

MODIFICATION REQUEST:

***Modification to Concept Plan MP06_0335
MOD 2 & Project Approval MP06_0209 MOD 4***

***Wollongong Central & West Keira,
Wollongong***



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

September 2012

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NSW Government
Department of Planning & Infrastructure

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1. BACKGROUND

The purpose of this report is to determine a request to modify the approved Concept Plan (MP06_0335) for the redevelopment of the Wollongong Central shopping centre and the construction of the West Keira shopping centre and Project Approval (MP06_0209) for the first stage of the redevelopment.

The proposed modification to the Concept Plan (MP06_0035) seeks to include No. 71 Market Street into the Project (Lot 1 D- 197138).

The proposed modification to the approved Project Application (MP06_0209) seeks approval for an alternate entrance to the approved basement car park of the West Keira site.

The Site

The site lies within the centre of Wollongong CBD at the intersection of Crown and Keira Streets (Figures 1 and 2). The site comprises two sites known as;

1. **the West Keira site** – situated on the north-western corner of Keira Street and Crown Lane, extending through to Market Street to the North and Regent Street (via an access handle 9m wide) to the West.
2. **the Wollongong Central site** – (previously referred to as 'Crown Central') located on the north-eastern side of the intersection of Crown Street and Keira Street, extending along the northern side of the Crown Street Pedestrian mall, through to Market Street to the north and Church Street to the east.

The two sites are linked by an approved above ground pedestrian bridge and underground tunnel, crossing Keira Street.



Figure 1: The subject site (source: Proponent's S75W EA)



Figure 2: Aerial photo of subject site (Source: Proponent's S75W EA)

1.1 Previous Approvals

On 28 April 2008, the then Minister for Planning approved Concept Plan MP06_0335 and Project Application MP06_0209 for the redevelopment of the Wollongong Central shopping centre.

The Concept Plan approved the redevelopment of the Wollongong Central shopping centre and the construction of a 4 storey shopping centre on the West Keira site, with 2 basement levels, an 18 storey residential tower and a 10 storey commercial tower above the West Keira retail podium. The estimated total Capital Investment Value for the overall project is \$311.6 million.

Project Approval, MP06_0209, granted approval for the redevelopment and expansion of the Wollongong Central and construction of the West Keira shopping centre. This comprised the following:

- demolition of existing structures on the West Keira site;
- construction of a six-level retail centre including 2 basement levels ^{on} the West Keira site;
- internal alterations to ^{the} existing Wollongong Central Shopping Centre;
- a total of 80,270sq.m of GFA (Stage 1); *across the two sites?*
- a new eight-screen cinema complex at the corner of Market Street and Church Street;
- associated road works, public domain and landscape works, and provision of services;
- support structures on the West Keira site for the erection of two future towers (subject to separate future approval);
- construction of a pedestrian tunnel and a pedestrian bridge across Keira Street and the creation of associated stratum lots, linking Wollongong Central with West Keira;
- demolition of No. 228 Crown Street, realignment of the eastern end of Crown Street and the creation of a new piazza, to be dedicated to Council; and
- closure of the southern end of Richardson Street.

On 22 December 2008, both the Concept Plan and Project Approval were modified, approving the correction of minor mis-descriptions in conditions and amendments to reflect the staged construction and occupation of the project.

On 22 December 2008 and 19 December 2011, MP06_0209 was further modified to amend the approved layout of the West Keira site including amended car parking provision, changes to the pedestrian bridge, floor layouts and external façade treatment.

2. PROPOSED MODIFICATION

2.1 Modification Description

Concept Plan

The proposal seeks to modify the approved Concept Plan MP06_0035 to include an additional lot, No 71 Market Street, within the site.



Figure 3: Aerial photo of subject site showing location of No. 71 Market Street (Source: NearMap)

Project Application

A modification is sought to Major Project Approval MP06_0209 to modify the approved customer vehicle entry to the approved basement car park below the West Keira shopping centre.

The existing project approval includes both customer vehicles and service vehicles accessing the basement car park and ground floor loading dock via Richardson Street and Richardson Lane, off Market Street (**Figure 4**). The proposed modification seeks to relocate the approved customer vehicle car park entry to a new access tunnel at No. 71 Market Street. This will require some modifications to the layout of the basement car park. Richardson Street would remain the loading dock access for service vehicles (**Figures 5 & 6**).

