourt at the first floor level has absolute street frontage along Keira Street to allow an abundance of natural light, as well as opportunities for fresh air, views down to Keira Street and street presence when viewed from the street level.

#### **2.2.5 Retail Remix**

The retail mall geometries of the West Keira redevelopment have been reconfigured and reoriented. This provides improved pedestrian connectivity at the ground plane and better pedestrian links for the centre as a whole. The current orientation of the pedestrian passageways provides a terminating horseshoe circulation pattern whereas the development, as modified, would improve connections both north - south and east - west.

Along with the urban design desire to provide an internal north – south break in the building form has come a reorientation of the retail mix within the West Keira building to provide an intimate shopping and leisure environment befitting more of a laneway setting.

#### **2.2.6 Keira Street Overbridge**

The Keira Street bridge link now reduces width and height overall. Its width ranges from 5m to 7m (down from 9.6m) and it has been pushed further north and angled. The overall height of the bridge has also been adjusted to taper open where the bridge enters the buildings and narrow at the mid span across Keira St. The aggregate outcome of all these adjustments is to reduce the presence of the bridge on the skyline and in particular to give a 'breathing space' to the important gateway intersection further south. Architecturally these amendments also make for a much more dynamic form whilst still ensuring the bridge is a low key link between the two buildings.

#### **2.2.7 Vehicular Access**

From an access point of view, very little change has occurred. The two vehicular entries for the West Keira redevelopment remain from a ramped driveway to and from Richardson Lane/Richardson Street in the north and an entry/exit ramp to and from Regent Street in the

west. The proposal to reorient the internal planning of the West Keira development has allowed vehicle access from Richardson Lane/Street to be repositioned from along the eastern side of the building to along the western side of the building. This has created superior pedestrian access in a car and service vehicle free environment from the north, as well as freeing up the Keira Street frontage of the building for maximum shopfront activation.

## 2.3 Schedule of Modified Drawing Revision Numbers

A reduced copy of the Section 75W drawings is contained in Appendix 5. Below is a table outlining the modified drawing details.

		Approved Drawing (i.e. MOD 2, 2008)		Section 75W Drawing	
Drawing No.	Description	Rev	Date	Rev	Date
<b>Floor Plans</b>					
DA-A005	Site Analysis Plan	U	25.07.08	V	14.07.11
DA-100C	Overall Floor Plan Level B1: Basement Car Park	R	25.07.08	S	14.07.11
DA-101C	Overall Floor Plan Level 1: Lower Ground Retail	R	25.07.08	S	14.07.11
DA-102C	Overall Floor Plan Level 2: Ground Floor Retail	S	25.07.08	T	14.07.11
DA-103C	Overall Floor Plan Level 3: Crown Central Level 1 Retail	S	25.07.08	T	14.07.11
DA-103aC	Overall Floor Plan Level 3a: Crown Central Mezzanine	R	25.07.08	S	14.07.11
DA-104C	Overall Floor Plan Level 4: Retail and Carpark Level	S	25.07.08	T	14.07.11
DA-105C	Overall Floor Plan Level 5: Carpark Level	S	25.07.08	T	14.07.11
DA-106C	Overall Floor Plan Level 5: Carpark Level	S	25.07.08	T	14.07.11
DA-107C	Overall Floor Plan Level 6: Carpark Level	S	25.07.08	T	14.07.11
DA-108C	Overall Floor Plan Level 7: Carpark and Cinema Level	R	25.07.08	S	14.07.11
DA-109C	Overall Floor Plan Level 8: Plant Level	R	25.07.08	S	14.07.11
<b>Elevations</b>					
DA-A210C	Crown Central Elevation: Crown Street Mall	B1	25.07.08	B2	14.07.11
DA-A211C	West Keira: Elevation Crown Lane	B1	25.07.08	B2	14.07.11
DA-A212C	West Keira: Elevation Keira Street	B1	25.07.08	B2	14.07.11
DA-A213C	Crown Central: Elevation Keira Street	B1	25.07.08	B2	14.07.11
DA-A215C	Crown Central: South Façade Detail Elevation/Section	B1	25.07.08	B2	14.07.11
DA-A216C	West Keira: Elevation Keira Street Bridge Elevation	B1	25.07.08	B2	14.07.11

