

***Wollongong Central Redevelopment at
'Wollongong Central' and 'West Keira',
Wollongong***

Proposed by The GPT Group

Modification MP 06_0209 MOD 2

Modification of Minister's Approval under Section 75W
of the *Environmental Planning and Assessment Act
1979*

December 2008



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1. EXECUTIVE SUMMARY

This is an assessment report recommending approval for an application seeking to modify the Wollongong Central Redevelopment project application that was approved under MP 06_0209 by the Minister for Planning on 28 April 2008. The site is known as 'Wollongong Central' (also known as 'Crown Central') and 'West Keira' and is located on the corner of Keira and Crown Street, Wollongong. The modification application was submitted by BBC Consulting Planners on behalf of The GPT Group (the Proponent), and received by the Department on 5 September 2008.

The Proponent is seeking to modify the Part 3A approval pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (the Act).

The original estimated project cost of the development was \$181.2 million.

The Proponent is seeking modifications to the development, which include the following, while other modifications are proposed that are considered to be minor and are not discussed within this report:

- **Realignment of ground level entries** – amendments are proposed to the ground floor level entries of both sites to align the development with the formal intersection of Keira and Crown Streets. The revised layout seeks to aid in the circulation of customers between the ground floor levels of the 'West Keira' and 'Crown Central' sites, with an overall goal of enhancing the intersection as a major urban space for the locality.
- **Reconstruction of a portion of Crown Central** – an amendment is proposed to incorporate ground floor shopfronts along Keira Street instead of the approved landscaped 'green wall' that contained display cases. The alteration aims to enhance the street activation within this section of the site. An awning is also proposed to provide weather protection for pedestrians.
- **Redesign of the south-west corner of Crown Central** – an amendment is proposed to the south-western corner of the 'Crown Central' site to complement the built form of the 'West Keira' site through the provision of a 'lofty void' entrance area.
- **Enhanced circulation arrangements** – internal amendments are proposed within the sites, including an amendment to the location of major / minor tenants. The alterations enhance the circulation of customers throughout the two sites.
- **Increase the width of the Keira Street pedestrian bridge** – an amendment is proposed to Condition No. B1(2) to increase the width of the Keira Street pedestrian bridge from 6m (as approved by the Department) to an external width of 9.6m. The Proponent has requested the modification to provide additional width for the movement of customers between the sites and for the provision of seating along the edges of the bridge.
- **Amendments to the Gateway Bridge** – the Proponent proposes amendments to the design of the pedestrian bridge by seeking an in principle agreement to the changes or alternatively an amendment to Condition No. B1(1).
- **Deletion of the Regent Street ramp condition** – the Proponent proposes to delete Condition No. B1(3) that requires the Regent Street ramp to be provided at a height no higher than the lowest balcony level of the adjoining residential flat building.

The proposed modifications are considered to be appropriate and will enhance the visual appearance of the building and aid in improving circulation within the development. The Department recommends that the modification application be approved, however, the proposed amendment to the Crown Street pedestrian bridge is not supported.

2. THE SITE

The site to which the Project Application relates lies within the centre of the Wollongong CBD at the intersection of Keira and Crown Street. The site comprises the following 2 parts:

1. **West Keira site** – situated on the north-western corner of Keira Street and Crown Lane, extending through to Richardson Lane and Richardson Street to the north and Regent Street (via an access handle 9m wide) to the west.
2. **Wollongong Central (also known as Crown Central) site** – located on the north-eastern side of the intersection of Keira and Crown Street, extending along the northern side of the Crown Street Pedestrian Mall, through to Market Street to the north and Church Street to the east.

The two sites are to be linked by a proposed stratum lot (pedestrian bridge and tunnel) across Keira Street. The location of the project site can be seen below in **Figure 1** and **2** below.