Why has the land between No 71 + the WK site been excluded from the application? Given this project application proposes to develop this land, I would have thought it was essential to include it and to obtain land owner's consent for the development of the land.

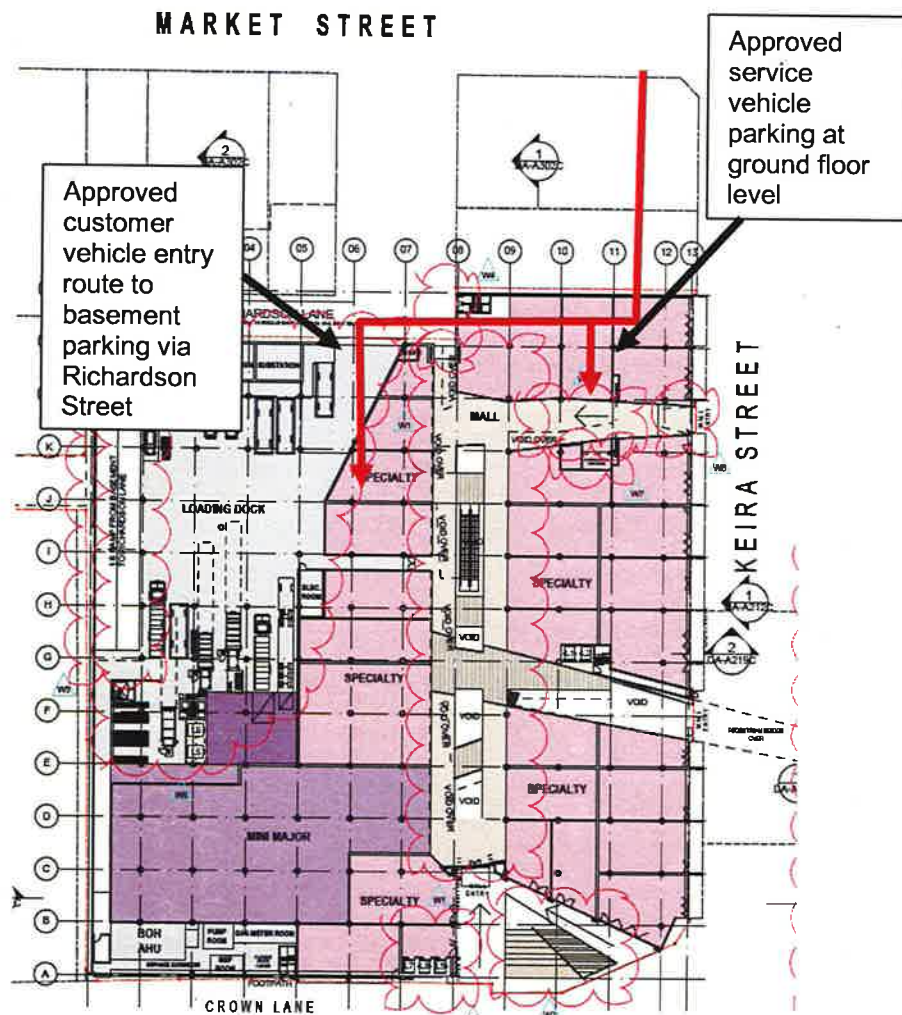


Figure 4: Approved customer vehicle entry/exit to West Keira redevelopment basement carpark (shown in red)
(source: Proponent's S75W EA)

