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Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICATION

MP-2006/209/C

Date

31 October 2011

Dear Mr Woodland

Proposed modifications to concept plan and a project application for:

Development

Construction of a new six-level retail centre (called as 'West Keira') associated with above and below ground car parking including necessary support structures for the erection in the future of two towers (one commercial, one residential) and their associated parking above the roof of the retail podium. Alterations and additions to existing 'Wollongong Central Shopping Centre', including a new eight screen cinema complex; and Interconnection of the West Keira with Wollongong Central across Keira Street via a tunnel and pedestrian bridge.

Location

Wollongong Central, 168-218 Crown Street, WOLLONGONG NSW 2500, 202-204 Keira Street, WOLLONGONG NSW 2500, Lot 1 Richardson Street, WOLLONGONG NSW 2500, 176-192 Keira Street, WOLLONGONG NSW 2500, 194-198 Keira Street, WOLLONGONG NSW 2500, 200 Keira Street, WOLLONGONG NSW 2500, 206 Keira Street, WOLLONGONG NSW 2500, 220-224 Crown Street, WOLLONGONG NSW 2500, 10 Crown Lane, WOLLONGONG NSW 2500, Lot 1 Crown Lane, WOLLONGONG NSW 2500, 6 Crown Lane, WOLLONGONG NSW 2500, 226-228 Crown Street, WOLLONGONG NSW 2500

I refer to correspondence from BBC Planners dated 14 October 2011 in response to Councils submission dated 6 September 2011 and provide the following comments:

Condition B24: Staged payment of s.94 contributions.

The applicant has agreed to the overall value and the value apportioned to the proposed stages but have objected to the addition of indexation that has been accrued since the original consent was issued in April 2008.

Clause 25 of Wollongong Section 94A Development Contributions Plan 2011 provides that contributions are indexed quarterly between the issue of consent and the time of payment. This is in accordance with Clause 25(4) of the EP&A Regulation. The purpose of this provision, as described in DoP Practice Notes 2005, is to offset the "eroding effect of money by inflation and the adverse effects of land value escalation" this is in reference to the items included on the works schedule on which the contributions are required to be expended.

As the value of Section 94A contributions is ultimately based on the cost of development it would be considered reasonable that given the entire development has been re-costed inline with 2011 construction costs, not those utilised for the original 2008 consent, that this has provided to address the principle for which the indexation is required.

The total contributions for the proposed modified development are \$4,052,604.89 (excluding indexation) which is \$72, 267.05 higher than the current contributions due of \$3,980,337.84 (including indexation). This would appear to reflect an increase in cost of development comparable to the application of CPI indexation.

Following further consideration of the issues, it is recommended that the total Contributions for the proposed modified development exclude past indexation and be adopted as \$4,052,604.89. This figure is then subject to indexation following approval of the modification until the time of payment in accordance with Clause 25 as referred to above.

Condition E6: Kerb/gutter damage – change wording from ‘of any’ to ‘the final’ Occupation Certificate.

Council notes that condition B3 allows for the imposition of bank guarantees for the rectification of any damage to the public way and roadways adjacent to the site resulting from the proposed works. In this regard it would be appropriate to modify condition E6 by:

Deleting the words ...Council, prior to the issues of any occupation certificate. and inserting ...Council's infrastructure division, prior to the issue of the final Occupation Certificate or commencement of use (whichever comes first).

As a consequence of the above proposed modification it would be appropriate to modify condition B3 by:

Deleting the word Council and inserting Council's infrastructure division, and adding the following additional wording:

The Bank Guarantee is to be reviewed in consultation with Council's infrastructure division every three months from the commencement of works.

Condition E12: Traffic works – change wording from completion before ‘an’ to ‘the final’ Occupation Certificate.

Council does not object to the proposal for GPT to enter into a Works Authorisation Deed with the RTA. The condition should be amended in consultation with the RTA to reflect this.

Issues in Council's attachment concerning traffic matters...

In relation to the traffic issues council wishes to focus its response to three specific areas identified in the BBC Planners response of dated 14 October 2011:

1. Richardson Lane is considered satisfactory to safely convey two way traffic. It currently conveys two way traffic. Private vehicles and service vehicles are adequately separated, so the leg of the lane to the west of the loading dock will be for cars only.

The current roadway has a width between 6.0m and 6.6m and part of it lies within the property boundary. The road reserve width is approximately 5.9m. This road reserve width is adequate for a lane way use. Given the anticipated traffic volumes to use the car park access, a road width that complies with current standards is needed. The absolute minimum lane width required by Austroads is 3.0m. Council recommends that the developer provide a finished road width in Richardson Lane of 6.0m kerb face to kerb face to comply with the minimum standard set in Austroads 2009 Guide to Road Design.

2. The driveway entry in Richardson Lane allows cars to pass each other while simultaneously entering and exiting the ramp.

It is recommended that this is confirmed by the consent authority in accordance with clause 2.5.2c of Australian Standard AS2890.1 (2004) - Off-street car parking which provides a turning path guide for such situations.


3. Discussions with the RTA and Wollongong Council regarding Keira Street bus stops are continuing. GPT is supplying the RTA and Wollongong Council with plans showing footpath dimensions and infrastructure within Keira Street, as well as cross sections with possible solutions. GPT's view is that the kerbside lane of the northbound carriageway of Keira Street can be used as a bus stop by the provision of a "bubble" treatment with widened footpaving. This treatment works successfully in other town centre locations. Both sides of Keira Street could potentially have footpath widening with bus stops and taxi ranks. An agreed outcome may well be an interim measure where a bus stop without any shelter is maintained on a temporary basis until a more permanent solution is agreed.

This item was discussed with RTA and GPT representatives at a meeting held at the Council Administration Building on 28 October 2011. No footpath widening works are able to be supported at this time due to a number of issues requiring further consideration; however Council is willing to work with the RTA and GPT on investigating such proposals.

In relation to the current proposal, Council does not consider the provision of a shelter necessary where an awning is provided that gives protection from the weather. In this regard the proposal includes a 1.2m minimum setback from the kerb to the awning resulting in an awning width of 1.79m. The RTA Road Design Guide states "In general, shop awnings are to be set back a minimum of 600mm" to cater for potential obstruction of vehicles on the road (clipping of mirrors or sloping trucks etc) so there may be potential to reduce the setback requirement set out in Council's DCP to 600mm to allow for a wider awning to be provided.

In addition to the awning provision it is recommended that the proposal or a condition of consent include the provision of a bus stop sign in the form of a plinth, bus zone signage and allowance for the installation with four minimum 1.9m long bench seats adjacent to the bus stop on the western side of Keira St for the use of bus patrons. Any alternatives to this arrangement shall be to the satisfaction of Council and the RTA.

Yours faithfully



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cc, The GPT Group
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