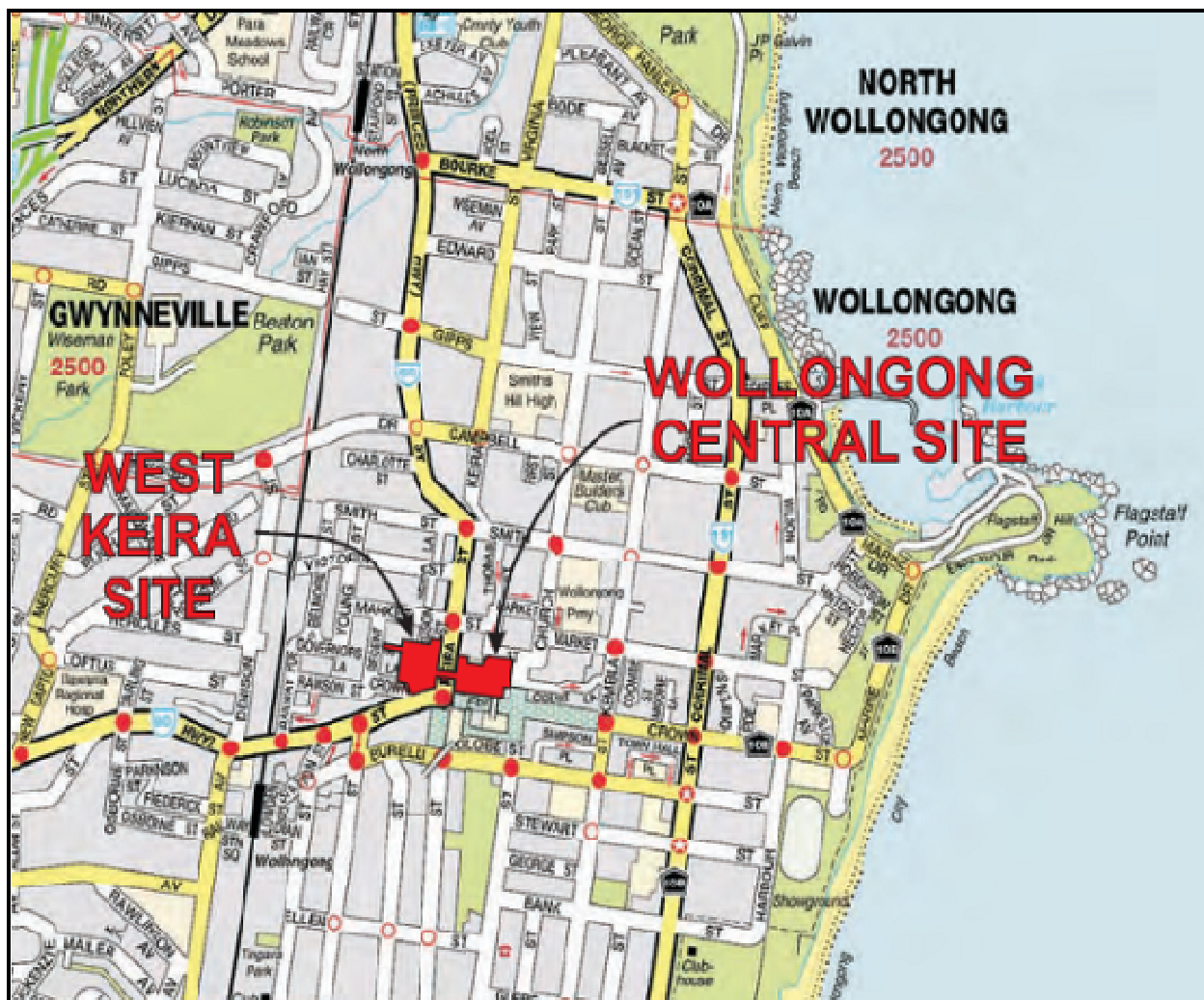


Figure 1: The subject site



Figure 2: Aerial photo of subject site

3. MAJOR PROJECT APPROVAL

On 28 April 2008, the Minister for Planning approved Major Project 06_0209 (project application) and Major Project 06_0335 (concept plan) for the redevelopment of the Wollongong Central shopping centre at the subject site in accordance with Section 75J (2) of the Act. MP 06_0209 granted approval to the development described in detail below:

- *demolition of all existing structures on the West Keira site;*
- *construction of a new six-level retail centre comprising a single level basement car park, three levels of retail (including one at lower ground level), and two levels of above-ground parking on the West Keira site;*
- *internal alterations and remix of existing retail activities within Wollongong Central Shopping Centre;*
- *construction of a new eight-screen cinema complex at the corner of Market Street and Church Street;*
- *extension of the retail façade out to the Crown Street Mall alignment (1m);*
- *a total of 80,270sq.m of GFA (Stage 1);*
- *the use of the land for retail, commercial, residential, cinema (place of public entertainment), food premises (such as restaurants and cafes) and car parking;*

- *the erection of internal walls and fit out of shops, and the erection of signage;*
- *associated road works, public domain and landscape works, and service augmentation/connection;*
- *support structures on the West Keira site for the erection of two future towers (subject to separate approval);*
- *construction of a pedestrian tunnel and a pedestrian bridge across Keira Street and the creation of associated stratum lots, linking Wollongong Central with West Keira;*
- *realignment of the eastern end of Crown Street through demolition of No. 228 Crown Street and the dedication of that land to Wollongong Council, and the creation of a new piazza at the corner of Crown Lane, Crown Street, and Keira Street; and*
- *closure of the southern end of Richardson Street.*

The estimated Capital Investment Value for the project application was \$181.2 million. A copy of the original approval is at **Tag A** and a copy of the original report is at **Tag B**.

The concept plan (MP 06_0335) granted approval for the entire development and included an 18 storey residential tower and a 10 storey commercial tower above the West Keira retail podium (subject to a future project application being submitted). The estimated total Capital Investment Value for the overall project was \$311.6 million.