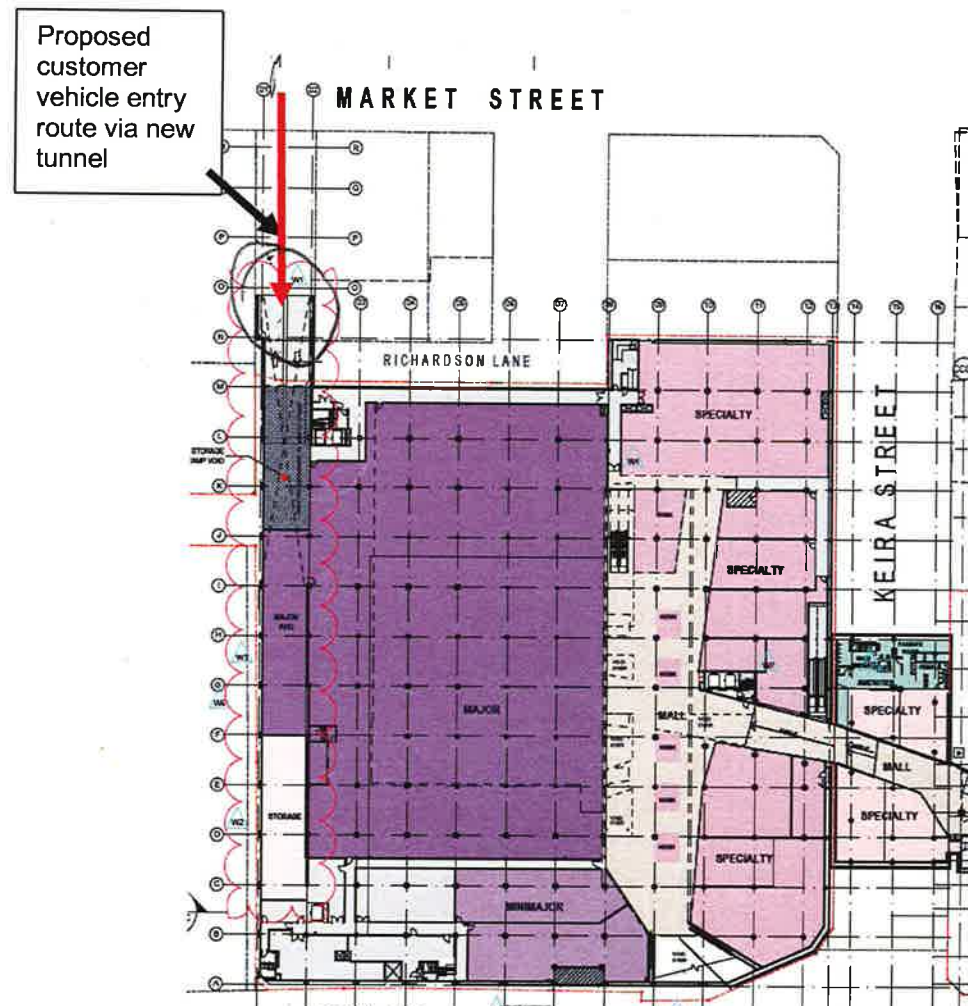


Figure 5: Proposed vehicular entry/exit to West Keira redevelopment basement carpark, via No. 71 Market Street (source: Proponent's S75W EA)

