



**MODIFICATION REQUEST:
GPT Wollongong Central redevelopment
Keira Street, Wollongong
MP06_0335 MOD 3 and MP06_0209 MOD 5**

***Retain the building at 226-228 Crown Land and
delete the approved realignment of Crown Lane***



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

April 2013

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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 Concept Plan approval and Project Approval envisage the realignment of the end of Crown Lane through the demolition of the building at 226-228 Crown Street and the dedication of that land to Wollongong City Council, and the creation of a new public piazza at the corner of Crown Lane, Crown Street and Keira Street.

This modification seeks to retain the building at 226-228 Crown Street (on the corner of Crown Street and Crown Lane) and delete the approved realignment of Crown Lane. It is proposed that the use of the building at 226-228 Crown Street would be subject to an approval under Part 4 of the Act.



Figure 1: The subject sites

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

1. **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. **Wollongong Central site** – 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 2: Aerial photo of the subject sites

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 (MP06_0335) 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 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 the West Keira site;
- internal alterations to existing Wollongong Central Shopping Centre;
- a total of 80,270sq.m of GFA (Stage 1);
- 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 226 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 (MP06_0335 MOD 1) and Project Approval (MP06_209 MOD 1) were modified. The modification corrected minor mis-descriptions in conditions and amendments to reflect the staged construction and occupation of the project.

On 22 December 2008, the Project Approval (MP06_209 MOD 2) was modified to include various design changes including realignment of ground level entries, reconstruction of a portion of Crown Central, redesign of the south-west corner of Crown Central, enhance circulation arrangements, increase the width of the Keira Street pedestrian bridge and delete the Regent Street ramp condition.

On 19 December 2011, the Project Approval (MP06_0209 MOD 3) was further modified to create an entry forecourt (southern forecourt) to the corner of Crown Street and Crown Lane and Keira Street, relocate the food court, provide additional access to pedestrian pathway, reduce the width of the Keira Street pedestrian bridge, relocate a vehicle access ramp, reduce car park provision, amend the timing of certain conditions, reduce GFA and increase building height.

On 4 October 2012, both the Concept Plan (MP06_0335 MOD 2) and Project Approval (MP06_0209 MOD 4) were amended to include two lots in the development site, demolish an existing building, amend a vehicle entry point, reduce the number of car spaces, increase GFA for Stage 1, amend the s94 Levy payable and delete the requirement for certain upgrade works.

2. PROPOSED MODIFICATION

As noted in **Section 1** the proponent seeks to modify the approved Concept Plan (MP06_0335) and Project Approval (MP06_0209) in order to:

- retain the building located at 226-228 Crown Street;
- retain the existing alignment of Crown Lane at the junction to Crown Street; and
- ensure the future development of 226-228 Crown Street will be subject to Part 4 of the Act.

2.1 Modification to the Concept Plan

The description and requirements contained in the instrument of approval are proposed to be amended to facilitate the above modifications and include the following:

- In the title page of the Instrument, the following provision is to be amended by inserting a reference to the site, 226-228 Crown Street to ensure the future development of this site is subject to Part 4 of the Act as follows:

Provision	Proposed rewording
(b) under Section 75P (1) (b), all future stages of the project be subject to Part 4 of the Act; and	(b) under Section 75P (1) (b), development at 226-228 Crown Street and all future stages of the project be subject to Part 4 of the Act; and

- An existing requirement (7 Subsequent Approval Regime) relating to future approvals on the site being subject to Part 4 of the Act is proposed to be amended to include reference to the building at 226-228 Crown Street; and
- A new requirement No. 12a (No. 226-228 Crown Street) is proposed to be inserted in the instrument requiring the retention of the building at 226-228 Crown Street and the retention of the existing road alignment of Crown Lane.

2.2 Modification to the Project Approval

The Project Approval approved Stage 1 of the redevelopment including the demolition of the building at 226-228 Crown Street, conversion of this site into a public piazza and the realignment of Crown Lane as shown in **Figure 2** below.

