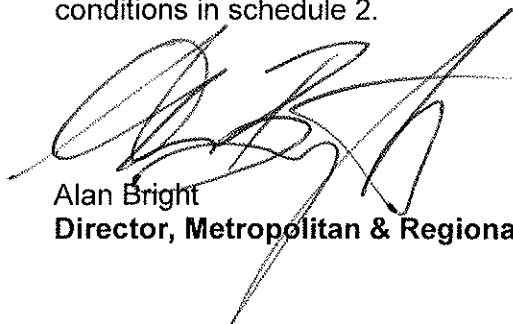


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation dated, 14 September 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Alan Bright
Director, Metropolitan & Regional Projects South

Sydney, 19 DEC. 2011

SCHEDULE 1

Project Application Approval: MP 06_0209 granted by the Minister for Planning on 28 April 2008

For the following: Wollongong Central Redevelopment at the Wollongong Central and West Keira, Wollongong (MP06_0209) granted by the Minister for Planning on 28 April 2008.

Proposed Modification: MP 06_0209 MOD 3: Modification includes:

- modified external facades of West Keira centre;
- modified layout of West Keira centre;
- modified pedestrian access to West Keira centre and new access from Richardson Street;
- modifications to approved pedestrian tunnel and bridge;
- relocation of approved vehicle access to West Keira centre;
- reduction in car parking spaces from 1,446 to 1,318; and
- modification of timing requirements relating to existing conditions B24, E6, E12 & AN9.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

a) Condition A1 is amended as follows:

A1 Development Description

Approval is granted only to carrying out the development described in detail below:

1. demolition of all existing structures on the West Keira site;
2. 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;
3. internal alterations and remix of existing retail activities within Wollongong Central Shopping Centre;
4. construction of a new eight-screen cinema complex at the corner of Market Street and Church Street;
5. extension of the retail façade out to the Crown Street Mall alignment (4m) (1.5m);
6. a total of **73,862sq.m** 80,270sq.m of GFA (Stage 1);
7. the use of the land for retail, commercial, residential, cinema (place of public entertainment), food premises (such as restaurants and cafes) and car parking;
8. the erection of internal walls and the erection of signage;
9. associated road works, public domain and landscape works, and service augmentation/connection;
10. support structures on the West Keira site for the erection of two future towers (subject to separate approval);
11. 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;
12. 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
13. closure of the southern end of Richardson Street.

b) Condition A2 is amended as follows:

A2 Development in Accordance with Documents

The development will be undertaken in accordance with the Environmental Assessment dated July 2007 prepared by BBC Consulting Planners and all Appendices, except where varied by

- the Preferred Project Report submitted on 20 December 2007 and all Appendices,
- the Proponent's Statement of Commitments included in the PPR amendments dated 20 December 2007; and
- the following drawings:

Architectural (or Design) Drawings prepared by Lend Lease Design in association with PTW Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A100C	Q	Overall Floor Plan – Level B1 Basement Car park	06/07/2007
DA-A101C	Q	Overall Floor Plans – Level 1 Retail Lower Ground Floor	06/07/2007

