



MODIFICATION REQUEST:

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

Modification MP06_0209 (MOD 3)



Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

December 2011

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EXECUTIVE SUMMARY

The purpose of this report is to determine a request by BBC Consulting Planners on behalf of The GPT Group (the Proponent) to modify the Project Approval (MP06_0209) for the West Keira retail development and alterations and additions to Wollongong Central Shopping Centre. The site consists of 2 separate buildings known as "Wollongong Central" and "West Keira", and is located on the corner of Keira Street and Crown Street, Wollongong.

The Proponent is seeking to modify the Project Approval pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (the Act).

Various amendments are proposed for the design of the West Keira building to overall enhance its visual appearance, activate street frontages along Keira and Crown Streets, and improve the pedestrian circulation within the development. Amendments include the creation of an entry forecourt on the corner of Crown Street, Crown Lane and Keira Street; additional pedestrian access from Richardson Lane; and reconfiguration of the Keira Street pedestrian bridge.

Minor amendments to the Wollongong Central building are sought to accommodate the changes to the West Keira redevelopment. Other amendments generally concern the timing of certain actions to reflect the staged construction and occupation of the project.

The application was exhibited on the Department's Major Projects website and referred to Wollongong City Council ('Council'), Roads and Maritime Services (previously the RTA), Transport NSW and the Office of Environment & Heritage- Heritage Branch for their comments. Council and Roads and Maritime Services both support the project however, raise a number of issues primarily related to traffic management. Comments from the Heritage Branch and Transport NSW have been incorporated into the recommendation. No public submissions were received in respect of the proposed modification.

Key assessment issues considered in this report include traffic, car parking provision, urban design and Section 94 contributions.

The proposed amendments to the building are considered to be appropriate as they will enhance the visual appearance and improve circulation within the development. The public benefits resulting from the proposal are active street frontages and better pedestrian links within the West Keira redevelopment. The Department has assessed the merits of the proposal and is satisfied that the modifications are of minimal environmental impact and will remain consistent with the Concept Plan Approval (as modified on 22 December 2008). The Department therefore recommends that the modification application be approved.

The Proponent has confirmed that no political donations have been made. The modification request may therefore be determined by the Director, Metropolitan & Regional Projects South, under delegation.

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1. BACKGROUND

1.1 The Site

The site lies within the centre of the Wollongong CBD at the intersection of Keira and Crown Streets. The site comprises 2 separate parcels of land known as:

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, physically connected by a pedestrian bridge and tunnel across Keira Street. The location of the project site can be seen below in **Figures 1 and 2**.

