PROJECT APPROVAL MP06_0209

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

SECTION 75W MODIFICATION TO PROJECT APPROVAL

MOD 4

Prepared for

The GPT Group

by BBC Consulting Planners

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SUBMITTED UNDER SEPARATE COVER

- Arborists Report, prepared by Allied Tree Consultancy

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 "West Keira and 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 (MP 06_0335) and Project Application (MP06_0209) for the West Keira and Wollongong Central redevelopment.

The approved scheme includes 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 is subject to redevelopment to add retail floorspace and a cinema complex.

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.

On 19 December 2011, Modification Application No. 3 was approved, which modified the Project Approval only, in relation to the detailed design of the West Keira redevelopment to improve the form and function of that portion of the Project. The former bulk and scale of the West Keira redevelopment was broken up into two elements with a lightfilled laneway feel between. This re-oriented the internal access, significantly improved the activation of the development along Keira Street, newly provided pedestrian access to the north and made the facades of the development far more contemporary. It also staged the Project so that the West Keira redevelopment will occur as Stage A and the Wollongong Central redevelopment will occur as Stage B.

The original Concept Plan and Project Application approvals are contained in **Appendices 1 and 2**. Copies of the modifications are contained in **Appendices 3 – 5**. Copies of the approved drawings are contained in **Appendix 6**.

This fourth modification application ("Modification No. 4, or MOD 4") is lodged to modify the Project Approval, seeking approval to alter the approved manner in which the West Keira portion of the Project, and specifically the basement car park, is accessed by customer vehicles. In this regard, the West Keira portion of the Project has approval for customer vehicle access from Richardson Street and Richardson Lane at the north-western corner of the redevelopment. This modification application seeks approval to provide customer vehicle access to the basement directly to and from Market Street by relocating the vehicle ramp

from the western end of Richardson Street to a new tunnel ramp at No. 71 Market Street. The Richardson Lane access would be deleted from the project.

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 park, three levels of retail space and two levels of above-ground car parking and interconnections with Wollongong Central via a tunnel and bridge across Keira Street, with alterations and additions to Wollongong Central itself.

1.2 Consistency with Concept Plan Approval

A modification to the Concept Plan, being Modification No. 2 to the Concept Plan has also been made under separate cover to incorporate the land to which this Project Application modification relates.

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;
  - a Survey Plan for No. 71 Market Street;
  - a Geotechnical Report, prepared by Douglas Partners;
  - a Stage 1 Site Contamination Assessment, prepared by Douglas Partners;
  - an Architects Statement, prepared by Rice Daubney Architects;
  - a Traffic and Transport Report, prepared by AECOM;
  - a Acoustic and Vibration Assessment, prepared by Acoustic Logic; and
  - a Waste Management Plan, prepared by Hansen Yuncken.
- in a ‘Comparison Folder’, copies of the approved and amended drawings, to allow for easy comparison between the approved and amended drawings; and
- submitted under separate cover, an Arborists Report prepared by Allied Tree Consultancy.

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.

This modification seeks to relocate access into the West Keira redevelopment from the western end of Richardson Lane to a new access point located at No. 71 Market Street.

The key aims of the modification application are:-

- to improve access into, and egress from, the West Keira redevelopment via direct connection to Market Street;
- to separate customer vehicles (i.e. light vehicles) from delivery vehicles (i.e. heavy vehicles);
- to improve pedestrian access into the West Keira redevelopment; and
- to improve the internal layout of the approved loading dock.

The modification application also seeks to update a number of the Project Approval conditions relating to such matters as the gross floor area of the Project, the minimum number of car parking spaces, the local traffic works around the West Keira redevelopment and the payment of Section 94A Contributions.

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. Furthermore, the project will be consistent with the Concept Plan associated with the concurrent Concept Plan modification.

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

2.2 Description of Proposed Design Modifications

Modifications to the approved 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.

2.2.1 Deletion of the Richardson Lane access driveway and construction of a new vehicular tunnel directly onto Market Street

2.2.1.1 Existing Approval

Modification No. 3 to the Project Application granted approval to the construction of an access driveway for the West Keira redevelopment along the western edge of the proposed building. This was the result of the relocation of the entry driveway from the eastern side of the building to the western side. This change provided significantly increased activation along Keira Street with new retail floorspace and newly introduced pedestrian access into the West Keira redevelopment from the north. It allowed the internal planning of the West Keira building to be reoriented to a north-south pedestrian spine which reads as a legible and open retail "laneway". Previously there was no pedestrian access because the former car park access prevented any connection to Richardson Street.