DA-A102C	R	Overall Floor Plans – Level 2 Retail Ground Floor	14/12/2007
DA-A103aC	Q	Overall Floor Plans – Level 3A Crown Central Mezzanine	06/07/2007
DA-A103C	R	Overall Floor Plans – Level 3 Retail Crown Central First Floor	14/12/2007
DA-A104C	R	Overall Floor Plans – Level 4 Retail and Car park Level	14/12/2007
DA-A105C	R	Overall Floor Plans – Level 5 Car park Level	14/12/2007
DA-A106C	R	Overall Floor Plans – Level 6 Car park Level	14/12/2007
DA-A107C	R	Overall Floor Plans – Level 7 Car park and Cinema Levels	14/12/2007
DA-A108C	Q	Overall Floor Plans – Level 8 Plant Level	06/07/2007
DA-A109C	Q	Overall Floor Plans – Level 9 Plant Level	06/07/2007
DA-A201C	R	Overall Elevations – Sheet 1	14/12/2007
DA-A202C	R	Overall Elevations – Sheet 2	14/12/2007
DA-A210C	A	Elevation – Crown St. Mall	11/12/2007
DA-A211C	A	Elevation – Crown Ln. (West Keira)	11/12/2007
DA-A212C	A	Elevation – Keira St. (West Keira)	11/12/2007
DA-A213C	A	Elevation – Keira St. (Crown Central)	11/12/2007
DA-A214C	A	Elevation – Market St. (Crown Central)	11/12/2007
DA-A215C	A	Façade Details – Crown Street	11/12/2007
DA-A216C	A	Elevation – Keira St. Bridge	11/12/2007
DA-A219C	A	Façade Details – Keira St. (West Keira)	12/2007
DA-A301C	Q	Overall Sections – Sheet 1	06/07/2007
DA-A302C	Q	Overall Sections – Sheet 2	06/07/2007
DA-A303C	Q	Overall Sections – Sheet 2	06/07/2007
DA-A304	R	Sections and Details through Tunnel under and Bridge over Keira St	14/12/2007
DA-A305C	R	Sections – Street Awnings	14/12/2007
Demolition Drawings prepared by Lend Lease Design in association with PTW Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A401C	Q	Overall Demolition Plans – General Site	06/07/2007
DA-A402C	Q	Overall Demolition Plans – Level 2	06/07/2007
DA-A403C	R	Overall Demolition Plans – Level 3	14/12/2007
DA-A404C	R	Overall Demolition Plans – Level 4	14/12/2007
DA-A405C	Q	Overall Demolition Plans – Level 5 Car park Level	06/07/2007

DA-A406C	Q	Overall Demolition Plans – Level 6	06/07/2007
DA-A407C	Q	Overall Demolition Plans – Level 2	06/07/2007
Landscape Drawings prepared by Lend Lease Design in association with Site Image			
Drawing No.	Revision	Name of Plan	Amendment Date
0101	M	Landscape Master plan Sheet 1	18/12/2007
0102	E	Landscape Master plan Sheet 2	18/12/2007
Civil Engineering Drawings prepared by Lend Lease Design in association with Hyder Consulting			
Drawing No.	Revision	Name of Plan	Date
DAC200002	08	Erosion & Sediment Control Plan and Details	27/04/2007
DAC200003	13	Pavement Plan	10/07/2007
DAC200004	11	Site works & Stormwater Drainage Plan – Sheet 1	27/04/2007
DAC200005	12	Site works & Stormwater Drainage Plan – Sheet 2	27/04/2007
DAC200006	06	Catchment Plan	27/04/2007
DAC200007	12	Services Coordination Plan - Sheet 1	27/04/2007
DAC200008	12	Services Coordination Plan - Sheet 2	27/04/2007
DAC200009	08	Turns Paths - Sheet 1	27/04/2007
DAC200010	13	Turnings Paths - Sheet 2	13/12/2007
DAC200011	09	Traffic Management Plan – Heavy Vehicles and Bus Diversion Routes during Tunnel Construction	27/04/2007
DAC200012	08	Keira Street Tunnel – Construction Management Plan	27/04/2007
DAC200013	07	Tunnel Sections	27/04/2007
DAC200016	07	Intersection Plans	10/07/2007
DAC200017	02	Signage and Line marking Plan Sheet 1	13/12/2007
DAC200018	02	Signage and Line marking Plan Sheet 2	13/12/2007
DAC200019	01	Turns Paths - Sheet 3	13/10/2007
DAC200714	07	Site works Details	27/04/2007
DAC200715	06	Stormwater Details	27/04/2007

except for:

- (1) otherwise provided by the conditions of this approval.
- (2) ~~Except where amended by the Modification Application submitted by BBC Consulting Planners dated 25 August 2008 and the following drawings:~~