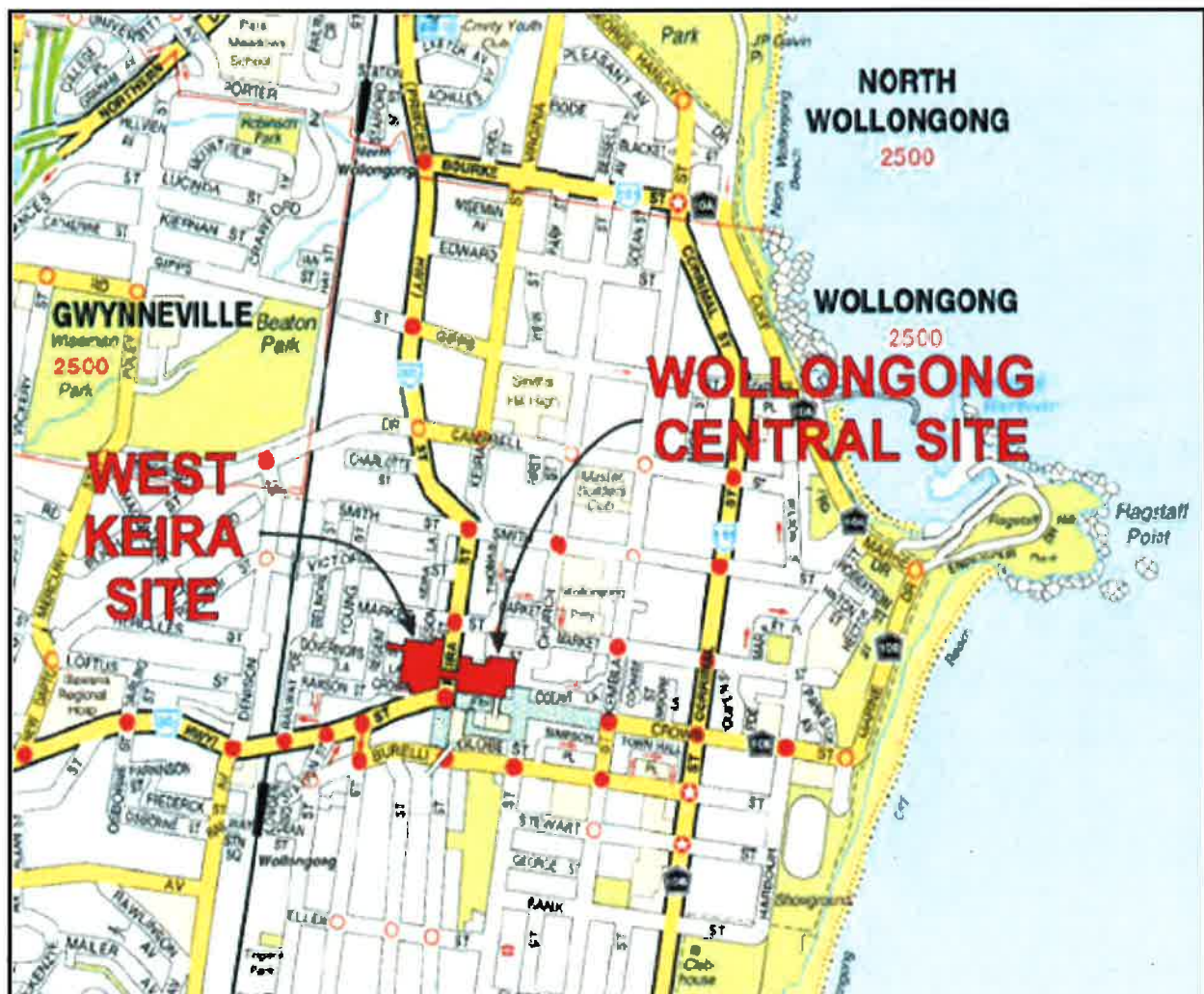


Figure 1: Project Location



Figure 2: Aerial photo of subject site

1.2 Previous Approvals

On 28 April 2008, the Minister for Planning approved the Concept Plan (MP06_0335) and Project Application (MP06_0209) for the redevelopment of the Wollongong Central Shopping Centre at the subject site in accordance with Section 75J (2) of the Act.

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.

The Project Approval 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.

On 22 December 2008, Modification 1 was approved under delegation for amendments to conditions of the Concept Plan Approval (MP06_0335) and Project Approval (MP06_0209) including the correction of minor mis-descriptions, amendments to the timing of certain actions to reflect the staged construction and occupation of the project, and clarification of how certain items are interpreted.

On 22 December 2008, Modification 2 was approved under delegation for the internal and external alterations to the design of the West Keira building for Project Approval (MP06_0209) only.

2. PROPOSED MODIFICATION

2.1 Modification Description

The West Keira redevelopment is the primary focus of this Section 75W modification application. The modification aims to improve the overall urban design and function of the West Keira portion of the project.

The Wollongong Central development is subject to relatively minor amendments including shifting the pedestrian tunnel and bridge northwards to accommodate changes to the West Keira development.

The modifications seek to improve the overall visual appearance and circulation of the West Keira building as well as activating Crown and Keira Streets.