2.2.1.2 Existing Constraints

The Project, as modified, has some design constraint. Pursuant to the existing approval:-

(i) the existing topography means that customers must travel up the inclined grade of Richardson Street and Richardson Lane only to drop down to the basement car park level via the internal car park driveway. Vehicles would travel from reduced level ("RL") 19.6 Australian Height Datum ("AHD") at the corner of Market Street and Richardson Street, up to RL 25.1 AHD at the car park driveway entrance and then down to RL 13.6 AHD at the basement parking level. In other words, cars are travelling up 5.5m to the highest point at the north-western corner of the West Keira development to go down 11.5m to the lowest point within the development. This is not the most efficient layout, uses occupiable space within the development and is relatively convoluted for customers;

(ii) the approved car park driveway has a long and steep grade of 1:8 in response to the topography. That gradient is not highly customer friendly;

(iii) customer vehicles would use Richardson Street alongside pedestrians using the new northern entrance to the West Keira development and therefore increase the risk of vehicle and pedestrian conflict;

(iv) both customer vehicles and heavy vehicles would be using the same route via Richardson Street and Richardson Lane to access and depart the Project. Separation of light and heavy vehicles is desirable;

(v) Roads and Maritime Services would prefer to have a greater distance between Keira Street and the West Keira redevelopment access route compared to the approved arrangement using Richardson Street;

(vi) The landowners and occupants of properties who have vehicle and pedestrian access from Richardson Street and Richardson Lane would be subject to increased traffic and therefore potential conflict;

(vii) The landowners and occupants of properties who have access from Richardson Street and Richardson Lane would be interrupted by increased queuing of vehicles exiting from Richardson Street onto Market Street;

(viii) The approved loading dock geometry is tight for truck movements;

(ix) The access geometry around Richardson Lane is tight for customer vehicles;

(x) Customer vehicles would be directed to the south-western corner of the basement floor which is not desirable for internal vehicle circulation compared to a mid-floor access; and

(xi) Upon entering the basement car park, customer vehicles would travel directly past operational areas of the development due to the position of the access driveway at the south-western corner. Areas such as trolley management and tractor storage immediately alongside passing customer vehicles have the potential for vehicle conflict and are unsightly for visitors.

Direct access from the approved basement car park onto Market Street is the optimal arrangement compared to access from Richardson Street and Richardson Lane.

2.2.1.3 Proposed Modification

The modified Project would relocate customer vehicle access into the West Keira redevelopment from the western end of Richardson Lane to No. 71 Market Street.

Existing Development at No. 71 Market Street

No. 71 Market Street currently contains a single storey weatherboard cottage. It has been occupied over the decades for commercial purposes and has been altered significantly both internally and externally by residential and commercial uses. The cottage is not heritage listed and is not within a heritage conservation area (see **Figure 6**).

An Identification Survey of No. 71 Market Street is included in **Appendix 8**.

In front of the cottage there are garden terraces that extend out beyond the property boundaries and into the footpath of Market Street. We also note that the property boundary of the land extends out beyond the alignment of the adjoining office buildings.

There is a height difference between Market Street and Richardson Lane of approximately 5.5m. Accordingly, the gradient of No. 71 Market Street is quiet steep. It steps up from Market Street in a series of retaining walls and steep paths/gardens. It also means that the adjoining developments, which are excavated into the natural slope, are a full two floors below the street level at the Richardson Lane boundary.

Proposed Works

The proposed modification requests approval to demolish the existing structures within No. 71 Market Street and within the road reserve of Market Street, remove the existing vegetation and construct a new two lane vehicle access to the West Keira basement car parking level.

The necessary components of the works are set out below.

1. Tree Removal

The proposed modification affects two trees that are not within No. 71 Market Street. However, the consent of the landowner next door will be obtained to remove one tree and the consent of Wollongong Council is expected to be provided to remove the other tree.

The impacts of the Project on the trees are discussed within the Arborists Report (submitted under separate cover).

The first tree, a Canary Island Date Palm is within the road reserve of Market Street in the garden retaining walls that have been built beyond the property boundary of No. 71 Market Street. Any demolition of the tiered gardens within the road reserve would necessitate the removal of the tree. It is anticipated that Wollongong Council, the owner of the tree, will grant its approval for the removal of the tree because it is an invasive weed species, it has low retention value and is within garden beds that protrude beyond the property boundary of No. 71 Market Street into the road reserve.

The second tree, a White Cedar, is within the rear yard of No. 73 Market Street. The Arborist describes the environs of the tree as follows:-

> *"This tree is located on a raised area within the rear corner of the lot. This lot has a three storey office block located on it, and this corner where the tree resides is an unkept garden tiered with retaining walls. The tree appears to be perched upon some building rubble, and the roots are extending over the surface suggesting that the ground is unsuitable for root penetration. The office block is located 4m to the north and 5m to the west from the tree, and a concrete garbage bay is located 1m to the south. Allowing for the potential size of this tree, this area cannot sustain the mature growth, where possible root damage will occur to the office block and garbage bay, and the drip will be certain to extend well over the roof area."*

The tree is located approximately 1100mm from the common boundary, therefore any excavation up to the boundary line (as proposed) will encroach into the "tree protection zone" and "structural root zone" and this would not conform with Australian Standard 4970 – Protection of Trees on Development Sites.

GPT is currently in the process of seeking permission from No. 73 Market Street for removal of the tree based on the context of the tree and the potential impact of the works on the health and vigour of the tree.

2. Excavation

The proposed modification requires the excavation of the existing slope to form a tunnel below Richardson Lane. At the deepest point, the excavation will be 10m below the existing ground level. Construction management techniques will be employed during the works to minimise disturbance to Richardson Lane.