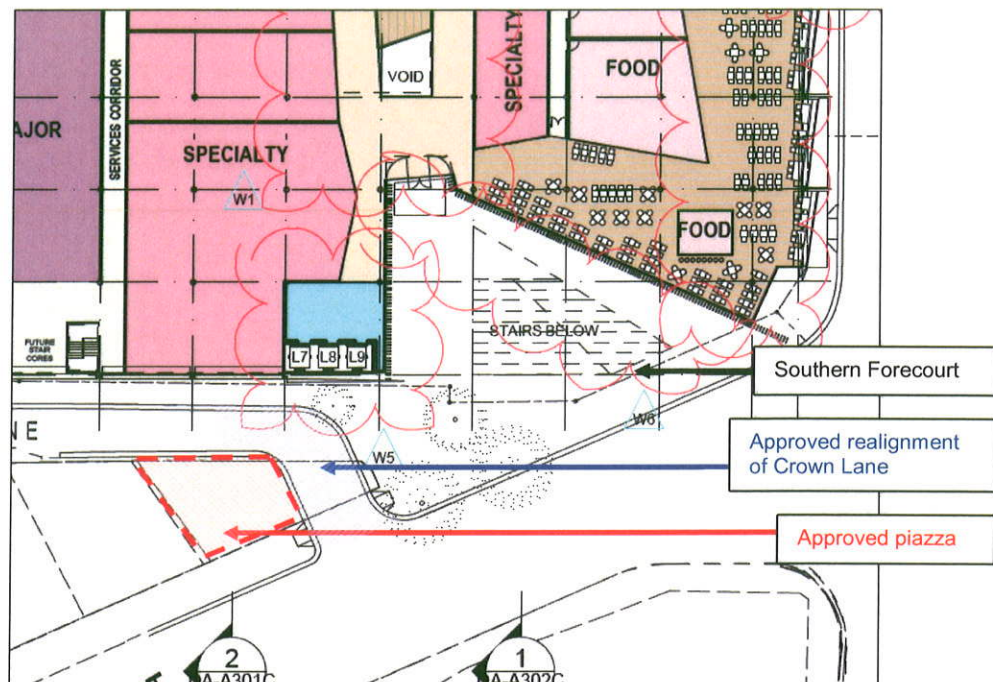


Figure 2: Approved piazza and road realignment

The proposed modification to the Project Approval seeks to amend the approved plans and the instrument of approval to retain the existing building at 226-228 Crown Street and retain the existing alignment of Crown Lane as shown in **Figure 3**.