At the time of writing this report, the Proponent has lodged an application to modify the approved Concept Plan and Project Application. The modifications relate to the amendment of conditions. After a review of the proposed amendments against this modification, it is considered that no issues are raised.

4. DESCRIPTION OF PROPOSED MODIFICATIONS

On 5 September 2008, BBC Consulting Planners on behalf of The GPT Group (the Proponent) lodged the subject application to modify MP 06_0209 (**Tag 'C'**), pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (the Act).

The Proponent is seeking modifications to the development, which include the following, while other modifications are proposed that are considered to be minor and are not discussed within this report:

- **Realignment of ground level entries** – amendments are proposed to the ground floor level entries of both sites to align the development with the formal intersection of Keira and Crown Streets. The revised layout seeks to aid in the circulation of customers between the ground floor levels of the 'West Keira' and 'Crown Central' sites, with an overall goal of enhancing the intersection as a major urban space for the locality.
- **Reconstruction of a portion of Crown Central** – an amendment is proposed to incorporate ground floor shopfronts along Keira Street instead of the approved landscaped 'green wall' that contained display cases. The alteration aims to enhance the street activation within this section of the site. An awning is also proposed to provide weather protection for pedestrians.
- **Redesign of the south-west corner of Crown Central** – an amendment is proposed to the south-western corner of the 'Crown Central' site to complement the built form of the 'West Keira' site through the provision of a 'lofty void' entrance area.
- **Enhanced circulation arrangements** – internal amendments are proposed within the sites, including an amendment to the location of major / minor tenants. The alterations enhance the circulation of customers throughout the two sites.
- **Increase the width of the Keira Street pedestrian bridge** – an amendment is proposed to Condition No. B1(2) to increase the width of the Keira Street pedestrian bridge from 6m (as

approved by the Department) to an external width of 9.6m. The Proponent has requested the modification to provide additional width for the movement of customers between the sites and for the provision of seating along the edges of the bridge.

- **Amendments to the Gateway Bridge** – the Proponent proposes amendments to the design of the pedestrian bridge by seeking an in principle agreement to the changes or alternatively an amendment to Condition No. B1(1).
- **Deletion of the Regent Street ramp condition** – the Proponent proposes to delete Condition No. B1(3) that requires the Regent Street ramp to be provided at a height no higher than the lowest balcony level of the adjoining residential flat building.

The Proponent advises that:

- The overall gross floor area (GFA) of the development has been reduced from 80,270m² to 78,220m², a reduction of 2,050m².
- The height in certain sections of the development has been increased or decreased including those listed in the table below:

Location	Change in Height
West Keira façade to Keira Street	Minor (25mm) reduction
West Keira typical curved corner	Minor (100mm) increase
West Keira new lift core – Crown Lane	3.2m increase (measured from the typical façade height of Crown Lane elevation but only 1.75m increase compared to approved maximum height of façade)
Crown Central south west corner	Minor increase
Crown Central new lift shaft – Keira Street	5m increase (measured from the typical façade height of Keira Street elevation, but actually a 1.6m decrease compared to approved maximum height of façade)
Crown Central carpark façade to Keira Street	2.6m increase (now level with the southwest corner)

Notwithstanding the above variations, the revised heights:

- are well within the maximum height limit of 80 metres for the 'West Keira' site and 32 metres for the 'Crown Central' site and the Regent Street ramp;
 - fall within the permissible range of street frontage heights under Wollongong DCP 2007, 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.
- In terms of heritage impact from the proposed amendments to the development, the Proponents Heritage consultant 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'*.

5. STATUTORY CONTEXT

5.1 MODIFICATION OF A MINISTER'S APPROVAL

The modification application has been lodged with the Director-General pursuant to Section 75W of the Act, which provides for the modification of the Minister's approval including revoking or varying a condition of the approval or imposing an additional condition of approval.

Under Section 75W (2) of the Act, the Minister's approval for a modification is not required if the project, as modified, will be consistent with the existing approval under this Part. In this instance, it was concluded that the proposed modifications (as listed above) required a formal application to be submitted to modify the approval. Therefore, the power to make such a change lies with the Minister.

On 5 September 2008, the Proponent submitted the subject application to modify the project application approval of the Minister for the redevelopment of the Wollongong Central Shopping Centre, pursuant to Section 75W (3) of the Act.

5.2 ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

Section 75W (3) of the Act provides that the Director-General may notify the Proponent of environmental assessment requirements with respect to the proposed modification that the Proponent must comply with before the matter will be considered by the Minister.

In this instance, following an assessment of the modification request, it was not considered necessary to notify the Proponent of any environmental assessment requirements pursuant to Section 75W (3) of the Act, as sufficient information was provided to the Department to consider the application.