Excavation and soil quality issues have been documented in the Geotechnical Report and Stage 1 Site Contamination Assessment is **Appendices 9 and 10**. Each report demonstrates that the site is suitable for the proposed development and capable of being

constructed with appropriate construction techniques. Whilst the contamination assessment is of a preliminary nature due to access constraints, the consultant finds that the potential for contamination is considered low to moderate and should the recommended sampling programme identify the presence of contamination, the site can be made suitable for the proposed development.

3. Proposed Access Structure

The proposed access structure comprises a two storey building with a vehicle tunnel extending from the Market Street level to the basement car parking level of the West Keira redevelopment.

The structure is designed to be readily identifiable as the access to the West Keira redevelopment. It reflects the approved façade treatment of the main building along Keira Street and Crown Lane. It has similar exposed concrete sections pieced together to represent and interpret the Illawarra escarpment and imbedded and intricate detailing to reflect the Illawarra Flame Tree.

The structure is a 16.5m high entry portal, with about 14m of that being the multi-textual façade. This scale has regard to the fact that the existing sites along Market Street are underdeveloped, except the new AHM building on the corner of Market Street and Regent Street. In this regard, the properties on the southern side of Market Street are subject to a 32m building height standard and 1.5:1 floor space ratio standard (see **Figures 4 and 5**). The potential height is twice that of the proposed entry structure.

The access structure is set back from the Market Street property boundary and aligns with the neighbouring office building at No. 67 - 69 Market Street. It tapers back within the site to give space and maximum visibility towards No. 73 Market Street.

The property boundary is closer toward Market Street than the alignment of the entry structure, so a decision was made to set the structure back from the boundary and acknowledge that the adjoining sites at No's 67 - 69 Market Street and No. 73 Market Street might one day extend to their property boundaries and reduce the visibility of the entry portal. However, it was better to reflect the current alignment of these buildings in the meantime.

The access lanes themselves are designed to be sunken into the façade and uncluttered to reduce the visual impact.

Photomontages of the proposed access structure are contained in the Section 75W Modification Drawings in **Appendix 7**.

An Architectural Design Statement has been prepared by Rice Daubney to comment on the intention of the facade treatment in particular (see **Appendix 11**).

The first floor of the proposed access portal would be partially occupied by a small pre-fabricated metal storage building to address the storage needs of the Centre Management and some tenancies. However, the building is temporary in nature, will not be visible along Market Street due to the façade treatment and would not be readily apparent from Richardson Lane.

The new vehicular tunnel would be 9m wide with a 1m kerb separation between the entry and exit lanes. It will be enclosed by a roof structure for noise mitigation. It will be level with the footpath of Market Street to be highly visible by both drivers and pedestrians.

Advance warning signs will be installed within the driveway access road to warn exiting motorists of pedestrians on Market Street.

The access layout provides for priority control where the access ramp meets Market Street. The project traffic engineers find that the access does not require signal control.

Signage zones have been included within the Elevation Plan to signal the intention of providing identification and tenancy signage so that customers can identify that this is the entry for the West Keira redevelopment and the best access for the major tenancy on the Ground Floor. The identification of signage zones is recommended within the Wollongong Development Control Plan where the final details of signage is not known with certainty.

4. Redevelopment potential along Market Street.

The structure of the access portal is designed to take the load of a 4 – 6 storey building above it as an allowance for future redevelopment. The intention is to allow for the proposed façade treatment and storage building to be dismantled and an extension of either No's 67 - 69 Market Street or No. 73 Market Street over the access structure. Such future development would be subject to a building height standard of 32m and a floor space ratio standard of 1.5:1. Developments similar to the new AHM building on the corner of Market Street and Regent Street are expected. The owner and occupant of No. 73 Market Street has expressed a desire for greater floorspace in the short to medium term. However, such future development is not subject to this application and is a future allowance at this stage.

2.2.1.4 Benefits of the Modification

The proposed modification to create the relocated access has the following benefits:-

- It is more efficient than the current arrangement for getting customers in and out of the development. The new ramp arrangement reduces the convoluted route along Richardson Street and Richardson Lane, eliminates the need to travel up to the highest point of the site before descending to the lowest point and reduces the amount of floorspace occupied by vehicle access compared to the approved arrangement;

- It is more customer friendly than the approved arrangement in that the gradient of the access is significantly less and the distance to the basement car park is less than half the approved distance;

- It reduces potential conflict between vehicles and pedestrians around the northern pedestrian entrance to the development;

- It reduces potential conflict between loading dock vehicles and customer vehicles;

- It increases the distance between Keira Street and the access point into the development;

- It eliminates any potential conflict and traffic congestion associated with existing properties that have access off Richardson Street and Richardson Lane;
- It is an isolated access, meaning that any impediments on egress from other properties along Richardson Street and Richardson Lane will be eliminated;
- It increases the internal space of the loading dock for greater turning area;
- It eliminates the Richardson Lane driveway entry and eliminates the approved constrained laneway geometry;
- It delivers vehicles to the mid-point of the basement car park where it is more efficient for vehicle circulation than the corner of the car park;
- It separates customer vehicles from operational areas within the basement car park, thus reducing potential conflict between operational vehicles like trolley tractors and road sweepers; and
- It eliminates the existing protrusion of retaining walls and gardens associated with No. 71 Market Street into the road reserve of Market Street and therefore eliminates a public safety hazard and ambiguous ownership issues.