Drawing No.	Description	Approved Drawing (i.e. MOD 2, 2008)		Section 75W Drawing	
		Rev	Date	Rev	Date
DA-A219C	West Keira: East Façade Detail Elevation/Section	B1	25.07.08	B2	14.07.11
<b>Sections</b>					
DA-A301C	Overall Sections Sheet 1	R	25.07.08	S	14.07.11
DA-A302C	Overall Sections Sheet 2	V	25.07.08	W	14.07.11
DA-A304C	Sections and Details: Keira Street Tunnel and Bridge	S	25.07.08	T	14.07.11
<b>Demolition Drawings</b>					
DA-A402C	Overall Demolition Plans – Level 2	S	25.07.08	Unchanged	
DA-A403C	Overall Demolition Plans – Level 4	S	25.07.08	Unchanged	
DA-A404C	Overall Demolition Plans – Level 4	S	25.07.08	Unchanged	

## 2.4 Schedule of Modifications to Drawings

Drawing No.	Drawing Title	Key Modifications
<b>Architectural Drawings</b>		
DA-A005	Site Analysis Plan	No change.
DA-100C	Overall Floor Plan Level B1: Basement Car Park	<b>West Keira</b> <ul style="list-style-type: none"> <li>Car park ramp relocated from the eastern side of the building to the western side.</li> <li>Travellator to Lower Ground Floor Retail shifted to the east.</li> <li>Retail lift lobby relocated to approx position of former travelator lobby.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-101C	Overall Floor Plan Level 1: Lower Ground Floor	<b>West Keira</b> <ul style="list-style-type: none"> <li>Retail floorspace and circulation reoriented in a north-south direction.</li> <li>Plant rooms reconfigured to match retail reorientation.</li> <li>Pedestrian tunnel across Keira Street shifted north by approximately 10m. The internal pedestrian path is now angled across Keira Street.</li> <li>Pedestrian tunnel made wider.</li> <li>Staircase added at south-eastern corner up</li> </ul>

Drawing No.	Drawing Title	Key Modifications
		<p>to Crown Street.</p> <ul style="list-style-type: none"> <li>Relocation of vehicle entry ramp from the eastern side to the western side.</li> <li>Retail lift lobby relocated as per basement car park level.</li> </ul> <p><b>Crown Central</b></p> <ul style="list-style-type: none"> <li>Tunnel across Keira Street to integrate into revised position where it joins the centre.</li> </ul>
DA-102C	Overall Floor Plan Level 2: Ground Floor Retail	<p><b>West Keira</b></p> <ul style="list-style-type: none"> <li>Retail floorspace and circulation reoriented in a north-south direction.</li> <li>Voids in the circulation paths open to the sky above and lower ground below.</li> <li>Entry forecourt added at the corner of Keira Street, Crown Lane and Crown Street.</li> <li>New pedestrian access from Richardson Street/Lane added to the north.</li> <li>Loading dock rationalised and reoriented in a north-south direction.</li> <li>Foodcourt deleted from level and relocated to Level 1.</li> <li>Lift lobbies for future mixed use development relocated marginally.</li> <li>North-eastern pedestrian entry moved further north along Keira Street.</li> <li>Relocation of vehicle entry ramp from the eastern side to the western side – more shopfront space produced along Keira Street.</li> </ul> <p><b>Crown Central</b></p> <ul style="list-style-type: none"> <li>Reconfiguration of internal retail planning to match revised location of tunnel and bridge.</li> </ul>
DA-103C	Overall Floor Plan Level 3: Crown Central First Floor	<p><b>West Keira</b></p> <ul style="list-style-type: none"> <li>West Keira floor plan does not correspond with Crown Central floor plan at this level.</li> </ul> <p><b>Crown Central</b></p> <ul style="list-style-type: none"> <li>Reconfiguration of internal retail planning to match revised location of tunnel and bridge.</li> </ul>
DA-103aC	Overall Floor Plan Level 3a: Crown Central Mezzanine	<p><b>West Keira</b></p> <ul style="list-style-type: none"> <li>West Keira floor plan does not correspond with Crown Central floor plan at this level.</li> </ul>

Drawing No.	Drawing Title	Key Modifications
		<b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-104C	Overall Floor Plan Level 4: Retail and Carpark Level	<b>West Keira</b> <ul style="list-style-type: none"> <li>Retail floorspace and circulation reoriented in a north-south direction.</li> <li>Pedestrian bridge relocated north.</li> <li>Pedestrian bridge narrowed and angled across Keira Street.</li> <li>Voids in the circulation paths open to the sky above and ground and lower ground below.</li> <li>Food court added along Keira Street.</li> <li>Former discount department store service corridor along Keira Street replaced with activated food court.</li> <li>Façade pop outs associated with food court added along Keira Street.</li> <li>Lift lobbies for future mixed use development relocated marginally.</li> <li>South-eastern corner of the centre terminates at the entry forecourt area.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>Reconfiguration of internal retail planning to match revised location of bridge.</li> </ul>
DA-105C	Overall Floor Plan Level 5: Carpark Level	<b>West Keira</b> <ul style="list-style-type: none"> <li>No change.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-106C	Overall Floor Plan Level 6: Carpark Level	<b>West Keira</b> <ul style="list-style-type: none"> <li>Voids created in car park for natural light and ventilation to retail levels below.</li> <li>Travellers down to Level 2 retail relocated.</li> <li>Lift lobbies for future mixed use development relocated marginally.</li> <li>Reduction in car parking due to voids and south-eastern forecourt treatment.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-107C	Overall Floor Plan Level 7: Carpark and Cinema Level	<b>West Keira</b> <ul style="list-style-type: none"> <li>Voids created in car park for natural light and ventilation to retail levels below.</li> </ul>