The Proponent is seeking modifications to the development for the following:

Aspect	Description
Creation of an entry forecourt	An amendment is proposed for an entry forecourt to the corner of Crown Street, Crown Lane and Keira Street. This revised layout seeks to increase opportunities for alfresco dining and active street frontage along Keira Street (see Figures 3 & 4).
Relocation of the food court	An amendment is proposed to relocate the food court from the ground floor level to Level 1 for active street frontage on Keira Street.
Additional access to the main pedestrian pathway	An amendment is proposed for provide new pedestrian access from Richardson Lane to connect with the main internal pathway. The pathway will provide a north-south pedestrian thoroughfare from Richardson Lane to Keira Street and Crown Street.
Reduce the width of the Keira Street pedestrian bridge	An amendment is proposed to reduce the width of pedestrian bridge from 9.6m to 5m-7.5m wide. This change seeks to reduce the visual impact of the bridge on the skyline.
Reorientation of the	An amendment is proposed to alter the angle of the Keira Street pedestrian

Aspect	Description
Keira Street pedestrian bridge	bridge between the West Keira and Wollongong Central buildings. The bridge will be located further north and the overall height of the bridge will be adjusted to accommodate the design change. The amendment seeks to provide a more integrated visual link between the buildings.
Relocation of vehicle access ramp	An amendment is proposed to the vehicle access ramp fronting Keira Street to be relocated to the western boundary of the building to provide active street frontage along Keira Street. The amendment will not alter the height of the ramp and landscaping and car parking levels will be maintained.
Reduce the provision of car parking spaces	An amendment is proposed to reduce the minimum requirement of car parking spaces to reflect the decrease in the overall GFA of the development due to the revised design of the building. The number of car parking spaces will be reduced from 1446 to 1318 to reflect the decrease in the overall GFA of the development.
Amendments to the timing of certain actions	The Proponent proposes to amend Conditions B24, E6, E12 and AN9 to reflect the staged construction and occupation of the project.
Reduction of GFA	The overall Gross Floor Area (GFA) of the development has been reduced from 78,220m ² to 73,862m ² , a reduction of 4,358m ² .
Increased building height	Parts of the West Keira façade have increased by 3 metres. The revised height is within the maximum height limit of 80 metres for the West Keira site and fall within the permissible range of street frontage heights under Wollongong DCP 2009, between 12 and 24 metres.



Figure 3: Photomontage of approved façade to corner of Crown Street, Crown Lane and Keira Street



Figure 4: Photomontage of proposed façade to corner of Crown Street, Crown Lane and Keira Street

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

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

3.2 Environmental Assessment Requirements (DGRs)

No additional environmental assessment requirements were issued with respect to the proposed modification, as sufficient information has been provided to the Department in order to consider the application and the issues raised remain consistent with the key assessment requirements addressed in the original DGRs.

3.3 Determination of Modification under Delegation

The Minister has delegated his functions to determine s75W modification requests to the Department where:

- the council has not made an objection, and
- a political disclosure statement has not been made, and
- there are less than 10 public submissions objecting to the proposal.

The Department received no public submissions and although council has made a submission this is only to recommend conditions and council has not made an objection to the proposal. There has also been no political disclosure statement made for this modification request or for any previous related applications, and no disclosures made by any persons who have lodged an objection to this application.

Accordingly the application is able to be determined by the Director, Metropolitan & Regional Projects South, under delegation.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 75W of the Act, a request to modify an approval does not require public exhibition. However, under Section s75X (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 application to modify the approval was made publicly available on the Department's website.

The Department received 4 submissions during the exhibition of the modification request – 4 submissions from public authorities and no submissions from the general public.

A summary of the issues raised in submissions is provided below.

4.2 Public Authority Submissions

The Department received submissions from Wollongong Council, Roads and Maritime Services (previously the RTA), Transport NSW and the Heritage Council.

Wollongong City Council

Council generally supports the modified proposal however, requested modifications to existing conditions relating to the timing of provision of certain infrastructure and traffic management requirements to provide certainty. **Conditions B3, E6 and E12** have been modified accordingly.

Council also advised a number of infrastructure works would be necessary to facilitate the modifications including: the widening of Richardson Lane, the need for a Parking Guidance System to assist circulation within the car parks, and a turn around facility within Richardson Lane. It is recommended that **Condition B1** is modified to require these works.