2.2.2 Floorspace Amendments

The deletion of the Richardson Lane access driveway has resulted in some floorspace being gained across the West Keira building. A gain of 1,344m² is proposed. This has come about due to the deletion of the extent of the existing vehicle ramp from Richardson Lane and the addition of storage areas above the new access portal.

In terms of parking generation, the Traffic and Transport Report in **Appendix 12** demonstrates that the West Keira redevelopment will continue to provide a surplus of parking relative to Wollongong Council's car parking rates. The overall number of parking spaces will reduce from 668 to 635 spaces and the Council's DCP parking generation will increase from 576 to 615 spaces. However, this would maintain a surplus of parking of 20 spaces.

2.3 Proposed Changes to Approved Traffic Works

The installation of the new access will necessitate amendments to the existing conditions of approval. Furthermore, updated traffic modelling has also demonstrated that certain aspects of the current approval are no longer necessary. The following requests are made:-

- **Richardson Lane widening** – Modification 3 newly required the widening of Richardson Lane from 5.9m to 6m. The widening was necessitated by Wollongong Council's feedback to Modification 3 so that the Lane could comply with AUSROADS specifications due to the increased traffic from customer vehicles using the car park driveway at the western end of the Lane. This modification eliminates customer vehicles from the Lane and therefore does not increase traffic beyond the intersection of Richardson Street with Richardson Lane. Widening of Richardson Lane is therefore no longer required;

- **Richardson Street and Richardson Lane Roundabout** - Modification 3 included a request to delete the requirement for a roundabout at the intersection of Richardson Street and Richardson Lane. However, Condition 18 on the Modification Instrument still refers to a requirement for a roundabout. This modification again seeks approval to delete the roundabout from the Project approval because this modification eliminates customer vehicles from using Richardson Street and Richardson Lane, results in only minimal traffic for the loading dock and maintains the proposal for the loading dock to be controlled by a priority control (where public road users get priority over loading dock vehicles). The deletion of the roundabout is a better outcome in that the roundabout would have given priority to heavy vehicles and caused potential vehicle conflict and delays;

- **Right turn from Market Street onto Richardson Street** – the approved project included a new right turn bay along Market Street for vehicles turning into Richardson Street, including development traffic (both heavy vehicles and customer vehicles) and existing traffic from developments along Richardson Street and Richardson Lane. However, with the proposed new access at No. 71 Market Street, the right turn bay is no longer required. The Traffic and Transport Report also demonstrates that a right turn bay does not need to be incorporated at the new access point at No. 71 Market Street;

- **Pedestrian facilities at the corner of Regent Street, Rawson Lane and Crown Lane** – Condition 18 within the Project Approval, as modified, refers to the requirement for a traffic calming feature, including pedestrian refuge, at the Crown Lane/Regent Street/Rawson Street intersection. It is understood that the origin of this requirement was an intention in 2007 and 2008 by Wollongong Council to create a 10km/h shared zone along Rawson Street and Waters Place to the south-west of the West Keira redevelopment associated with a large aged care development which was anticipated to increase pedestrian traffic in the area. However, the aged care facility and the shared zone is not currently under consideration and no works have been undertaken in relation to the shared zone. There is very little pedestrian infrastructure around the corner, so the introduction of additional pedestrian facilities would not facilitate or complement any pedestrian desire lines. This modification therefore seeks approval to delete the requirement for the traffic calming feature and pedestrian refuge because the intended purpose of the works is no longer valid; and

- **Driveway entry into Richardson Lane** – Modification 3 included a requirement within Condition 18 for the Richardson Lane driveway entry to comply with Australian Standards. Since the driveway is proposed to be deleted by this modification, the requirement associated with the driveway is not longer relevant.

2.4 Schedule of Modified Drawing Revision Numbers

A reduced copy of the Section 75W drawings is contained in **Appendix 7**. Below is a table outlining the modified drawing details.