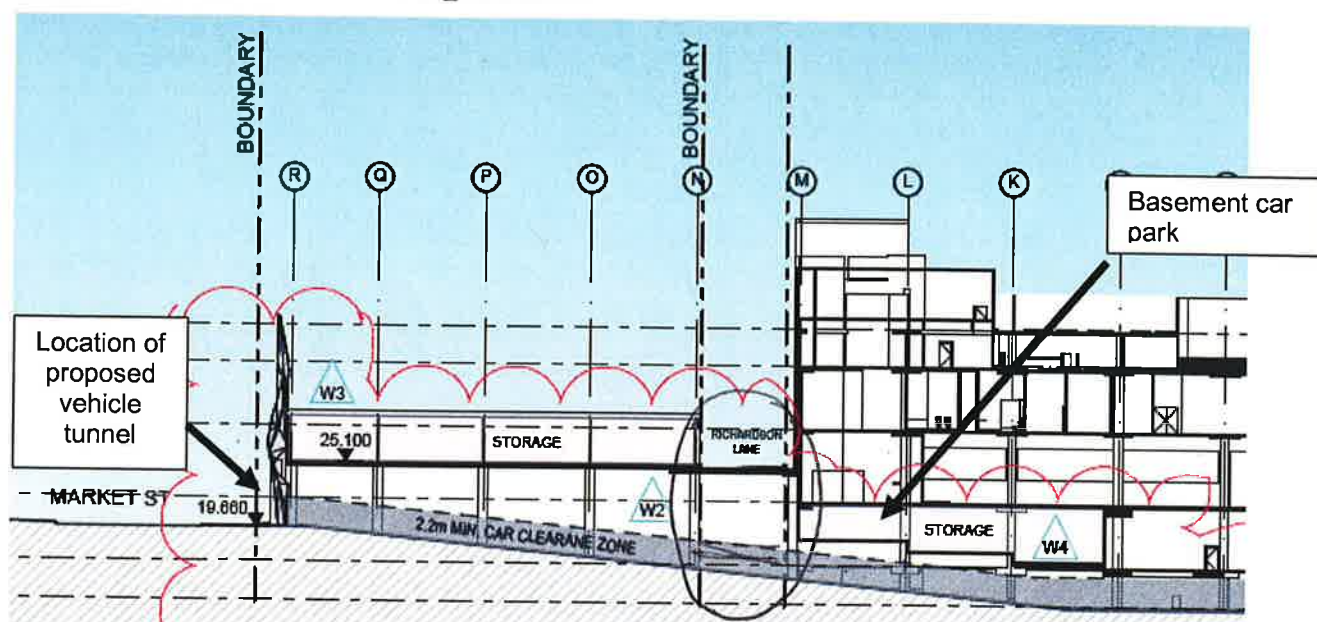


Figure 6: Section illustrating proposed new vehicular entry/exit along No. 71 Market St (source: Proponent's S75W EA)

The existing single storey cottage at No. 71 Market Street will be demolished and a two way vehicular access tunnel will be constructed, providing access directly to the West Keira basement car park. Excavation is proposed to allow the vehicle entry to extend beneath Richardson Street, which runs perpendicular to the rear of No. 71 Market Street.

Storage space is proposed to be provided above the access tunnel, which due to the change in levels will be at first floor level to Market Street but will be accessed at ground floor level from Richardson Street. The vehicle entry to Market Street will be identified by an entry façade treatment, reflective of the approved façade of the West Keira Centre to Keira Street and Crown Lane.

The proposed modification allows for a reduced access ramp length to the basement carpark, creating 1,344m² additional usable floorspace to be utilised for additional plant areas and storage in the basement and above the ramp at No. 71 Market Street. Despite the increase in floorspace, the proposal remains less than the usable floorspace originally approved for the Project Approval. In addition, the proposal will not impact on the ability of the development to comply with the maximum GFA permitted by the Concept Plan approval.

The number of overall car parking spaces is also proposed to be reduced from 668 to 635 (a reduction of 33 spaces). However, the development will maintain a 20 space surplus above the minimum number of car parking spaces required by the existing Project Approval (1,318).

The Proponent also seeks approval for the deletion of and modification of a number of conditions relating to the upgrade of Richardson Street, Richardson Lane and Regent Street/ Rawson Lane/ Crown Lane. These conditions were imposed to manage the additional traffic using these roads to access the basement car park.

As a result of discussions with the RMS and Council, the Proponent submitted additional supporting information and revised plans on 18 June and 7 August 2012.

3. STATUTORY CONTEXT

3.1 Continuation of Part 3A of the Act

In accordance with clause 3 of Schedule 6A of the *Environmental Planning & Assessment Act 1979* (the Act), section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the modification of all of the projects under section 75W of the Act.

3.2 Modification of the Minister's Approval

The modification of the Minister's Approval by way of section 75W is appropriate as the proposed modifications are consistent with the original Concept Plan and Project Approvals and will have limited environmental consequences.

3.3 Environmental Assessment Requirements

Section 75W(3) of the Act provides that the Director-General may notify the Proponent of environmental assessment requirements (DGRs) with respect to proposed modifications that the Proponent must comply with before the matter will be considered by the Minister.

In this instance, following an assessment of the modification requests, it was not considered necessary to notify the Proponent of environmental assessment requirements pursuant to section 75W(3) with respect to the proposed modifications, as sufficient information was provided to the Department to consider the applications.

3.4 Determination Under Delegation

The Minister has delegated his functions to determine s75W modification requests to Directors in the Major Projects Assessment Branch where:

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

The Department did not receive any public submissions and Council has not objected to the proposals. There has also been no political disclosure statement made for this modification request or any previous related application.