6. CONSIDERATION OF PROPOSED MODIFICATIONS.

The applicant proposes the following amendments to the development and relevant conditions of approval (words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in ***bold italics***):

6.1 MODIFICATION TO CONDITION NO. A2

The Proponent proposes to amend the design of the development (internal and external amendments are proposed) that requires an amendment to Condition No. A2. The majority of the amendments do not raise any concerns and have been proposed to enhance the development. Other proposed amendments that require further comments are as follows:

- **Realignment of ground level entries** – amendments are proposed to the ground floor level entries of both sites to align the development with the formal intersection of Keira and Crown Streets. The revised layout seeks to aid in the circulation of customers between the ground floor levels of the 'West Keira' and 'Crown Central' sites, with an overall goal of enhancing the intersection as a major urban space for the locality. Refer to **Figure 3** and **4** below.

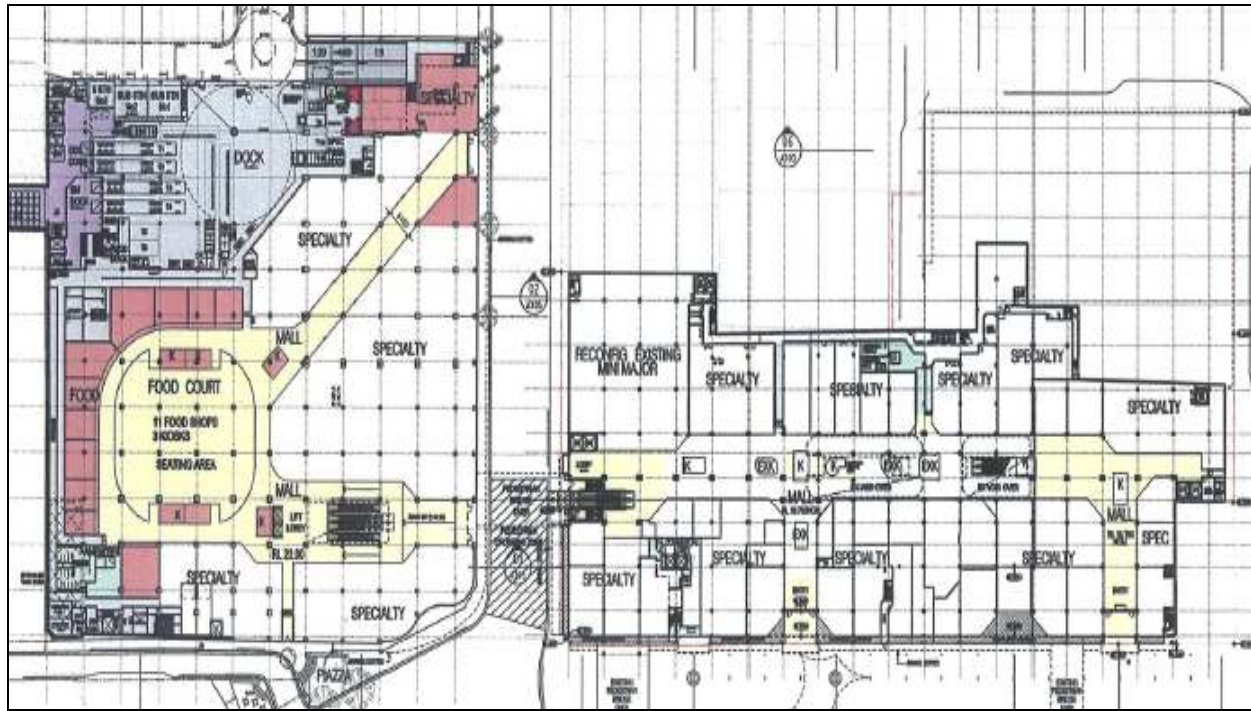


Figure 3: Ground floor layout – approved



Figure 4: Ground floor layout - proposed

Department of Planning Comment

The approved development provided entry locations to each site off Keira Street, however these entries were located away from the formal intersection of Keira and Crown Street (refer to **Figure 3** above). The proposed amendment will aid in reducing the potential conflicts between pedestrians and vehicles in this area as the plans are considered to be more appropriate in terms of pedestrian safety due to the crossing now being relocated to the formal intersection (refer to **Figure 4**).

It is also noted that during the assessment of the original application, the Roads and Traffic Authority (RTA) raised concerns with the location of the approved crossing (**Figure 3**) and suggested moving the crossing to that proposed within the subject modification application.

The Department raises no concerns with the proposed amendment.

- **Reconstruction of a portion of Crown Central** – an amendment is proposed to incorporate ground floor shopfronts along Keira Street instead of the approved landscaped 'green wall' that contained display cases. The alteration aims to enhance the street activation within this section of the site. An awning is also proposed to provide weather protection for pedestrians (refer to **Figure 5** and **6**).