Drawing No.	Drawing Title	Key Modifications
		<ul style="list-style-type: none"> <li>Travellers down to Level 2 retail relocated.</li> <li>Lift lobbies for future mixed use development relocated marginally.</li> <li>Reduction in car parking due to voids and south-eastern forecourt treatment.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-108C	Overall Floor Plan Level 8: Plant Level	<b>West Keira</b> <ul style="list-style-type: none"> <li>Plant rooms reoriented or rationalised.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-109C	Overall Floor Plan Level 9: Plant Level	<b>West Keira</b> <ul style="list-style-type: none"> <li>Not shown at this level.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
<b>Elevations</b>		
DA-A210C	Crown Central Elevation: Crown Street Mall	No change.
DA-A211C	West Keira: Elevation Crown Lane	<b>West Keira</b> <ul style="list-style-type: none"> <li>Elevation and plan form amended to reflect floor plan changes and façade detailing.</li> <li>Pedestrian bridge detail amended to show height variation.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-A212C	West Keira: Elevation Keira Street	<b>West Keira</b> <ul style="list-style-type: none"> <li>Elevation and plan form amended to reflect floor plan changes and façade detailing.</li> <li>Façade design better reflects the entry points.</li> <li>Increased shopfront space along northern end of Keira Street.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>Not shown in elevation.</li> </ul>
DA-A213C	Crown Central: Elevation Keira Street	<b>West Keira</b> <ul style="list-style-type: none"> <li>Not shown in elevation.</li> </ul>

Drawing No.	Drawing Title	Key Modifications
		<b>Crown Central</b> <ul style="list-style-type: none"> <li>Relocated bridge location shown.</li> </ul>
DA-A215C	Crown Central: South Façade Detail Elevation/Section	Elevation shifted one grid to avoid duplication of showing bridge.
DA-A216C	West Keira: Elevation Keira Street Bridge Elevation	<b>West Keira</b> <ul style="list-style-type: none"> <li>Elevation and plan form amended to reflect floor plan changes and façade detailing.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-A219C	West Keira: East Façade Detail Elevation/Section	<b>West Keira</b> <ul style="list-style-type: none"> <li>Elevation and plan form amended to reflect floor plan changes and façade detailing.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>Not shown in elevation.</li> </ul>
<b>Sections</b>		
DA-A301C	Overall Sections Sheet 1	<b>West Keira</b> <ul style="list-style-type: none"> <li>Sections amended to reflect floor plan changes.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-A302C	Overall Sections Sheet 2	<b>West Keira</b> <ul style="list-style-type: none"> <li>Sections amended to reflect floor plan changes.</li> </ul> <b>Crown Central</b> <ul style="list-style-type: none"> <li>No change.</li> </ul>
DA-A304	Sections and Details: Keira Street Tunnel and Bridge	Sections and elevations amended to reflect floor plan changes and detailing.
<b>Photomontages</b>		
DGR4-11	Crown Lane / Keira Street	Updated to reflect revised façade treatment and floor plan layout for West Keira and revised design of pedestrian overbridge.



## 2.5 Staged Construction of the Project Approval

Stage 1 of the Concept Plan includes all work except for the residential and commercial towers that reside above the West Keira development, plus the associated car parking levels.

However, the Proponent has recently undertaken a \$35m refurbishment to the existing Wollongong Central Shopping Centre. That refurbishment occurred exclusively within the former Crown Central Shopping Centre. However, the works were independent of the approved Project Application. The refurbishment was enabled by the majority of retail leases in the building expiring, creating a window of opportunity to improve the functionality and appearance of Crown Central for the short to medium term sustainability of the asset.

As Wollongong Central has been recently upgraded, the works approved by the Project Application may not be required in the short term. As such, the Project Application is proposed to be divided into two stages, as follows:-

### **Stage A**

- West Keira redevelopment; and
- Alterations to Wollongong Central that tie that building in with the pedestrian bridge and tunnel connections from the West Keira development.