		Approved Drawing (i.e. MOD 3, 2011)		Section 75W Drawing	
Drawing No.	**Description**	**Rev**	**Date**	**Rev**	**Date**
Floor Plans					
DA-A005	Site Analysis Plan	V	14.07.11	**W**	**23.03.12**
DA-100C	Overall Floor Plan Level B1: Basement Car Park	S	14.07.11	**T**	**23.03.12**
DA-101C	Overall Floor Plan Level 1: Lower Ground Floor Retail	S	14.07.11	**T**	**23.03.12**
DA-102C	Overall Floor Plan Level 2: Ground Floor Retail	T	14.07.11	**U**	**23.03.12**
DA-103C	Overall Floor Plan Level 3: Crown Central First Floor Retail	T	14.07.11	**U**	**23.03.12**
DA-103aC	Overall Floor Plan Level 3a: Crown Central Mezzanine	S	14.07.11	**U**	**23.03.12**
DA-104C	Overall Floor Plan Level 4: Retail and Carpark Level	T	14.07.11	**U**	**23.03.12**
DA-105C	Overall Floor Plan Level 5: Carpark Level	T	14.07.11	**U**	**23.03.12**
DA-106C	Overall Floor Plan Level 6: Carpark Level	T	14.07.11	**U**	**23.03.12**
DA-107C	Overall Floor Plan Level 7: Carpark and Cinema Level	T	14.07.11	**U**	**23.03.12**
DA-108C	Overall Floor Plan Level 8: Plant Level	S	14.07.11	**T**	**23.03.12**
DA-109C	Overall Floor Plan Level 9: Plant Level	S	14.07.11	**T**	**23.03.12**
Elevations					
DA-A210C	Crown Central Elevation: Crown Street Mall	B2	14.07.11	Unchanged	
DA-A211C	West Keira: Elevation Crown Lane	B2	14.07.11	Unchanged	
DA-A212C	West Keira: Elevation Keira Street	B2	14.07.11	Unchanged	
DA-A213C	Crown Central: Elevation Keira Street	B2	14.07.11	Unchanged	
DA-A215C	Crown Central: South Façade Detail Elevation/Section	B2	14.07.11	Unchanged	
DA-A216C	West Keira: Elevation Keira Street Bridge Elevation	B2	14.07.11	Unchanged	
DA-217C	**West Keira: Market St Elevation**	**New drawing**		**A**	**23.03.12**
DA-A219C	West Keira: East Façade Detail Elevation/Section	B2	14.07.11	Unchanged	
Sections					
DA-A301C	Overall Sections Sheet 1	**S**	**14.07.11**	**T**	**23.03.12**
DA-A302C	Overall Sections Sheet 2	**W**	**14.07.11**	**X**	**23.03.12**
DA-A304C	Sections and Details: Keira Street Tunnel and Bridge	T	14.07.11	Unchanged	
Demolition Drawings					
DA-A402C	Overall Demolition Plans – Level 2	S	25.07.08	Unchanged	
DA-A403C	Overall Demolition Plans – Level 4	S	25.07.08	Unchanged	

		Approved Drawing (i.e. MOD 3, 2011)		Section 75W Drawing	
Drawing No.	**Description**	**Rev**	**Date**	**Rev**	**Date**
DA-A404C	Overall Demolition Plans – Level 4	S	25.07.08	Unchanged	

2.5 Schedule of Modifications to Drawings

Below is an outline of the amendments necessary to each floor level of the West Keira development.

Other minor changes have been made to the drawings and incorporated in the Construction Certificate drawings as part of general design development and are not separately identified on the drawings or in the table below. For example, the mini-major tenancy on the Lower Ground Floor Level of the West Keira development has been relocated from the northern end of the level to the southern end of the level. Such changes are not separately identified because they are an internal planning issue, have no impacts on the appearance or operation of the development and accordingly have been incorporated into the CC drawings.

Drawing No.	Drawing Title	Key Modifications
Architectural Drawings		
DA-A005	Site Analysis Plan	**West Keira** • Proposed inclusion of No. 71 Market Street shown in blue outline. **Crown Central** No change.
DA-100C	Overall Floor Plan Level B1: Basement Car Park	**West Keira** • Basement ramp, services and operational areas reconfigured for relocated access from No. 71 Market Street. • Driveway ramp now finishes in the middle of the level rather than bottom corner. **Crown Central** No change.
DA-101C	Overall Floor Plan Level 1: Lower Ground Floor	**West Keira** • Previous ramp along western side of the floor deleted. Limited extent of new ramp shown. • Storage areas added due to gain in floorspace area from deletion of previous ramp. • Retail area added due to gain in floorspace area from deletion of previous ramp.

Drawing No.	Drawing Title	Key Modifications
		Crown Central No change.
DA-102C	Overall Floor Plan Level 2: Ground Floor Retail	**West Keira** • Previous ramp void deleted. • New ramp onto Market Street shown. • Loading dock enlarged to provide greater internal turning space. • New storage spaces added within loading dock. **Crown Central** No change.
DA-103aC	Overall Floor Plan Level 3a: Crown Central Mezzanine	**West Keira** • Storage area added over car park entry at No. 71 Market Street. **Crown Central** • No change.
DA-103C	Overall Floor Plan Level 3: Crown Central First Floor	**West Keira** • New ramp onto Market Street shown. **Crown Central** • No change.
DA-104C	Overall Floor Plan Level 4: Retail and Carpark Level	**West Keira** • Roof over storage area building at No. 71 Market Street shown. **Crown Central** • No change.
DA-105C	Overall Floor Plan Level 5: Carpark Level	**West Keira** • Location of new ramp onto Market Street shown. **Crown Central** • No change.
DA-106C	Overall Floor Plan Level 6: Carpark Level	**West Keira** • Location of new ramp onto Market Street shown. **Crown Central** • No change.
DA-107C	Overall Floor Plan Level 7: Carpark and Cinema Level	**West Keira** • Location of new ramp onto Market Street

