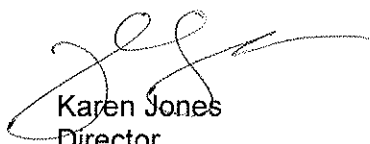


Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 28 September 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Karen Jones
Director

METROPOLITAN & REGIONAL PROJECTS SOUTH

Sydney

4 / 10 /

2012

SCHEDULE 1

Project Approval:

MP06_0209 granted by the Minister for Planning on 28 April 2008.

Project Approval for the redevelopment and expansion of the Wollongong Central shopping centre and West Keira site only for the carrying out of the following development:

- 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 (1m);
- 6) a total of 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 fit out of shops, 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.

Modification:

MP06_0209 MOD 4:

- demolition of existing building at No. 71 Market Street;
- construction of new customer vehicle entry off Market Street with storage space above;
- reduction in the total number of car parking spaces from 1,318 to 1,285;
- an increase in the total provision of GFA for Stage 1 from of 73,862sq.m to 75,206sq.m;
- an amendment of the Section 94A Levy payable; and
- modification of Conditions B18 & B25 to delete requirements for the upgrade of Richardson Street and the Richardson Lane and Crown Lane/Regent Street/Rawson Street intersection.

SCHEDULE 2

CONDITIONS

The following conditions are to be amended by the deletion and/or insertion of the **bold** and underlined and ~~struck through~~ words 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 (1.5m);
6. a total of **75,206sq.m** ~~73,862sq.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 July 2011 **and the S75W Modification application submitted by BBC Consulting Planners, dated April 2012** and the following drawings:

Architectural (or Design) Drawings prepared by <u>Rice Daubney</u> Lend Lease Design in association with <u>PTW Architects</u>			
Drawing No.	Revision	Name of Plan	Date
DA-A100C	I S	Overall Floor Plans – Level B1 Basement Carpark	<u>14/7/11</u> 23.3.12
DA-A101C	I S	Overall Floor Plans – Level 1 Retail Lower Ground Floor	<u>14/7/11</u> 23.3.12

DA-A102C	<u>V</u> T	Overall Floor Plans – Level 2 Retail Ground Floor	<u>14/7/11</u> <u>2.8.12</u>
DA-A103C	<u>U</u> T	Overall Floor Plans – Level 3 Retail Crown Central First Floor	<u>14/7/11</u> <u>23.3.12</u>
DA-A103aC	<u>U</u> S	Overall Floor Plans – Level 3A Crown Central Mezzanine	<u>14/7/11</u> <u>23.3.12</u>
DA-A104C	<u>U</u> T	Overall Floor Plans – Level 4 Retail and Carpark Level	<u>14/7/11</u> <u>23.3.12</u>
DA-A105C	<u>U</u> T	Overall Floor Plans – Level 5 Carpark Level	<u>14/7/11</u> <u>23.3.12</u>
DA-A106C	<u>U</u> T	Overall Floor Plans – Level 6 Carpark Level	<u>14/7/11</u> <u>23.3.12</u>
DA-A107C	<u>U</u> T	Overall Floor Plans – Level 7 Carpark and Cinema Levels	<u>14/7/11</u> <u>23.3.12</u>
DA-A108C	<u>I</u> S	Overall Floor Plans – Level 8 Plant Level	<u>14/7/11</u> <u>23.3.12</u>
DA-A109C	<u>I</u> S	Overall Floor Plans – Level 9 Plant Level	<u>14/7/11</u> <u>23.3.2</u>
<u>DA-A217C</u>	<u>B</u>	<u>West Keira Market Street Elevation</u>	<u>2.8.12</u>
DA-A210C	B2	Elevation – Crown St. Mall (Crown Central)	14/7/11
DA-A211C	B2	Elevation – Crown Ln. (West Keira)	14/7/11
DA-A212C	B2	Elevation – Keira St. (West Keira)	14/7/11
DA-A213C	B2	Elevation – Keira St. (Crown Central)	14/7/11
DA-A215C	B1	Crown Central: South Façade Detail Elevation/Section	25/7/08
DA-A216C	B2	Elevation – Keira St. Bridge (West Keira)	14/7/11
DA-A219C	B2	East Façade Detail – Elevation / Section (West Keira)	14/7/11
DA-A301C	<u>I</u> S	Overall Sections – Sheet 1	<u>14/7/11</u> <u>23.3/2</u>
DA-A302C	<u>X</u> W	Overall Sections – Sheet 2	<u>14/7/11</u> <u>23.3/2</u>
DA-A304	T	Sections and Details through Tunnel under and Bridge over Keira St	14/7/11
<u>CV1-0012</u>	<u>06</u>	<u>Siteworks and Stormwater drainage plan-sheet 3</u>	<u>6.8.12</u>
<u>CV1-00030</u>	<u>06</u>	<u>Signage and Line Marking Plan Sheet 1</u>	<u>3.8.12</u>
<u>CV1-00032</u>	<u>05</u>	<u>Signage and Line Marking Plan Sheet 3</u>	<u>28/6/12</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 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.
- (4) The length of the new traffic island on Market Street, located west of the new customer vehicle entry, shall be reduced in length to ensure the retention of four on-street car parking spaces on Market Street, in front of Nos. 73 and 75 Market Street.
- (5) A south facing 'STOP' sign and a 'GIVE WAY TO PEDESTRIANS' sign shall be erected either side of the customer vehicle exit onto Market Street, within the property boundary.
- (6) The kerb line on the south-eastern corner of the Richardson Street/ Market Street intersection shall be increased to a minimum width of 2 metres between the building and the kerb ramp edge.

To achieve this, the following modifications are required:

- i. the Richardson Street centreline shall be offset 4 metres from the face of the Richardson Street western kerb line;
- ii. existing kerbside parking signage shall be replaced with a 'NO STOPPING' sign applying to the full length of the western side of Richardson Street between Market Street and Richardson Lane;
- iii. the radius of the south eastern kerb return from Market Street to Richardson Street shall be increased to 7 metres and road pavement shall be reinstalled to Council requirements;
- iv. if any adjustments to public utilities are proposed, the Proponent is required to submit documentary evidence to Council, that they have consent of the owner of that public utility; and
- v. any necessary adjustments to public utilities and services is to be at no cost to Council.

d) 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 1,285 4,318 (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.

e) 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.

- ~~• Richardson Lane is to have a finished road width of 6.0 metres, kerb face to kerb face to comply with the minimum set in AUSTRROADS 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.~~
- **All road markings, signage and the new vehicular crossing on Market Street shall comply with relevant requirements of AUSTRROADS, AS2890.1 and Roads and Maritime Services guidelines.**
- 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.

f) 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 development)	\$4,096,109.70 \$4,052,604.89 + Index Amount

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~~ **\$3,135,151.00** is to be paid prior to the issue of the first Occupation Certificate for new 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.

Indexing

At the time of payment, 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.

g) Condition B24 is amended 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 AUSTROADS. 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.

h) Condition E1 is amended as follows:

E1 Air Space Lease Agreement

A suitable air space lease agreement in respect of the proposed bridges/tunnel connections **(including the vehicular access off Market Street)** is to be completed prior to the issue of an occupation certificate. **Written acknowledgment of the need to enter into an air space lease agreement in relation to the vehicular access off Market Street is to be obtained from Council prior to the issue of a Construction Certificate.** The term of the lease shall be as negotiated between Council and the Developer.

End of Modification to MP06_0209 MOD 4