### **Stage B**

- Alterations and additions to Wollongong Central, including Crown Street Mall shopfronts, cinemas, revised entry arrangements and car parking amendments.

Staged Construction Certificates would be obtained. The only change to the conditions of the Project Approval in relation to staging is a change to the timing of payment for Section 94 Contributions under Condition B24. This is addressed below.

## 2.6 Schedule of Modifications to Project Approval Conditions

Amendments are necessary to the conditions of the Project Approval to capture the revised drawings and documentation lodged with this Modification Application.

The modification application also seeks to clarify the meaning and intent of five conditions of the Project Application relating to such matters as consistency relating to crane use in the morning and the timing for release of Occupation Certificates in relation to roadworks and public assets. These changes have come about through a thorough review of the conditions by the project certifiers and project managers. The changes are necessary to ensure the Project is constructed efficiently and consistently.

The following table provides a schedule of the requested amendments.

Condition	Modification Sought																	
<b>A2 - Development in Accordance with Documents</b>																		
The development will be undertaken in accordance with....	ADD reference to this Section 75W report.  AMEND schedule of approved drawings to reflect amended revision numbers and dates.																	
<b>B16 – Number of Car Spaces</b>																		
<i>The number of car spaces to be provided for Stage 1 of the development shall be a minimum of 1446 (inclusive of 610 existing car parking spaces). Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for works relating to car parking.</i>	In terms of car spaces, REPLACE “1446” with “1318” to reflect the reduced number of car parking spaces now provided within the West Keira redevelopment.																	
<b>B24 – Monetary Contributions</b>																		
<p><i>The Proponent shall pay the following monetary contributions in accordance with the City Wide and City Centre Section 94A Development Contributions Plan 2007.</i></p> <p><b>(1) Amount of Contribution</b></p> <table><tr><th>Construction Category</th><th>Rate Contribution</th><th>Amount</th></tr><tr><td>Section 94A Levy</td><td>2% (of the cost of development)</td><td>\$3,624,000</td></tr><tr><td>Section 94 EE Levy</td><td>1% (of the cost of development)</td><td>\$1,812,000</td></tr></table> <p><b>(2) Timing and Method of Payment</b></p> <p><i>The Section 94A Contributions Levy is payable to the Wollongong City Council prior to the issue of the first Occupation Certificate for new development. A bank guarantee for the full contribution including verification of the CIV for the project shall be submitted to Council prior to the release of the first Construction Certificate.</i></p> <p><i>The Section 94EE Special Contributions Levy is payable to the Director-General of the Department of Planning prior to the issue of the first occupation certificate for new development. A bank guarantee for the full</i></p>	Construction Category	Rate Contribution	Amount	Section 94A Levy	2% (of the cost of development)	\$3,624,000	Section 94 EE Levy	1% (of the cost of development)	\$1,812,000	<p>DELETE the reference to the Section 94EE Levy because the NSW Government has revoked the Special Infrastructure Contribution.</p> <p>AMEND the timing of payment of the Section 94A Levy as follows:-</p> <table><tr><th>Construction Category</th><th>Rate Contribution</th><th>Amount</th></tr><tr><td>Section 94A Levy:-  <u>Stage A</u> West Keira and associated pedestrian connections.</td><td rowspan="2">2% (of the cost of development)</td><td>\$2,810,587.44</td></tr><tr><td><u>Stage B</u> Wollongong Central refurbishment and alterations/additions.</td><td>\$873,598.82</td></tr></table>	Construction Category	Rate Contribution	Amount	Section 94A Levy:-  <u>Stage A</u> West Keira and associated pedestrian connections.	2% (of the cost of development)	\$2,810,587.44	<u>Stage B</u> Wollongong Central refurbishment and alterations/additions.	\$873,598.82
Construction Category	Rate Contribution	Amount																
Section 94A Levy	2% (of the cost of development)	\$3,624,000																
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Construction Category	Rate Contribution	Amount																
Section 94A Levy:-  <u>Stage A</u> West Keira and associated pedestrian connections.	2% (of the cost of development)	\$2,810,587.44																
<u>Stage B</u> Wollongong Central refurbishment and alterations/additions.		\$873,598.82																