Drawing No.	Drawing Title	Key Modifications
		shown. **Crown Central** • No change.
DA-108C	Overall Floor Plan Level 8: Plant Level	**West Keira** • Location of new ramp onto Market Street shown. **Crown Central** • No change.
DA-109C	Overall Floor Plan Level 9: Plant Level	**West Keira** • Location of new ramp onto Market Street shown. **Crown Central** • No change.
Elevations		
DA-A210C	Crown Central Elevation: Crown Street Mall	No change.
DA-A211C	West Keira: Elevation Crown Lane	No change.
DA-A212C	West Keira: Elevation Keira Street	No change.
DA-A213C	Crown Central: Elevation Keira Street	No change.
DA-A215C	Crown Central: South Façade Detail Elevation/Section	No change.
DA-A216C	West Keira: Elevation Keira Street Bridge Elevation	No change
DA-A217C	**West Keira: Market Street Elevation**	**New drawing showing design of car park entry and facade at No. 71 Market Street.**
DA-A219C	West Keira: East Façade Detail Elevation/Section	No change.
Sections		
DA-A301C	Overall Sections Sheet 1	**West Keira** • Section 2 extended to Market Street to show proposed access ramp and facade.

Drawing No.	Drawing Title	Key Modifications
		Crown Central • No change.
DA-A302C	Overall Sections Sheet 2	**West Keira** • Section 2 extended to Market Street to show proposed access ramp and facade. • Section 3 added to show access ramp details and storage areas above ramp. **Crown Central** • No change.
DA-A304	Sections and Details: Keira Street Tunnel and Bridge	No change.

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 update and clarify the content of six conditions of the Project Approval relating to such matters as documentation, gross floor area, car parking provision, local traffic works and Section 94A Levies.

The following table provides a schedule of the requested amendments.

Condition	Modification Sought
A1 - Development Description	
Approval is granted only to carrying out the development described in detail below: *…* *6. a total of **73,862sq.m** ~~80,270sq.m~~ of GFA (Stage 1)* *…*	AMEND the reference to the approved gross floor area to the following:- 6. a total of **75,206sq.m** ~~73,862sq.m~~ of GFA (Stage 1)
A2 - Development in Accordance with Documents	
The development will be undertaken in accordance with….	ADD reference to this Section 75W report. AMEND schedule of approved drawings to reflect amended drawings, revision numbers and dates.

B16 – Number of Car Spaces	
*The number of car spaces to be provided for 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.*	In terms of car spaces, REPLACE "1,318" with "1,285" to reflect the reduced number of car parking spaces now provided within the West Keira redevelopment, being 33 spaces less than the current provision.
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 includes 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*** • ***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 out in AUSROADS 2009 Guide to Road Designs.*** • ***The driveway entry into Richardson Lane is to be in accordance with clause 2.5.2c***	DELETE:- 1. the reference to the installation of a roundabout at the Richardson Street and Richardson Lane intersection (the first dot point); 2. the reference to the installation of traffic calming feature at the Crown Lane/Regent Street/Rawson Street intersection (the fifth dot point); 3. the reference to widening of Richardson Lane (the seventh dot point); and 4. the reference to the Richardson Lane driveway entry (the eighth dot point). The basis for two of these requests is included in Section 3.4 of the Traffic and Transport Report in **Appendix 12**. The basis for the remaining two requests is set out in Section 2.3 of this report.

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.***

B24 – Monetary Contributions

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

Amount of Contribution

Construction Category	*Rate Contribution*	*Amount*
Section 94A Levy	*2% (of the cost of development)*	***$4,052,604.89*** ***+Index Amount***
~~*Section 94 EE Levy*~~	~~*1% (of the cost of development)*~~	~~*$1,812,000*~~

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*~~

REPLACE THE CONDITION with the following to update the amount of the Section 94A Levy to take into account the revised CIV of the Project:-

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

Amount of Contribution

Construction Category	Rate Contribution	Amount
Section 94A Levy	2% (of the cost of development, **plus GST**)	**$4,096,109.70** **+Index Amount**
~~Section 94 EE Levy~~	~~1% (of the cost of development)~~	~~$1,812,000~~

Timing and Method of Payment

The Section 94A Contributions Levy is payable to the Wollongong City Council **in a staged manner. $3,135,151.00 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

~~*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.*	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.
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.	DELETE the reference to the car park driveway in Richardson Lane.

3. ENVIRONMENTAL ASSESSMENT

3.1 Traffic, Parking and Vehicular Access

A Traffic Report is contained in **Appendix 12**. The discussion below covers the four main issues of access, car parking, traffic generation and servicing.

3.1.1 Access into the West Keira site

The proposed modification provides direct access to the basement car park of the West Keira portion of the Project from Market Street. It separates the access paths of delivery vehicles and customer vehicles by separating the car park and loading dock accesses. It also separates vehicles that use the existing properties along Richardson Street and Richardson Lane from development traffic.

The revised access arrangement is an enhanced solution for access into the West Keira redevelopment and is a safer solution for the adjacent properties.

The proposed modifications maintain the Regent Street ramp access in the same configuration.

3.1.2 Car Parking Supply

3.1.2.1 Off-street Parking

The approved project is conditioned to provide 708 new car parking spaces for the West Keira and Wollongong Central redevelopments combined. There are 610 existing spaces within Wollongong Central. The West Keira portion of the redevelopment currently has an approved provision of 668 spaces.