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

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with section 75X(2)(f) of the Act, the Director-General is required to make the modification request publicly available. The modification request was made available on the Department's website and referred to Wollongong City Council, the Roads and Maritime Services (RMS) and the NSW Heritage Branch for comment. Due to the nature of the proposed modification, the modification request was not exhibited by any other means.

No public submissions were received in relation to the modification requests.

4.2 Agency Responses

The Department received submissions from Wollongong Council, the NSW Heritage Council and RMS.

On 22 August 2012, Council advised that subject to conditions, no objections were raised in relation to the proposed modifications. In addition, Council did not object to the deletion of parts of existing Condition B18, relating to required road upgrades to Richardson Street and Richardson Lane. Conditions have been recommended accordingly.

The RMS supports the proposed modification as it will relocate the principal vehicle entry further from the existing Market and Keira Street intersection and will separate service/delivery traffic from customer traffic.

The NSW Heritage Council raised no objections to the proposed modifications.

5. ASSESSMENT

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

- traffic impacts; and
- streetscape appearance.

5.1 Traffic Impacts

Vehicle Access

In response to traffic and pedestrian safety concerns raised by Council during the original modification, the Proponent provided additional supporting information and amended plans. The additional information included a technical note from AECOM addressing Council's concerns, a revised ground floor plan reflecting revised driveway access, a revised Market Street elevation and updated signage and line marking drawings.

The revised vehicle entry from Market Street included the following:

- re-alignment of the vehicle exit to allow compliance with Australian Standard AS2890.1 required site lines;
- the provision of a road island adjacent to the southern kerb of Market Street to assist vehicles existing west from the parking exit ramp;
- a kerb extension between lanes of the vehicle access to assist with pedestrian safety; and
- the provision of road signs to direct traffic and assist with pedestrian safety.

Wollongong Council have advised that the amended design is considered satisfactory in terms of traffic impacts and pedestrian safety subject to conditions requiring the following:

- a reduction in the length of the traffic island to a single car length, to ensure the retention of 4 existing on-street car parking spaces west of the vehicle entry/exit;
- replacement of the proposed 'give way' sign at the exit of the parking exit ramp with a 'stop' sign;
- compliance of all road works, road markings and signage with relevant AUSTROADS, Australian Standards and RMS guidelines; and
- an increase in the kerb line to the south-east corner of Richardson Street/Market Street from 1 metre to 2 metres (requiring the Richardson Street/Market Street intersection).

Council's suggested conditions will ensure the orderly operation of the new vehicle crossing and vehicular access to the development and the conditions are recommended to be imposed accordingly.

Pedestrian Safety

The modification proposal has resulted in an amended vehicle access/entry design which provides the required vehicle site lines in accordance with Australian Standard AS2890.1. In addition, a number of street signs will be provided informing drivers exiting the site via the new vehicle access of the need to 'stop and give way' to pedestrians crossing the access. The Department considers that the above measures are satisfactory to safeguard pedestrian safety.

Deletion of Conditions Relating to Richardson Street & Richardson Lane

The Proponent is seeking the deletion of a number of requirements of existing Condition B18 which require road upgrade works to Richardson Street and Richardson Lane. These conditions were previously requested by Council to facilitate the increased traffic utilising these roads. The Proponent is seeking to have these requirements deleted on the basis that the modification, to utilise No. 71 Market Street for vehicle access, will result in fewer vehicles using these roads.

The RMS and Council advised that they had no objections to the proposed deletion of the relevant parts of Condition B18. It is therefore recommended that Condition B18 is modified accordingly.

On-Street Parking

The proposal, as conditioned, will result in the loss of approximately 5 existing on-street car parking spaces on Market Street, immediately north of the proposed new vehicle access. Council has raised no objections to the loss of this on-street parking. The increase in parking facilitated by the development is considered to adequately mitigate the loss of these on-street parking spaces. The proposed modification is therefore considered acceptable in this respect.

5.2 Streetscape Appearance

The proposed new vehicle crossing to Market Street will include a façade structure with a height of 16.6 metres above street level, constructed of white patterned pre cast walls, offset by a steel entry portal at street level (**Figure 7**). The structure will conceal the upper level storage area, above the vehicle ramp. The façade structure has been designed to reference the approved West Keira shopping centre frontages to West Keira and Crown Streets (**Figure 8**).