<p><i>contribution including verification of the CIV for the project shall be submitted to the Director General prior to the release of the first Construction Certificate.</i></p> <p><b>(3) Indexing</b></p> <p><i>At the time of payment, both levies will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.</i></p>	
<b>E6 - Road/Kerb and Gutter Damage</b>	
<p><i>The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, or stage of the approved development, shall be met in full by the Proponent, to the satisfaction of Council, prior to the issue of any Occupation Certificate</i></p>	<p>REPLACE the words "of any" with the words "the final" before "Occupation Certificate" to enable some parts of the retail development to be opened upon their completion and remove the potential for frustration and delays in the opening of completed sections of the development for some unrelated and minor issues over, say, kerb and gutter or footpath.</p>
<b>E12 - Traffic Management Works</b>	
<p><i>The traffic management works required by earlier conditions are to be completed to the satisfaction of the RTA prior to the issue of an Occupation Certificate.</i></p>	<p>REPLACE the word "an" with "the final" before "Occupation Certificate" to enable the efficient opening of completed sections of the development despite roadworks perhaps not be completely finalised, and to reduce the potential for delays and frustration, particularly in the event that protracted negotiations are entered into with regards to practical completion or defects issues with roadworks.</p>
<b>AN9 - Use of Cranes, Plant or Machinery</b>	
<p><i>The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the Certifying Authority</i></p> <ol style="list-style-type: none"> <li>1. <i>For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council:</i></li> </ol> <p><i>(a) at least 48 hours prior to the works for</i></p>	<p>In subsection (3) REPLACE "7:30am" with "7:00am" to achieve consistency with the approved hours of construction stipulated in Condition D10 and ensure there is no ambiguity in the wording of the condition. It would be illogical if Condition D10 permitted all construction activities except mobile crane deliveries at 7:00am and cranes had to wait until 7:30am to access the site.</p>

<p><i>partial road closures which, in the opinion of Council will create minimal traffic disruptions, and</i></p> <p><i>(b) at least 7 days prior to the work's for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions. (An exemption may be granted under special or emergency circumstances if agreeable with Council).</i></p> <p>2. <i>The proponent will submit a Plan showing all craneage and other aerial operations for the development;</i></p> <p>3. <i>The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.</i></p>	
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### 3. ENVIRONMENTAL ASSESSMENT

#### 3.1 Urban Design and Visual Impact

The proposed design modifications described in Section 2.6 are considered to significantly enhance the public realm and urban design outcomes of the development, and will have an entirely positive visual impact, as outlined in the Architect's Report at **Appendix 6**.

One of the more prominent design revisions associated with this Section 75W application is the revised façade treatments for the West Keira building. These façade treatments are explained in great detail in the Architect's Statement and a summary of the changes is provided in Section 2.2.

In relation to the Keira Street bridge, the width of the bridge has been sequentially reducing since the approval of the original Project Application. It has gone from 10m initially, to 9.6m and now to 5m – 7m wide. The proposed reduced width further mitigates the visual presence of the bridge. Variations in the height of the bridge now proposed will create interest and further minimise the impact. Providing an angled crossing to the bridge mitigates the presence of the bridge when viewed from the ground floor close by. For example, a pedestrian exiting the West Keira building or standing below the bridge will no longer see the bridge terminate on the opposite side of the road as readily.

Condition B19 on the Project Approval further provides that the bridge is not to be cluttered. It is to be free of signage, solid ancillary structures, shops, café seating and the like. It is to be as transparent as possible.

In relation to the vehicular ramp from Regent Street, the proposed modification does not alter the upper height of the ramp or the appearance of the ramp. Condition B1(3) provides for the top of the ramp not being higher than the top of the masonry balcony of the adjoining residential flat building. Landscaping of the ramp and car parking levels is also maintained.

#### 3.2 Pedestrian Access

An improved outcome will be achieved for pedestrians as a result of the amendments. In particular:-

- access is newly provided into the ground floor plane of the West Keira redevelopment from Richardson Street/Lane in the north, allowing the development to cater for residents and workers in the expanding northern mixed use precinct. Without this connection, those living or working in the northern catchment area need to walk around the corner of Market Street and Keira Street to access the West Keira site, the southern leg of Crown Street and the Crown Street Mall;
- a lineal north-south pedestrian thoroughfare is maintained all through West Keira building. This terminates at the southern end of the building at a pedestrian forecourt and provides further travel path options along Crown Street and Crown Street Mall, as well as an improved piazza environment around Crown Lane;

- the new retail shopfronts along Keira Street create an additional active street frontage and enliven the streetscape; and
- the pedestrian bridge will provide convenient upper level passage for pedestrians, while also allowing for casual seating such that the bridge provides an area of respite in which to enjoy views and sunlight.

### 3.3 Modification to Gross Floor Area

The Project Approval provides for a maximum gross floor area (GFA) of 80,270m<sup>2</sup> when measured across the Wollongong Central and West Keira sites. Modification No. 2 to the Project Approval reduced the overall gross floor area of the development by 2,050m<sup>2</sup>.