Architectural (or Design) Drawings prepared by Lend Lease Design in association

with PTW Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A100C	R	Overall Floor Plans — Level B1 Basement Carpark	25/07/2008
DA-A101C	R	Overall Floor Plans — Level 1 Retail Lower Ground Floor	25/07/2008
DA-A102C	S	Overall Floor Plans — Level 2 Retail Ground Floor	25/07/2008
DA-A103C	S	Overall Floor Plans — Level 3 Retail Crown Central First Floor	25/07/2008
DA-A103aC	R	Overall Floor Plans — Level 3A Crown Central Mezzanine	25/07/2008
DA-A104C	S	Overall Floor Plans — Level 4 Retail and Carpark Level	25/07/2008
DA-A105C	S	Overall Floor Plans — Level 5 Carpark Level	25/07/2008
DA-A106C	S	Overall Floor Plans — Level 6 Carpark Level	25/07/2008
DA-A107C	S	Overall Floor Plans — Level 7 Carpark and Cinema Levels	25/07/2008
DA-A108C	R	Overall Floor Plans — Level 8 Plant Level	25/07/2008
DA-A109C	R	Overall Floor Plans — Level 9 Plant Level	25/07/2008
DA-A210C	B1	Elevation — Crown St. Mall (Crown Central)	25/07/2008
DA-A211C	B1	Elevation — Crown Ln. (West Keira)	25/07/2008
DA-A212C	B1	Elevation — Keira St. (West Keira)	25/07/2008
DA-A213C	B1	Elevation — Keira St. (Crown Central)	25/07/2008
DA-A215C	B1	South Façade Detail — Elevation / Section (Crown Central)	25/07/2008
DA-A216C	B1	Elevation — Keira St. Bridge (West Keira)	25/07/2008
DA-A219C	B1	East Façade Detail — Elevation / Section (West Keira)	25/07/2008
DA-A301C	R	Overall Sections — Sheet 1	25/07/2008
DA-A302C	V	Overall Sections — Sheet 2	25/07/2008
DA-A304	S	Sections and Details through Tunnel under and Bridge over Keira St	25/07/2008
Demolition Drawings prepared by Lend Lease Design in association with PTW Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A402C	S	Overall Demolition Plans — Level 2	25/07/2008
DA-A403C	S	Overall Demolition Plans — Level 3	25/07/2008

DA-A404C	S	Overall Demolition Plans – Level 4	25/07/2008
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- (2) Except where amended by the Modification Application submitted by BBC Consulting Planners dated July 2011 and the following drawings:

Architectural (or Design) Drawings prepared by the GPT Group in association with Rice Daubney Architects			
<u>Drawing No.</u>	<u>Revision</u>	<u>Name of Plan</u>	<u>Date</u>
<u>DA-A100C</u>	<u>S</u>	<u>Overall Floor Plans – Level B1 Basement Carpark</u>	<u>14/7/11</u>
<u>DA-A101C</u>	<u>S</u>	<u>Overall Floor Plans – Level 1 Retail Lower Ground Floor</u>	<u>14/7/11</u>
<u>DA-A102C</u>	<u>I</u>	<u>Overall Floor Plans – Level 2 Retail Ground Floor</u>	<u>14/7/11</u>
<u>DA-A103C</u>	<u>I</u>	<u>Overall Floor Plans – Level 3 Retail Crown Central First Floor</u>	<u>14/7/11</u>
<u>DA-A103aC</u>	<u>S</u>	<u>Overall Floor Plans – Level 3A Crown Central Mezzanine</u>	<u>14/7/11</u>
<u>DA-A104C</u>	<u>I</u>	<u>Overall Floor Plans – Level 4 Retail and Carpark Level</u>	<u>14/7/11</u>
<u>DA-A105C</u>	<u>I</u>	<u>Overall Floor Plans – Level 5 Carpark Level</u>	<u>14/7/11</u>
<u>DA-A106C</u>	<u>I</u>	<u>Overall Floor Plans – Level 6 Carpark Level</u>	<u>14/7/11</u>
<u>DA-A107C</u>	<u>I</u>	<u>Overall Floor Plans – Level 7 Carpark and Cinema Levels</u>	<u>14/7/11</u>
<u>DA-A108C</u>	<u>S</u>	<u>Overall Floor Plans – Level 8 Plant Level</u>	<u>14/7/11</u>
<u>DA-A109C</u>	<u>S</u>	<u>Overall Floor Plans – Level 9 Plant Level</u>	<u>14/7/11</u>
<u>DA-A210C</u>	<u>B2</u>	<u>Elevation – Crown St. Mall (Crown Central)</u>	<u>14/7/11</u>
<u>DA-A211C</u>	<u>B2</u>	<u>Elevation – Crown Ln. (West Keira)</u>	<u>14/7/11</u>
<u>DA-A212C</u>	<u>B2</u>	<u>Elevation – Keira St. (West Keira)</u>	<u>14/7/11</u>
<u>DA-A213C</u>	<u>B2</u>	<u>Elevation – Keira St. (Crown Central)</u>	<u>14/7/11</u>
<u>DA-A216C</u>	<u>B2</u>	<u>Elevation – Keira St. Bridge (West Keira)</u>	<u>14/7/11</u>
<u>DA-A219C</u>	<u>B2</u>	<u>East Façade Detail – Elevation / Section (West Keira)</u>	<u>14/7/11</u>
<u>DA-A301C</u>	<u>S</u>	<u>Overall Sections – Sheet 1</u>	<u>14/7/11</u>
<u>DA-A302C</u>	<u>W</u>	<u>Overall Sections – Sheet 2</u>	<u>14/7/11</u>
<u>DA-A304</u>	<u>I</u>	<u>Sections and Details through Tunnel under and Bridge over Keira St</u>	<u>14/7/11</u>
Demolition Drawings prepared by Lend Lease Design in association with PTW Architects			

Drawing No.	Revision	Name of Plan	Date
DA-A402C	S	Overall Demolition Plans – Level 2	25/07/2008
DA-A403C	S	Overall Demolition Plans – Level 3	25/07/2008
DA-A404C	S	Overall Demolition Plans – Level 4	25/07/2008

c) Condition B1 is amended as follows:

B1 Design Modifications

Documentation incorporating the following amendments shall be submitted for approval to the Director-General, prior to issue of a Construction Certificate for above ground works:

- (1) The Crown Street Pedestrian Bridge linking the Wollongong Central and the Gateway shopping centres shall be 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.
- (2) The Keira Street pedestrian bridge shall be limited to a maximum external width of 9.6m 7.5m.
- (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.

d) Condition B3 is amended as follows:

B3 Footpath and Road Damage Bank Guarantee

Prior to commencement of works the Proponent must provide a bank guarantee for a reasonable sum to be determined by Council **Council's infrastructure division** as security for rectification of any damage to the public way and roadways adjacent to the site resulting from the works the subject of this approval. The Bank Guarantee is to be reviewed in consultation with Council's infrastructure division every three months from the commencement of works.

e) Condition B16 is amended as follows:

B16 Number of Car Spaces

The number of car spaces to be provided for the amount of floorspace approved as Stage 1 of the development shall be a minimum of 1,318 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.

A minimum of 72 bicycle spaces and suitable end of trip facilities for staff of commercial / retail development is to be provided in the development. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for works relating to car parking.

Bicycle parking facilities for customers shall be provided in accordance with the provisions of the 'NSW Planning Guidelines for Walking and Cycling' adjacent to the entry forecourt at the corner of Crown Street, Crown Lane and Keira Street. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of an Occupation Certificate.

f) Condition B18 is amended as follows:

B18 Traffic Management

The following traffic management works are required as a result of this development including:

- Installation of a roundabout at the Richardson Street/Richardson Lane intersection
- Upgrade the existing Give Way (priority) intersection at the Market Street/Richardson Street intersection
- Modifications to the existing Give Way intersection at the Market Street/Regent Street intersection
- Installation of a roundabout at the Regent Street/West Keira car park ramp
- Install traffic calming feature including pedestrian refuge at the Crown Lane/Regent Street/Rawson Street intersection
- To improve parking efficiency across the Wollongong Central redevelopment a signage system is to be provided that indicates the location and availability of car spaces for the entire redevelopment to prevent unnecessary traffic circulation through out the city centre.;