Additional issues, raised by Council have been discussed in Section 5 of this report below.

NSW Roads and Maritime Services

Roads and Maritime Services have advised that subject to the following, the Roads and Maritime Services raises no objection to the proposed modification, subject to the following:

- the retention of all existing relevant traffic conditions and statement of commitments;
- the retention of the existing bus zones;
- the provision of a plinth sign adjacent to the kerb;
- the provision of four seats to specific specifications within the Keira Street bus zone by the Proponent; and
- the provision of an awning above the bus zone to the satisfaction of Roads and Maritime Services and Council.

The proposal makes provisions for the retention of the existing bus zone and existing traffic conditions and statement of commitments will be retained. The proposed modification includes the provision of a 1.79 metre wide awning to Keira Street, and the Proponent has agreed to the provision of the road infrastructure requested by Roads & Maritime Services. This is required by recommended modified **Condition B18**.

Roads and Maritime Services also raised concerns regarding pedestrian safety due to the proposed graded pedestrian entry off Crown Street. It is recommended that existing **Condition B1** be amended to require the submission and approval of details of a suitable kerb side barrier, to address concerns raised by Roads and Maritime Services, regarding pedestrian safety at this location.

Transport NSW

Transport NSW is generally supportive of the project, however requested further consideration of a number of issues including bicycle parking, pedestrian access and car sharing.

Existing **Condition B16** requires the provision of at least 72 bicycle parking spaces and end of trip facilities are provided, with details to be submitted prior to the issue of a relevant Construction Certificate. It is recommended that existing **Condition B16** be modified to require the provision of customer bicycle parking outside the West Keira pedestrian entrance at the corner of Crown Street, Crown Lane and Keira Street.

Transport NSW also advised consideration should be given to the provision of a car share space. However, the Proponent advised that Wollongong is not yet serviced by a car share scheme and therefore the dedication of a car share parking space at this time is considered premature.

Issues relating to pedestrian access are discussed in Section 5 of this report below.

Heritage Council

The Heritage Council raised no objections to the proposed modification, subject to the requirement for the preparation of an Archaeological Research Design Strategy, prior to the commencement of sub-surface excavation works. The Proponent has agreed to this and it is required by recommended new **Condition C11**.

No public submissions were received in relation to the proposed modifications.

5. ASSESSMENT

The Department considers the key issues for the proposed modification to be:

- compliance with approved Concept Plan
- access
- car Parking
- urban Design
- Contributions

5.1 Compliance with the Approved Concept Plan

The proposed modifications will comply with all the relevant requirements of the approved Concept Plan (MP 06_0035).

5.2 Access

Transport NSW advised that the new north-south pedestrian link through the West Keira centre from Richardson Street and Crown Street should provide a clear visual and physical link between the two streets. The modified proposal will provide a clear pedestrian link between the West Keira centre pedestrian entrances from Richardson Street and Crown Street. Both entries/exists will be easily identifiable from within the centre.

Transport NSW also advised that consideration should be given to the provision of a mid-block pedestrian crossing facility across Keira Street between Market and Crown Streets. The proposed modification has resulted in a reduction in the distance of the northern Keira Street pedestrian entry to the West Keira centre from the existing crossing at the Market and Keira Street intersection, to approximately 50 metres. In addition, the two existing pedestrian crossings at the intersection of Crown and Keira Streets provide direct access to the southern pedestrian entry to the West Keira centre. Pedestrian access across Keira Street is also facilitated by the two pedestrian tunnel and bridge linking the West Keira centre and Wollongong Central.

The Department considers that pedestrian traffic wanting to cross Keira Street will be satisfactorily accommodated by the existing and proposed new pedestrian crossings, given their proximity to the proposed pedestrian entries to the West Keira centre. In addition, the provision of an additional crossing to Keira Street would be likely to result in additional traffic disruption along Keira Street. The Department therefore considers that the provision of an additional crossing is not necessary or desirable.