This Modification Application further reduces the approved GFA by 4,358m<sup>2</sup>.

It is not necessary to modify the conditions of the Concept Plan or Project Approval in relation to GFA, given that there is no increase above the 80,270m<sup>2</sup> GFA limit imposed within the Project Approval, or above the overall 126,363m<sup>2</sup> GFA limit imposed within the Concept Plan. Where the conditions of the Concept Plan and Project Approval refer to GFA, or FSR as the case may be, these conditions are expressed as maximum limits which are not challenged by the proposed modifications. Modification No. 2 reduced the GFA of the project, yet the conditions on the Concept Plan and Project Approval remained the same.

### 3.4 Building Height Variations

Variations to the height of the approved façade of the West Keira redevelopment are necessary to sleeve the proposed plant areas and lift overruns. The overall increase in the maximum height of parts of the façade is 3m.

Notwithstanding the above change, the revised height:-

- is well within the maximum height limit of 80 metres for the West Keira site;
- falls within the permissible range of street frontage heights under Wollongong DCP 2009, of between 12 and 24 metres; and
- do not alter the conclusions made in the original application in relation to the appropriateness of the built form.

### 3.5 Impacts on Heritage Items

The amended elevations have been reviewed by Orwell and Peter Phillips, heritage advisors on the project. In the attached letter at **Appendix 7**, Peter Phillips notes that the main aspects of the design changes that have a potential heritage impact are firstly, the increased height of part of the West Keira façade to Crown Lane (behind the heritage listed group of shops in Crown Street), and secondly the forecourt treatment around the intersection of Crown Street, Crown Lane and Keira Street.

Peter Phillips' letter confirms that the conclusions and recommendations for the July 2007 Heritage Impact Statement remain unchanged. Further, the letter concludes that the Keira

Street façade changes represent an improvement to the approved scheme, and that there will be no interference with the view of the listed group of shops from Crown Street.

### **3.6 BCA Considerations**

The amended plans were reviewed by accredited certifiers, Steve Watson and Partners, who have summarised the deemed-to-satisfy compliance or performance based solutions necessary for the project (see **Appendix 8**). For the purposes of this Section 75W Modification, it is sufficient to note that the design of the development, as is the case with the approved Project and is generally the case for shopping centre developments, will necessitate a fire-engineered solution in terms of egress distances, perimeter access, fire separation. These detailed design matters will need to be addressed to the satisfaction of the certifier and fire engineer at the Construction Certificate stage.

### **3.7 Crime Prevention Through Environmental Design and Management**

Harris Crime Prevention has reviewed the proposed redesign of the West Keira redevelopment, alongside Wollongong Council's initiatives and policies for crime prevention within recent years. Their report is contained in **Appendix 9**. It makes specific design recommendations for key areas of the West Keira redevelopment, such as pedestrian links, vehicle thoroughfares, lift lobbies, stairwells, toilets, plant, loading docks, etc. Furthermore, it sets parameters for a whole-of-site security awareness and management strategy which would be implemented for the life of the project.

### **3.8 Traffic, Parking and Vehicular Access**

A Supplementary Traffic Report is contained in **Appendix 10**. The discussion below covers the four main issues of car parking provision, traffic generation, servicing and access. When referring to this discussion, it is relevant to note that the gross floor area (GFA) of the West Keira redevelopment would be reduced by 4,358m<sup>2</sup>, thus reducing the traffic generation, parking requirements and servicing requirements of the project.

#### **3.8.1 Parking Supply**

The approved project is conditioned to provide 836 new car parking spaces for the West Keira and Wollongong Central redevelopments combined. There are 610 existing spaces within Wollongong Central. The approved amount of parking was said to be 2,113 spaces short of Wollongong Council's requirements (3,559 spaces) and 54 spaces short of the RTA's requirements (1,500 spaces). The theoretical 'shortfall' compared to Council's calculation of parking spaces was based on inflated parking rates at the time, errors in calculations and an LEP clause that caused some car parking to be counted towards gross floor area for the purposes of providing further car parking. These issues have since been resolved through amendments to the Council's planning instruments and policies. The parking rates within the Wollongong Development Control Plan now produce substantially less parking provision.

The approved project provides 1 parking space per 28m<sup>2</sup> of gross lettable floor area, based upon a site parking survey undertaken within Wollongong Central. Adopting the same parking rate, the proposal would have a parking requirement of 665 spaces for the West Keira redevelopment. It would require 576 under the current Wollongong Development Control Plan. The proposed modifications provide 668 car parking spaces, which satisfies the demand based assessment and the Wollongong DCP.