Figure 5 – Keira Street elevation - **approved** landscaped 'green wall' and display cases



Figure 6 - Keira Street elevation - **proposed** amended façade with ground floor shopfronts



Figure 7: Keira Street frontage - **proposed** amended façade

Department of Planning Comment

The proposed amendment to the western side of 'Crown Central' fronting Keira Street improves the streetscape appearance of the development. The previous façade included a landscaped 'green wall' with display cases, while the new façade incorporates shopfronts and an awning for protection from the weather. The modified frontage will provide an improved active street frontage along the entire length of the development fronting Keira Street and is supported (refer to **Figure 7**).

In addition, the proposed amendments are not considered to have a negative impact upon the adjoining heritage listed Regent Theatre to the north of the 'Crown Central' site. The Proponent's heritage consultant states:

"The redesign of the façade to Keira Street, with the slight setback to the south of the upper storey, will assist in further reducing the scale of the new street wall in relation to the adjacent Regent Theatre building, and therefore in my opinion represents a further improvement on the previous scheme."

- **Redesign of the south-west corner of Crown Central** – an amendment is proposed to the south-western corner of the 'Crown Central' site to complement the built form of the 'West Keira' site through the provision of a 'lofty void' entrance area.



Figure 8: Crown Central amended facade - **proposed**



Figure 9: Keira Street frontage - illustrating both 'Crown Central' (on the right) and 'West Keira' (located on the left) sites - **proposed**

Department of Planning Comment

The revised design to the façade of the development aids in enhancing the streetscape appearance. The proposed amendment is to be in line with the façade of the 'West Keira' development (opposite) by incorporating a 'lofty void' entrance area.

The amendments are a positive introduction to the development and are supported.

- **Enhanced circulation arrangements** – internal amendments are proposed within the sites, including an amendment to the location of major / minor tenants. The alterations enhance the circulation of customers throughout the two sites.

Department of Planning Comment

The internal layout of the developments have been amended due to the relocation of major / minor tenants within the sites and also to provide customers the ability to circulate throughout the development more easily.

The amendments are an improvement to the development and are supported.

6.2 MODIFICATION TO CROWN STREET PEDESTRIAN BRIDGE

The Proponent seeks in principle agreement on amendments to the design of the Crown Central pedestrian bridge to:

- *Improve the transparency through the Gateway Bridge and reduce its visual dominance from Crown Mall;*
- *Ensure that the curvilinear steel structure to the bridge is enhanced, to compliment the new curved corners to West Keira and Crown Central; and*
- *Avoid the wasted resources and unnecessary expense of a reconstruction of the bridge superstructure.*

The following amendments are proposed:

- *Removal of existing solid louvres and their replacement with retractable roller blinds; and*
- *Excess clutter will also be removed.*

Alternatively, the Proponent proposes amending the condition to the following:

B1(1) The Crown Street Pedestrian Bridge linking the Wollongong Central and the Gateway shopping centres shall be 'decluttered' and refurbished ~~and upgraded to match/complement the architecture and external presentation of the Keira Street pedestrian bridge and generally to improve the visual presentation to the mall through the replacement of fixed louvres with retractable roller blinds or the like.~~

Department of Planning Comment

The Crown Street Pedestrian Bridge is a bulky structure that dominates the entrance to the mall area. The condition imposed by the Department endeavours to reduce this bulky appearance by requiring the bridge to be upgraded to match/complement the architecture and external presentation of the new Keira Street pedestrian bridge. Refer to **Figure 10** below for the existing and proposed amendments to the bridge.



Figure 10: Existing (left) and proposed (right) changes to Crown Street pedestrian bridge

It is the Departments opinion that the amendments proposed are not considered to achieve the outcomes required within the original condition. The bridge is still considered to be a bulky structure that does not match / complement the proposed Keira Street pedestrian bridge as required.

The condition is therefore recommended to be retained.

6.3 MODIFICATION TO CONDITION NO. B1 (2)

The Proponent proposes to amend the condition to the following:

*B1(2) The Keira Street pedestrian bridge shall be ~~reduced in width from 10m to 6m limited to a maximum external width of 6m~~ **9.6m**.*

Department of Planning Comment

The Proponent seeks to amend the condition to permit the Keira Street pedestrian bridge to contain a maximum external width of 9.6m (internal width of 9.4m), instead of 6m that was conditioned by the Department during the assessment of the original project application. With a maximum external width of 9.6m externally, the Proponent states that:

- *the functional requirements of the bridge and connections with adjoining buildings is best catered for by a 9.4 metre internal width;*
- *the provision of adequate capacity for comfortable movement of a high volume of pedestrians (15 million annually) is vital;*
- *allowing for a seating zone for rest and taking in views over Keira Street – noting that the seating on the Gateway Bridge is one of the most popular public spaces in the centre – is desired and will contribute to passive surveillance ;*
- *there is the need to maintain visual connectivity with key pedestrian connections, in particular through the remodelled Crown/Keira entrance to Crown Central;*
- *there is a minimal difference in visual impact arising from a reduced bridge width; and*
- *a free flowing movement zone at the throat of the Crown Central entry, requires a minimum practical internal width of 9.4m, comprising of a 3.2m wide escalator zone, 0.4m for fall screens, 2.0m wide Fire Egress width, 0.2m handrail zone, a 0.2m egress door structure, and a 1.5m wide void for visual connectivity. An additional 1.9m escalator landing zone is*

also provided to alleviate pedestrian queuing. The width addresses movement from the escalators, lift lobby, car park entry, and the West Keira retail patrons.