The proposed modification increases the gross floor area of the West Keira redevelopment by 1,344m².

The proposed modification also reduces the amount of parking provided within the West Keira redevelopment by 33 spaces.

Even though the floorspace has increased and the number of parking spaces has decreased, the number of car parking spaces provided continues to comply with the Wollongong Development Control Plan. In this regard, 615 spaces are required by the DCP and 635 spaces are provided within the development.

The total parking provision is 1,285 spaces.

We note that Wollongong Council considered a report on 26 March 2012 to resurrect discussions held in 2010 and 2011 about reducing the Wollongong DCP car parking rates for the Wollongong City Centre. We lodged a submission in mid 2011 when the draft DCP was placed on public exhibition where we identified that GPT supports the Council's proposed reduction to car parking provision.

On 26 March 2012 the Council considered a new parking rate of 1 space per 60m² GFA within the Wollongong City Centre which is a significant reduction from the existing rate of 1 space per 30m² at the ground floor level and 1 space per 50m² elsewhere.

Adopting the draft DCP car parking rate, the required number of car parking spaces for the West Keira portion of the Project would be 430 spaces as opposed to the current requirement of 615 spaces. When the draft DCP rates come into force, there will be a surplus of 205 spaces.

3.1.2.2 On-street Parking

The present on-street parking arrangements along Market Street require adjustment to allow for the new access at No. 71 Market Street. The new access necessitates a minimum sight distance of 45m in each direction so that vehicles exiting the access can see oncoming traffic. To enable the minimum sight distance to be achieved, the existing on-street parking signage will need to be modified to prohibit parking on each side of the access. There are 7 on-street parking spaces that would need to be rezoned. However, 9 spaces would remain on the northern side of Market Street and 4 would remain on the southern side.

The net result from the loss of on-street parking, when considered together with the off-street car parking provision, will increase the overall parking availability within the area.

3.1.3 Traffic Generation

The proposed modification produces a 9% increase in vehicular trips to the proposed redevelopment. However, Modification 3 resulted in a 16% reduction in vehicular trips, so the net effect is still a reduction compared to the original project approval.

The traffic generation for the proposed modification has been modelled by the project traffic engineers to determine the impact on the operation of Market Street. The traffic engineers have taken a conservative approach where they have not only forecasted the traffic generation associated with the proposed Keira West portion of the development, but also the future traffic using Market Street from the Stage 2 office and residential towers above the West Keira redevelopment. In all the scenarios modelled by the traffic engineers, the through movements and turning movements around the proposed access are satisfactory.

3.1.4 Servicing

The approved project has made allowance for approximately 20 truck movements per day for the West Keira redevelopment.

The proposed modification results in a 5.5% increase in the gross floor area of the project, which will have a minor commensurate increase in service vehicle deliveries. However, Modification 3 approved a 15% reduction in the gross floor area, so the net effect of the modifications is still a reduction in loading dock use compared to the original project approval.

The proposed modification has allowed the internal area of the loading dock to be expanded for greater turning area.

3.2 Pedestrian Access and Pedestrian Impacts

The proposed modification has been carefully designed to minimise pedestrian impacts along Market Street. In this regard:-

- the existing vegetation and gardens will be removed from the Market Street frontage. These gardens protrude out beyond the property boundary of No. 71 Market Street into the road reserve and are a pedestrian hazard;
- the level of the access portal will be on grade with the footpath of Market Street for maximum visibility of pedestrians;
- the setback of the access portal is tapered to allow for the existing setbacks of No's 67 – 69 Market Street and No. 73 Market Street;
- the width of the vehicular crossing is proposed to be 9m wide to reduce the walking distance for pedestrians across the driveway and to be consistent with the adjacent development. A crossing of 11m is recommended in Australian Standard 2890.1 but is undesirable in this Wollongong City Centre location; and
- Advance warning signs will be installed within the driveway access road to warn exiting motorists of pedestrians on Market Street.

An improved outcome for pedestrians will be created by the relocation of vehicles from the Richardson Street and Richardson Lane route to No. 71 Market Street. In this regard, Modification 3 newly introduced pedestrian access into the West Keira portion of the Project. However, it also approved the use of the Richardson Street/Lane route for customer and loading dock access. Eliminating all customer vehicles from the route will significantly reduce any potential pedestrian and vehicle conflict around the new northern entrance.

3.3 Noise and Vibration

Acoustic Logic have prepared an assessment of noise and vibration impacts associated with the modification (see **Appendix 13**).