5.3 Car Parking

Existing **Condition B16** stipulates that the whole development shall provide a minimum 1,446 car parking spaces (inclusive of the 610 existing parking spaces). The modification request seeks to reduce the total car parking provision to 1,318 spaces.

The modification request will result in the provision of 668 car parking spaces for the West Keira site. This exceeds the Wollongong DCP 2009 minimum requirement for the development (576) by 92 spaces. The proposed reduction in car parking provision also complies with minimum car parking rates within the Draft Wollongong DCP 2011 (408). Given the accessibility of the site and the compliance of the proposal with Council's car parking controls, the Department considers the proposed reduction in car parking provision acceptable.

As per the recommendation of Transport NSW, point 7 of existing **Condition B18** Traffic Management, which requires the preparation and implementation of a 'Green Travel Plan', is recommended to be relocated to part E of the approval. This would allow the plan to be prepared in conjunction with the centre operator.

5.4 Urban Design

Key modifications to the urban design of the building include modified building facades, a modified entry forecourt to the corner of Crown Street/ Keira Street and modifications to the design of the pedestrian bridge over Keira Street, including a reduction its width.

Key urban design issues considered during the assessment of the original application included screening of the above ground car park, minimising the visual impact of the pedestrian bridge and providing street activation to Keira Street.

The Modified design sufficiently screens the above ground car park within the West Keira building. The above ground car parking levels will still form an integral part of the overall building design and the architectural detailing and high quality external finishes will provide sufficient articulation/visual interest to reduce their visual impact when viewed from the street. Overall, the amended façade will provide a contemporary design which reference the natural landscape and historical past of the Illawarra, through the use of timber and steel.

The modification is consistent with the original approval which sought to minimise the visual appearance of the proposed pedestrian bridge. The modification reduces the width of the bridge from 9.6 metres down to 5-7.5 metres and the height of the bridge from a continuous height of approximately 11 metres to a graduated height of between 8-12 metres, tapering in the middle of the bridge. The modifications together with the lightweight design and use of frameless clear glazed panels further reduce the visual impact of the bridge (see **Figures 5 & 6** below).