The proposed 9.6m width is similar to that proposed within the Preferred Project Report (10m width) that followed discussions with the Department during the assessment of the project application. The width of the pedestrian bridge was conditioned to be reduced during the reporting of the proposal due to concerns over the possibility of the bridge being used for retail uses that would block views and impact upon the visual appearance of the bridge from Keira Street. Furthermore, as the purpose of the bridge is for the use of pedestrians, the 10m width was considered to be excessive and 6m width was reasonable.

Having reviewed the supporting documentation for the modification and **Figure 11, 12, 13** and **14** that illustrates circulation movements for each type of bridge, it is considered that the increased width does not raise any concerns subject to amending the proposed condition. The visual difference between the proposed 9.4m wide bridge and a 6m wide bridge is minimal. Furthermore, acceptable levels of transparency can be achieved with both bridge widths.

To also alleviate concerns that the pedestrian bridge would be used for retail / commercial premises, the Proponent suggests that an additional condition could be included that requires the airspace lease with Council for the bridge include a clause which prevents the use of the bridge for commercial / retail purpose with the exception of loose furniture (refer to Condition No. B19 below for further discussion). Further discussion on this matter is contained within Section 6.5 below.

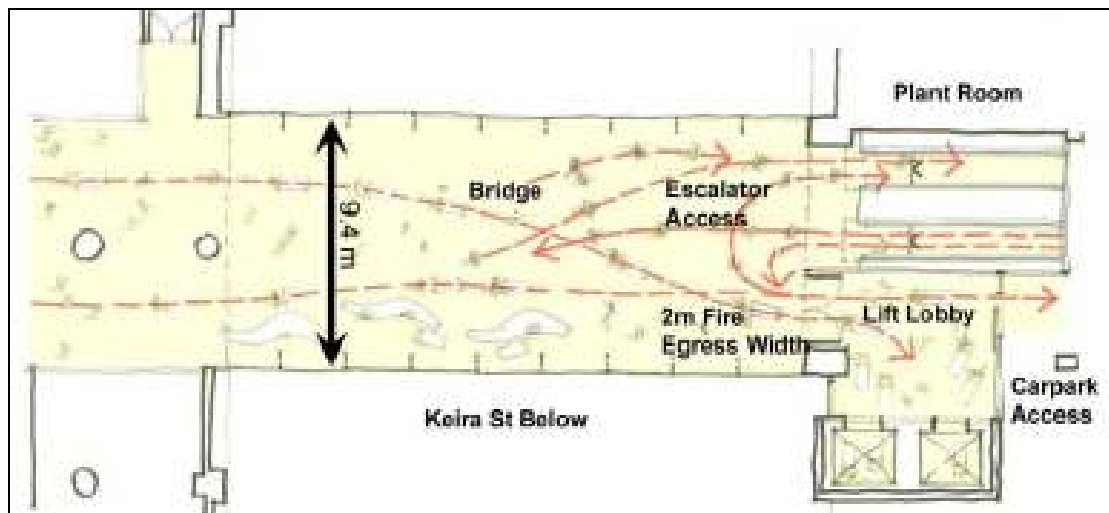


Figure 11: Circulation movements within **proposed** 9.4m wide bridge

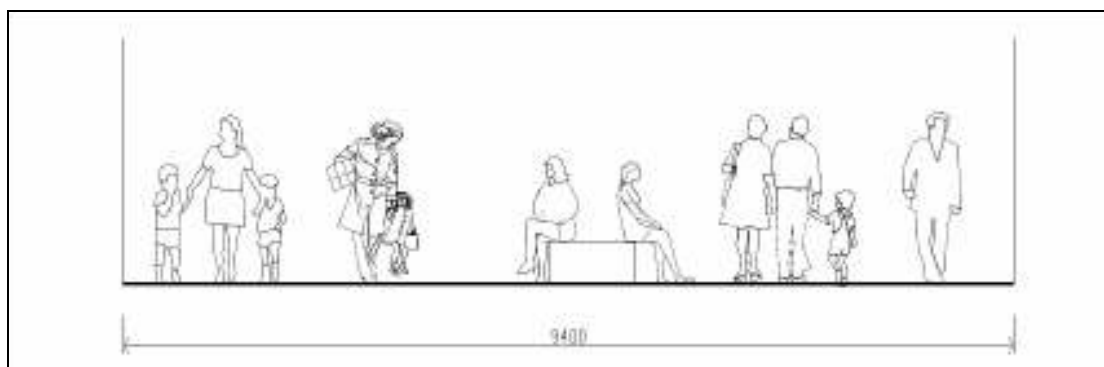


Figure 12: Cross section view of **proposed** 9.4m wide bridge

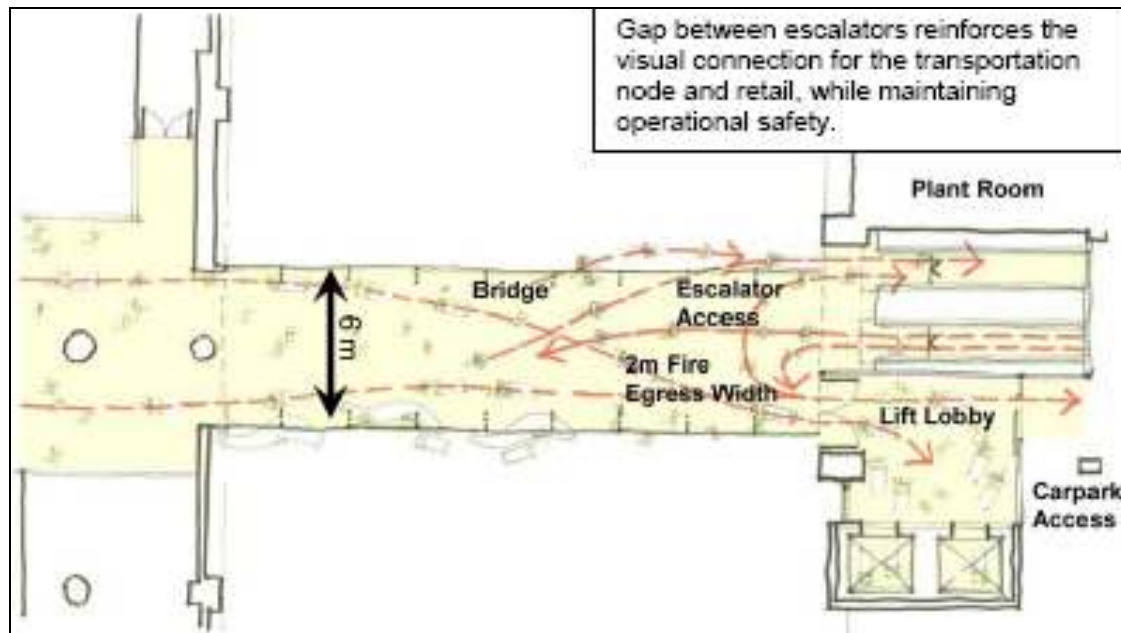


Figure 13: Circulation movements within **approved** 6m wide bridge

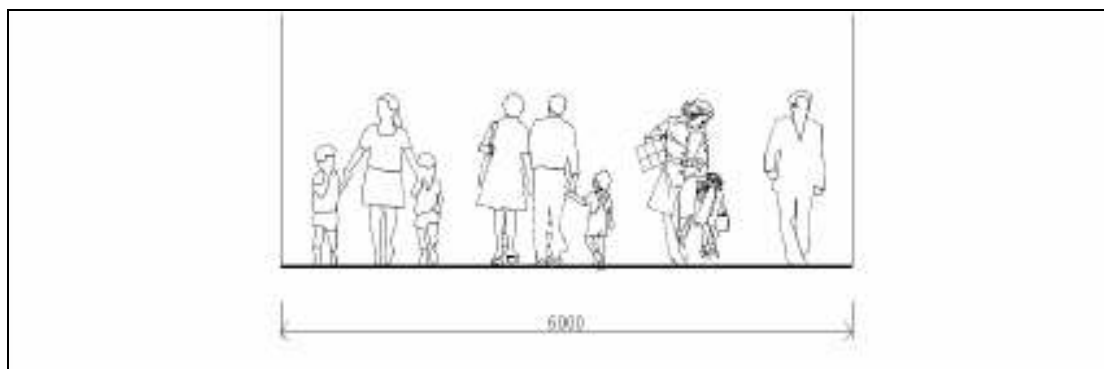


Figure 14: Cross section view of **approved** 6m wide bridge

6.4 DELETION OF CONDITION NO. B1 (3)

The Proponent proposes to delete the following condition:

B1(3) The height of the Regent Street access ramp shall not be higher than the lowest balcony level of the adjoining residential flat building.

Department of Planning Comment

The proponent has submitted plans and documentation in support of the proposal to delete the condition. In support of the deletion of the condition, the Proponent advises:

- The current proposal is approximately 0.075m below the top of the handrail of the affected residential unit.
- Moving the ramp to comply with the condition would impact upon a major tenant that requires a minimum floor to ceiling height of 4.2m. Concerns were raised that should the ramp be amended to this design, the reduced floor to ceiling height impacts upon the economic feasibility of the tenant.