Figure 7: Proposed façade design to vehicle entry off Market Street (source: Proponents S75W EA)



Figure 8: Approved West Keira and Crown Street frontages (source: Proponents S75W EA for MP06_00209 MOD 3)

The proposed structure will exceed the height of the adjoining buildings at No. 67-69 Market Street and No. 73 Market Street however, the structure will be well below the maximum building height for the site, permitted by the Wollongong Local Environmental Plan 2009 (32 metres) (**Figure 9**).

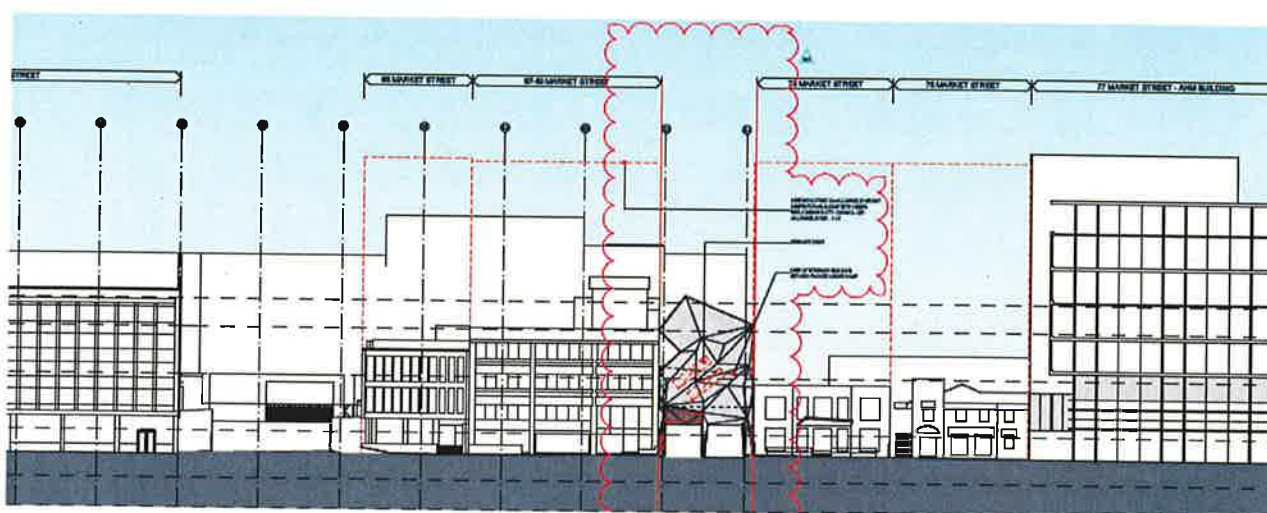


Figure 9: Proposed façade design to vehicle entry off Market Street (source: Proponents S75W EA)

The modern design of the façade, is consistent with the modern façades of the approved West Keira Shopping Centre as well as the recently constructed commercial building at No. 77 Market Street. The Department considers that the proposed design will be consistent with the emerging character of Wollongong Town Centre. In addition, the striking design of the proposed façade will assist in providing customer recognition and a link to the West Keira shopping centre, despite it being physically isolated from the pedestrian area of the development.

Importantly, the high visibility of the structure will assist in making the vehicular crossing highly conspicuous to both motorists and pedestrians on Market Street, assisting with pedestrian safety along Market Street.

For the above reasons, the Department supports the proposed façade design of the customer parking area. Council did not raise any objections to the proposed façade design.

6. CONCLUSION

Having considered the proposed modifications to both the approved Concept Plan and the Project Application and is satisfied that development will remain consistent with the objectives of the Concept Plan, as originally approved. In addition, subject to recommended modified conditions, the Department considers that the proposal will provide for an improved access arrangement for customers and deliveries to the West Keira shopping centre. As part of the assessment, the Proponent has committed to additional measures to assist with pedestrian safety and traffic movement along Market Street.

In summary, the modified proposal achieves the same objectives as the original approved project and does not alter the overall nature, need or justification of the approved project.

It is therefore recommended that the modification requests be approved subject to the amended conditions.

7. RECOMMENDATION

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

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

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APPENDIX A MODIFICATION REQUEST

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX B SUBMISSIONS

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX C RECOMMENDED MODIFYING INSTRUMENTS