The total parking provision is 1,318 spaces.

Condition B16 to the Project Approval specifies that a minimum of 1,446 spaces shall be provided for the project, inclusive of which are 610 existing spaces. As Condition B16 is expressed as a minimum provision, there is a need to modify the condition to reflect the car parking provision now proposed. This is addressed in Section 2.6 above.

### **3.8.2 Traffic Generation**

Using the adopted trip generation rates as per the 2007 Traffic Report, the proposed modifications would result in 120 fewer trips, or a 14% reduction, compared to the approved project.

### **3.8.3 Servicing**

The approved project allows for approximately 20 truck movements per day for the West Keira redevelopment. The proposed modification results in a 15% reduction in the gross floor area of the project, which will have a commensurate reduction in service vehicle deliveries.

The modified internal layout of the loading dock, as is currently the case for the approved project, uses a 'user defined' turning performance movement for a 19m articulated truck.

### **3.8.4 Access into the West Keira site**

The proposed modifications maintain the Regent Street ramp access in the same configuration, grade and design features as the approved project.

Access from Richardson Street/Lane to the basement car park is altered by relocating the driveway ramp from the eastern side of the building to the western side. This change negates the need for a new roundabout at the corner of Richardson Street and Richardson Lane. Vehicles accessing the West Keira basement will have priority over heavy vehicles using the loading dock. Traffic leaving the dock will give way to all traffic on Richardson Street and Richardson Lane.

## **3.9 Issues arising in consultation with the Department**

On 16 June 2011 the Proponent met with officers from the Department of Planning and Infrastructure to discuss the proposed modifications. The following discussion covers the key issues raised.



### **3.9.1 Keira Street Pedestrian Bridge**

The Department sought confirmation that the appearance and visual quality of the approved Keira Street pedestrian bridge would be maintained. In this regard, the bridge was the subject of considerable design development during the original Project Approval and MOD 2 to the Project Approval.

In response, the footprint of the bridge has been reduced, from the 9.6m maximum width stipulated in the conditions of the Project Approval to a width of between 5m and 7m. Furthermore, the bridge would now be angled across Keira Street and will show variation in height as it tapers from full height at the buildings to a lower ceiling height at the middle of the span. These matters are discussed in Section 3.1 above. In summary, the sleek, uncluttered design and minimal materiality of the bridge will be maintained for maximum transparency and the revised design provide greater visual interest and detail.

### **3.9.2 Facades**

The Department noted the significant amount of work that went into the façade selection process for the original Project Approval. Whilst the contemporary “design excellence” provisions of the newly gazetted Wollongong LEP 2009 would no longer necessitate a design competition, there remains a need to demonstrate that the appearance of the West Keira development is highly articulated and appropriate for its setting.

See Section 3.1 above for a detailed discussion on the proposed façade treatments. Undoubtedly the proposed facades are a significantly more contemporary response to the important role the West Keira building will play in revitalising the Wollongong CBD and the prominent position of the building within the CBD.

A photomontage of the façade treatments is found at the end of the architectural drawings in **Appendix 5**.

### **3.9.3 Mixed Use Access**

The Department asked for clarification on the implications to the Concept Plan of relocating the lobbies for the mixed use components.

The commercial office tower lobby has been relocated south by about 12m and would no longer be independent of the accessways of the retail component, but rather integrated within the retail mall environment. This is consistent with the existing Crown Central development and provides surveillance and security for each use.

The residential tower lobby has been relocated east by about 12m and achieves immediate and secure access off Crown Street at the entry forecourt to the retail development.

As with the West Keira redevelopment, the detailed design of the mixed use development is the subject of ongoing analysis by the Proponent. Although the mixed use components will be subject to Part 4 of the Act, any design review which results in inconsistency with the Concept Plan is likely to be subjected to a modification to the Concept Plan. However, at this stage, shifting the approved lift cores will not preclude the delivery of the mixed use

developments envisaged in the Concept Plan generally in accordance with the building envelopes shown in the Concept Plan drawings.

#### **3.9.4 Pedestrian Access across Keira Street**

The Department asked for comments in relation to pedestrian access across Keira Street from the north-eastern egress from the West Keira building. In this regard, the approved pedestrian entry/exit point towards the north-eastern corner of the West Keira redevelopment is approximately 24m from the corner of the development and about 45m from the intersection of Keira Street with Market Street.

The proposed modifications relocate the pedestrian way 12m further north than the approved development. This change places pedestrians closer to the intersection of Keira Street and Market Street and is an improvement over the existing approval.