- A change in the slope of the ramp would reduce the height of the ramp by approximately 0.275m and provide no substantial benefits in terms of views.

Amended plans were submitted that include the provision of skylights within the roof structure and inclusion of landscaping on top of the ramp. The proposed amendments, in particular the landscaping, endeavour to soften the appearance of the solid ramp structure from the adjoining residential development. The Proponent also proposes to reinstate landscaping to the adjoining southern side property that is affected by the construction of the ramp.

Overall, it is considered that the proposed amendments to the design of the bridge, in particular the inclusion of landscaping on top of the roof structure, will enhance the views that would be provided to the adjoining residences. The proposed amendments are supported.

It is however recommended that a condition be incorporated within the approval, stating that the ramp structure is not to exceed the height of the balcony handrail height of the adjoining residential units. The following condition is proposed to replace the existing condition:

B1(3) The height of the Regent Street access ramp shall not be higher than the top of the masonry balcony of the adjoining residential flat building.

6.5 MODIFICATION TO CONDITION NO. B19

The Proponent proposes to amend the condition to:

*B19 The Keira Street pedestrian bridge shall be kept clear/free of signs or any other solid structures. **and The airspace lease agreement entered into with Council shall specify that the bridge shall not be used for any retail / commercial purposes with the exception of loose furniture.***

Department of Planning Comment

No objections are raised in relation to the proposed modification to the condition. However, the Proponent states within the justification for the 9.6m width that the amended bridge width is considered appropriate based on high volumes of pedestrians, trolley and pram use, and the incorporation of loose and café seating.

The proposed condition does not mention café seating but it is considered that this is a possible future use of the bridge. It is considered that should café seating be included within the use of the bridge, transparency and functionality of the bridge will decrease.

The condition is therefore proposed to be amended (refer to underlined section) to further strengthen Condition B19 to retain transparency of the bridge when viewed from Keira Street and to enable seating only by pedestrians and not for café seating, as follows:

*The Keira Street pedestrian bridge shall be kept clear/free of signs or any other solid structures. **and The bridge shall not be used for any retail / commercial purposes with the exception of loose furniture for the seating of pedestrians (no café seating is permitted).***
The transparency of the bridge is not to be inhibited when viewed from Keira Street.

7. CONSULTATION AND EXHIBITION

Under Section 75W of the Act, a request for a modification of an approval does not require public exhibition. However, under Section 75X (2) (f) of the Act, the Director-General is to make publicly available requests for modifications of approvals given by the Minister. In accordance with Clause 8G of the *Environmental Planning and Assessment Regulation 2000*, the request for the modification was placed on the Department's website.

The modification application was referred to the NSW Roads and Traffic Authority (RTA) and Wollongong City Council (Council) for comment. The following comments were received:

RTA – the RTA advised that, in principle, they have no objections to the modification. No further comments were provided.

Wollongong City Council – No response was received from Council.

8. MODIFICATIONS TO CONDITIONS OF APPROVAL

The Department recommends that Conditions of Approval apply to the proposed modifications. These are included at **Tag 'D'**.

9. CONCLUSION

Under Section 75W (4) of the Act, the Minister may modify the approval (with or without conditions) or disapprove the modification. The preceding report describes the Department's assessment of the requested modifications and supporting documentation as provided by the Proponent, and recommends approving the proposed modifications as stated, with the exception of the proposed modification to the Crown Street pedestrian bridge.

The proposed modifications are considered to be appropriate and do not result in significant changes to the overall development. The proposal achieves the same objectives as assessed for the originally approved development under Major Project 06_0209 and does not alter the overall nature, need or justification of the approved project.

10. DELEGATIONS

Under the Instrument of Delegation dated 7 June 2007, the Minister for Planning delegated functions under Section 75W of the Act relating to the modification of Part 3A approvals to the Executive Director, Strategic Site and Urban Renewal.

Having regard to the delegations and to the proposed modifications stated within this report, and noting the other minor modifications, that include increases in height of facades and lift shafts (refer to Section 4), it is considered that the modification proposal be delegated to the Executive Director to determine the proposal as no part of the modified proposal exceeds the maximum height of the approved development on West Keira / Wollongong Central.

11. RECOMMENDATION

It is recommended that the Executive Director, Strategic Sites and Urban Renewal, as delegate of the Minister for Planning, under Instrument of Delegation dated 7 June 2007:

- (a) **Consider** the findings and recommendations of this report; and
- (b) **Approve** the modification, subject to conditions, under Section 75W of the *Environmental Planning and Assessment Act, 1979*; and
- (c) **Sign** the attached Instrument of Modification (**Tag D**).

Prepared by:

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