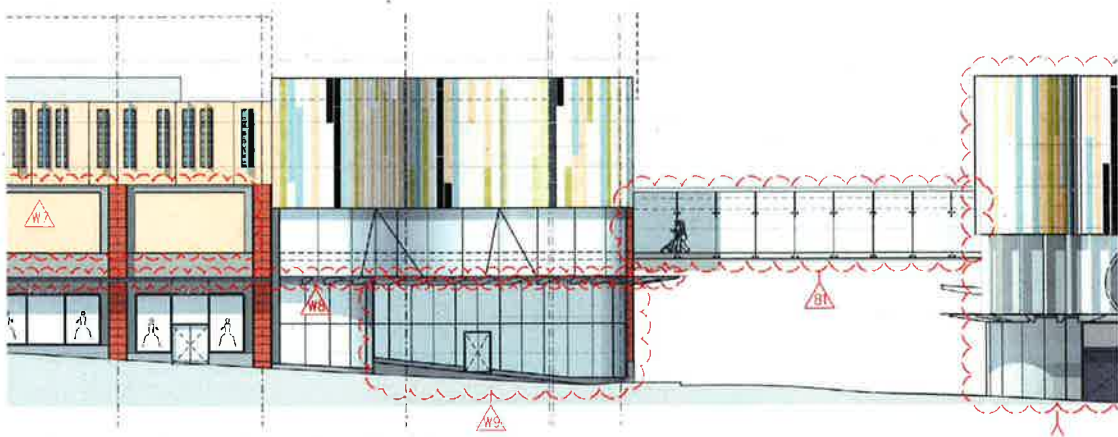


Figure 5: Approved Keira Street pedestrian bridge

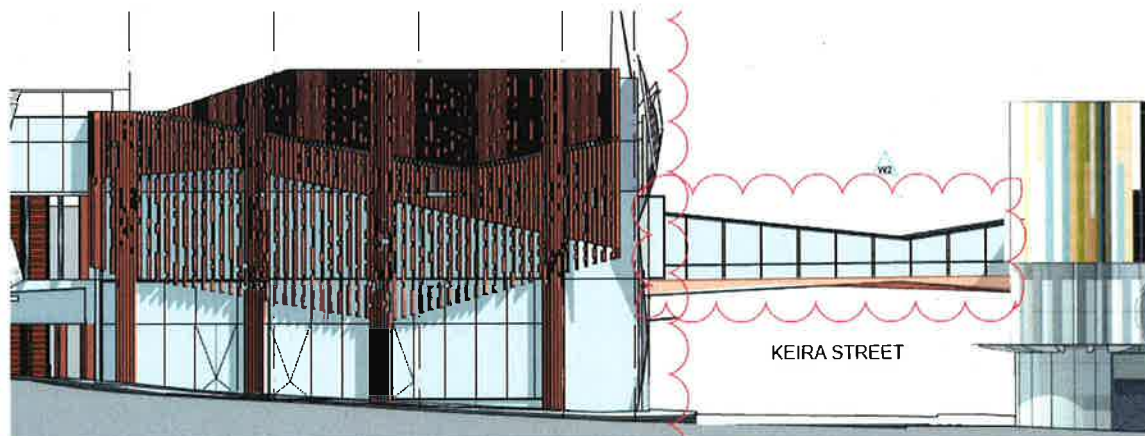


Figure 6: Proposed Keira Street pedestrian bridge

The proposed modification to the development will introduce additional street activation through the provision of a wide entry forecourt to Crown Street, Crown Lane and Keira Street, and an additional pedestrian entry from Richardson Street, as well as an increase in the number of shopfronts along Keira Street, due to the relocation of the approved vehicle access ramp.

Overall, the Department considers that the modified design will provide an attractive retail streetscape, appropriate for this key CBD site. The rich articulated shop front pattern and high quality external finishes will complement the contemporary “gateway” design of the proposed development. Further, the introduction of additional connections through the building on the ground floor will improve connectivity and pedestrian movement through out the site.

5.5 Contributions

The modification seeks to stage the payment of Section 94 contributions and remove the requirement for a Section 94EE contribution.

The proposed modification seeks to construct the development in two stages (Stage 1 being the West Keira re-development and Stage 2 the Crown Central Development). Staging the Section 94 Contributions, consistent with the construction staging is considered to be acceptable as the contributions are based on the nexus between the proposed development and increased demand for services/infrastructure.

Council and the Proponent have agreed upon a Section 94 contributions value (subject to indexing) and have also agreed that the payments may be staged as per the paragraph above. **Condition B24** has been modified to reflect this.

The original approval levied both 94A and 94EE contributions. Since the original approval was granted the requirement for the Special Infrastructure Levy under Section 94EE of the Act for

contributions towards the Wollongong Railway Station Upgrade and Heritage Port Redevelopment 94EE of the EP&A Act has been revoked by the State Government. No issues are raised regarding the deletion of the Section 94EE contributions and **Condition B24** has been modified accordingly.

6. CONCLUSION

The Department is satisfied that the modification request complies with the requirements of the approved Concept Plan (as modified). In addition, subject to recommended modified and new conditions, the Department considers that the proposal will provide acceptable urban design and accessibility outcomes, consistent with the previous approvals on the Wollongong Central site. The modified proposal achieves the same objectives as the originally approved project and does not alter the overall nature, need or justification of the approval.

It is therefore recommended that the modification request be approved subject to the amended and new conditions.

7. RECOMMENDATION

It is **RECOMMENDED** that the Director, Metropolitan & Regional Projects South, as delegate for the Minister for Planning and Infrastructure:

- **note** the information provided in this report;
- **approve** the modification request, subject to conditions; and
- **sign** the attached modifying instrument.

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Team Leader



Director
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APPENDIX A MODIFICATION REQUEST

See the Department's website at: <http://majorprojects.planning.nsw.gov.au>

APPENDIX B SUBMISSIONS

See the Department's website at: <http://majorprojects.planning.nsw.gov.au>

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