This work shall be completed in coordination with Council and the RMS. and

- ~~A "Green Travel Plan" and travel demand management strategies are to be developed and implemented.~~
- **Richardson Lane is to have a finished road width of 6.0 metres, kerb face to kerb face to comply with the minimum standard set in AUSROADS 2009 Guide to Road Designs.**
- **The driveway entry into Richardson Lane is to be in accordance with clause 2.5.2c of Australian Standards AS2890.1 (2004)- Off-street car parking.**
- **Installation of the following in an appropriate location on Keira Street, decided in conjunction with Council and Roads and Maritime Services:**
 - **a bus stop sign in the form of a plinth;**
 - **bus zone signage; and**
 - **4 x long bench seats with a minimum length of 1.9 metres, located adjacent to the bus stop on the western side of Keira Street for the use of bus patrons.**

Detailed design of the above traffic management requirements is to be carried out for the approval of **NSW Roads and Maritime Services (previously the RTA)** prior to issuing a Construction Certificate. Included in the detailed design will be a staging plan for the construction program for the works. The required works shall be completed prior to the completion of the construction works on the development site to which the traffic management changes relate. The traffic management works shall be carried out at no cost to Wollongong City Council or **NSW Roads and Maritime Services RTA.**

g) Condition B24 is amended as follows:

B24 Monetary Contributions

The Proponent shall pay the following monetary contributions in accordance with the Wollongong City Centre Civic Improvement Plan 2007.

Amount of Contribution

Contribution Category	Rate of Contribution	Amount
Section 94A Levy	2% (of the cost of	\$3,624,000.00

	development)	\$4,052,604.89 + Index Amount
Section 94 EE Levy	1% (of the cost of development)	\$1,812,000.00

Timing and Method of Payment

The **Section 94A Contributions Levy** is payable to the **Wollongong City Council** in a staged manner. \$3,091,646.19 is to be paid prior to the issue of the first Occupation Certificate for **Stage A of the new development (West Keira and associated pedestrian connections). An additional \$960,958.70 is to be paid prior to the issue of the first Occupation Certificate for Stage B of the new development (Wollongong Central refurbishment and alterations/additions).** 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.

~~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 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.~~

Indexing

At the time of payment, both levies the Section 94A Levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

h) New Condition B25 is inserted to read as follows:

B25 Vehicle Swept Path Plan

The swept paths of the longest vehicle (including garbage trucks) entering the site via the Market Street and Richardson Street intersection and the car park driveway in Richardson Lane, shall be in accordance with AUSROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement, prior to the issue of a relevant Construction Certificate.

i) New Condition C11 is to be inserted as follows:

C11 Archaeological Research Design and Strategy

The Proponent shall prepare and submit an Archaeological Research Design and Strategy to the Department and the NSW Heritage Council, prior to the commencement of sub-surface excavation works.

j) Condition E6 is amended as follows:

E6 Road/Kerb and Gutter Damage

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 Council's infrastructure division, prior to the issue of the final Occupation Certificate or commencement of use (whichever comes first).

k) Condition E12 is amended as follows:

E12 Traffic Management Works

The traffic management works required by earlier conditions are to be completed to the satisfaction of **NSW Roads and Maritime Services** RTA prior to issue of an **the final** Occupation Certificate.

l) New Condition E15 is inserted to read as follows:

E15 Green Travel Plan

A "Green Travel Plan" and travel demand management strategy are to be developed and implemented.

m) Condition AN9 is amended as follows:

AN9 Use of Cranes, Plant or Machinery

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:

- (1) 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:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (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)
- (2) The proponent will submit a Plan showing all craneage and other aerial operations for the development;
- (3) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to **7:00am** ~~7.30am~~ without the prior approval of Council.