In relation to construction noise, noise at the nearest receivers is subject to criteria of background noise level plus 10dB(A) during standard construction hours. In the event that the works result in a noise level above this criteria, the proponent should apply any feasible and reasonable work practices to minimise noise. These include work practices in accordance with Australian Standard 2436, including the adoption of suitable noise criteria, the use of practicable measures (such as acoustic shielding, selecting less noisy process or regulating construction hours) and the use of noise monitoring where any non-compliance occurs. The Acoustic and Vibration Assessment recommends the following for construction noise so that the works can comply with the noise criteria:-

> *"A detailed assessment of all mechanical equipment is required to be conducted once equipment is selected. Acoustic treatments and controls are required to be selected/developed to ensure noise levels comply".*

In relation to operational noise impacts, internal noise within the car park and tunnel is required to comply with a noise limit of 65dB(A) and external noise at the adjoining property

boundaries is to comply with the *Industrial Noise Policy,* any conditions of approval and any relevant statutory authority. The Acoustic and Vibration Assessment recommends the following so that the operational noise can comply with the noise criteria:-

- The tunnel and associated ramps should not include any speed humps or grooved finishes;
- All tunnel and associated areas should not have a smooth or painted finish; and
- All grates and associated drainage is to be solidly fixed such that there is no movement or 'clanking' between metal and the building structure.

In relation to vibration impacts on adjoining or adjacent buildings during construction, the Acoustic and Vibration Assessment sets out the relevant maximum vibration criteria which the work practices must observe for continuous and impulsive processes.

In relation to vibration impacts on surrounding occupants during operation, the Acoustic and Vibration Assessment sets out the relevant guidelines for possible vibration annoyance. Vibration from the use of the proposed access is aimed to be at a level with a low probability for adverse comment from the adjoining sites.

3.4 Waste Management

The demolition and construction wastes expected to be produced during the undertaking of the modification are specified in the Waste Management Plan within **Appendix 14**. The modification will result in minimal building waste from the demolition of the small cottage. Excavation material is expected to comprise approximately 6,000m³ and is likely to be tested and validated before being provided to another redevelopment site, of which there are four options being considered.

3.5 Crime Prevention Through Environmental Design and Management

Crime risks associated with the modification are managed by:-

- The setback of the access structure from the street. In this regard, the access structure could have extended to the property boundary of 71 Market Street which would have been further north than the adjoining office buildings. If the access structure was built to the boundary it would create alcoves and concealment spaces which are a significant crime risk. Acknowledging this risk, the proponents have set the structure back from the boundary to align with the setback of No. 67 – 69 Market Street and reflect the setback of No. 73 Market Street;
- Lighting. In this regard, the access structure will be well lit externally and internally so that pedestrian visibility is maximised and the structure is a deterrent to criminal behaviour;
- Security and surveillance. In this regard, the access structure will include closed circuit television coverage and regular security patrols through the evening; and

- Signage. In this regard, site identification signage will assist in identifying the purpose and location of the access structure.

The risk associated with the modification is not considered any higher than the use of the site for commercial premises (which is a use between 8am to 5pm on weekdays) and where the existing front yard is unfenced and has been maintained poorly. The new access increases activity on the street on weekends and extends activity on the street in the evenings compared to the current situation. It also reduces a concealment space between 71 Market Street and 73 Market Street by removing the existing Palm Tree and retaining walls.

3.6 Modification to Gross Floor Area

The Project Approval provides for a maximum gross floor area (GFA) of 73,862m² when measured across the Wollongong Central and West Keira sites. Modification No. 3 to the Project Approval reduced the overall gross floor area of the development from 80,270m² to 73,862m in December 2011.

This Modification Application increases the approved GFA by 1,344m² to 75,206m². However, the GFA is still well below the original 80,270m² approved and does not alter the external appearance of the Project to any significant extent.

4. ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES

4.1 Wollongong Local Environmental Plan

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 increased, however, the total gross floor area of the Project remains well below the original amount of floor area. The modification does not relate to any heritage items and is not within a heritage conservation area.

4.2 Wollongong Development Control Plan

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

Due to the proposed modification relating to such a specialised form of development, there are very few planning controls that apply.

The Traffic and Transport Report in **Appendix 12** responds to the provisions of the car parking, access and servicing chapter of DCP 2009.

The presence of signage zones on the Section 75W drawings satisfies the signage chapter of the DCP.

Generic controls relating to stormwater and soil management during the works are controlled by the existing conditions on the Project Approval.

5. CONCLUSION

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

Modification No. 4 seeks approval to relocate access into the West Keira redevelopment from the western end of Richardson Lane to a new access point located at No. 71 Market Street.

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 Concept Plan with the associated Concept Plan modification lodged concurrently.

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

FIGURES

APPENDICES

APPENDIX 1

Copy of Project Approval MP06_0209

APPENDIX 2

Copy of Concept Plan Approval MP06_0335

APPENDIX 3

Copy of MOD 1 to Project Approval and Concept Plan Approval

APPENDIX 4

Copy of MOD 2 to Project Approval

APPENDIX 5

Copy of MOD 3 to Project Approval

APPENDIX 6

Reduced Copy of Project Application drawings

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APPENDIX 7

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

APPENDIX 8

Survey Plan for No. 71 Market Street

APPENDIX 9

Geotechnical Report, prepared by Douglas Partners

APPENDIX 10

Preliminary Site Contamination Assessment, prepared by Douglas Partners

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APPENDIX 11

Architectural Report, prepared by Rice Daubney Architects

APPENDIX 12

Traffic and Transport Report, prepared by AECOM

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APPENDIX 13

Acoustic and Vibration Assessment, prepared by Acoustic Logic

APPENDIX 14

Waste Management Plan, prepared by Hansen Yuncken