## **4. MODIFICATIONS TO THE CONCEPT PLAN**

This application does not propose to modify the Concept Plan approval, or the Concept Plan drawings. The design modifications reflected in the modifications sought have no significant implications for the Concept Plan approval, and the project as modified will remain consistent with the Concept Plan approval.

## 5. ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES

### 5.1 Wollongong Local Environmental Plan

When the Project Application was approved and modified twice in 2008, the Wollongong City Centre Local Environmental Plan 2007 applied.

However, the City Centre LEP was replaced by a Standard Instrument LEP, *Wollongong Local Environmental Plan 2009*, in February 2010.

Key changes compared to the previous LEP are as follows:-

- All clauses relating to car parking were taken out of the LEP and put into the DCP; and
- The clause of the former LEP relating to “Design Excellence” was rewritten. It no longer requires a Design Competition for development worth more than \$1m on a Key Site. It now requires an assessment by a Design Review Panel of a range of urban design considerations.

There were no changes to the zoning of the West Keira or Wollongong Central sites (see Figure 3), the permissible uses in the zone, the development standards relating to floor space ratio (FSR) (Figure 4), building height (Figure 5) or building separation or the heritage items in the vicinity of the project (Figure 6).

The proposed amendments maintain the suitability of the project in the context of the zoning and zone objectives and do not challenge the FSR, height or building separation standards of the LEP. The FSR of the project is reduced, the building height is marginally increased by approximately 3m and the building separation standard does not apply.

The heritage impacts of the proposed amendments are subject to a supplementary letter of advice by the project’s heritage adviser, Peter Phillips (see **Appendix 7**). The heritage expert finds that the revisions to the design of the West Keira redevelopment have an acceptable heritage impact.

### 5.2 Wollongong Development Control Plan

As with the former Local Environmental Plan, a single Development Control Plan now applies to the project compared to the previous context where the Wollongong City Centre DCP 2007 and a range of other DCPs applied to the project. Wollongong Council rolled the former City Centre DCP into a chapter of its DCP 2009 and imported matters into the DCP from the LEP in relation to car parking.

The approved development, as modified, would remain generally consistent with the provisions of the Wollongong City Centre Chapter of DCP 2009.

The Supplementary Traffic Report in **Appendix 10** responds to the provisions of the car parking, access and servicing chapter of DCP 2009.

### **5.3 Draft Wollongong Development Control Plan**

Wollongong Council's Administrators requested a review of the content of the Wollongong DCP 2009 after 6 months of operation. The Council has recently exhibited some changes to particular chapters of the DCP, of which there are relevant changes to Chapter E3 – *Car Parking, Access, Servicing/Loading Facilities and Traffic Management*.

Draft Chapter E3 proposed to reduce the car parking requirements for retail premises in the Wollongong City Centre. However, due to changes since 2008 to the way in which parking provision is calculated using the Council's requirements, the project already satisfies the current DCP.

## **6. CONCLUSION**

This Section 75W Modification Application is the third such modification application relating to the Wollongong Central and West Keira redevelopment project within the Wollongong CBD.

Modification No. 3 seeks approval to design enhancements arising from an urban design appraisal of the approved project. The proposed modifications will significantly enhance the quality of the public realm around the West Keira redevelopment. However, the approved Wollongong Central redevelopment is not altered to any significant extent.

The modifications are of minimal environmental impact, and the project will remain substantially the same development as that originally approved. Further, the project will remain consistent with the approved Concept Plan.

The proposed modifications and key issues outlined in this application will have a substantial net public benefit, and are worthy of support in their entirety.



## **APPENDICES**

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## **APPENDIX 1**

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**Copy of Project Approval MP06\_0209**





## **APPENDIX 2**

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**Copy of Concept Plan Approval MP06\_0335**



## **APPENDIX 3**

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**Copy of MOD 1 to Project Approval and Concept Plan Approval**



## **APPENDIX 4**

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**Copy of MOD 2 to Project Approval**



## **APPENDIX 5**

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**Reduced Copy of Section 75W Drawings, prepared Rice Daubney Architects**



## **APPENDIX 6**

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**Architectural Report, prepared by Rice Daubney Architects**



## **APPENDIX 7**

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**Supplementary Heritage Advice, prepared by Orwell and Peter Phillips**



## **APPENDIX 8**

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**BCA Advice, prepared by Steve Watson and Partners**



## **APPENDIX 9**

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**Supplementary Crime Prevention Report, prepared by Harris Crime Prevention**





## **APPENDIX 10**

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**Supplementary Traffic and Transport Report, prepared by AECOM**