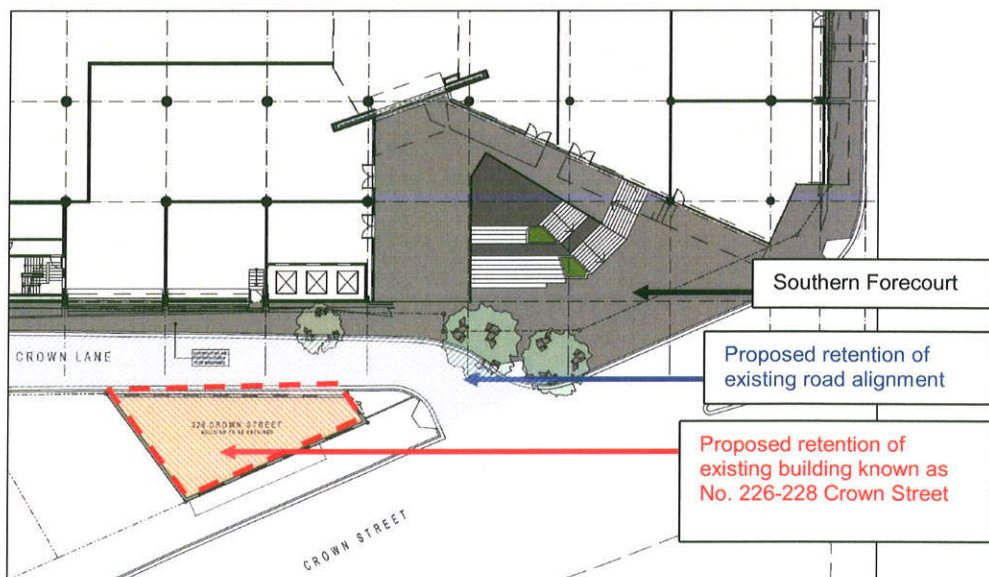


Figure 3: Proposed retention of the existing building and road alignment

In addition to including reference to an amended plan to reflect the above modifications, a number of changes to the Project Approval instrument is sought including:

- In Schedule 1, Part A-Table, the description of the proposed development is amended by the deletion of a reference to the realignment of Crown Lane, demolition of the building at 226-228 Crown Street and dedication of that land to Council and creation of a new piazza on the corner of Crown Lane, Crown Street and Keira Street;
- An existing condition (A1 Development Description) is amended by the deletion of a reference to the realignment of Crown Lane, demolition of the building at 226-228 Crown Street and

dedication of that land to Council and creation of a new piazza on the corner of Crown Lane, Crown Street and Keira Street; and

- An existing condition (A2 Development in Accordance with Documents) is amended to include a reference to a plan depicting the proposed changes to the Crown Lane alignment and retention of the building at 226-228 Crown Street.

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including *"revoking or varying a condition of the approval or imposing an additional condition of the approval"*.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks various design changes, which requires the amendment of various terms and conditions of the Concept Plan and Project Application approvals. Therefore, approval to modify the applications is required.

3.2 Delegated Authority

On 14 September 2011, the Minister delegated his powers and functions under Section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases 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.

Council has not objected to the proposals and the Department did not receive any public submissions. 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

Public exhibition of the modification application was considered unnecessary given the scope of works proposed.

4.2 Public Authority Submissions

Submissions were received from Wollongong City Council (Council) and NSW Roads and Maritime Services (RMS).

Wollongong City Council

Council made a submission in support of the proposal noting that:

- the previously approved piazza at the site of 226-228 Crown Street created a significant safety concern to pedestrians, therefore the proposed retention of the building at 226-228 and the current forecourt proposal to the West Keira building is preferred; and
- the retention of the building at 226-228 Crown Street will maintain the setting of the adjoining heritage buildings and is in keeping with the heritage items at Crown Street.

NSW Roads and Maritime Services

The RMS raises no objection to the proposed modifications.

4.3 Public Submissions

No submissions were received from the public.

The Department has considered the comments provided in the above submissions provided by Council and the RMS in the assessment of the proposed modification.

5. ASSESSMENT

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

- vehicle access;
- urban design; and
- heritage.

5.1 Vehicle Access

The proponent notes that retaining the existing alignment of Crown Lane (as proposed) would improve vehicle accessibility at the intersection to Crown Street. The Department considers the proposed retention of the existing alignment to be acceptable on the basis that:

- it is visually apparent from comparing plans of the approved realignment (see **Figure 2**) and existing alignment (see **Figure 3**) that the vehicle manoeuvring to and from the laneway would be more easily negotiated (noting vehicles may only turn left into Crown Street from Crown Lane); and
- the RMS has raised no objection.

5.2 Urban Design

The Department notes that the retention of the building at 226-228 Crown Street will replace the area originally set out to be provided as a public piazza.

The proponent notes in its application that the proposed modifications would improve the articulation of the public domain located on the southern side of the West Keira site. Deletion of the public piazza would improve visual recognition of the southern forecourt area as a place of meeting and further distinguish the main pedestrian entrance to the West Keira building.

The Department notes that the southern forecourt (approved as part of MOD 3 of the Project Approval) provides a spacious area more directly connected to the entry of the West Keira building. The Department considers the more recently introduced southern forecourt to the West Keira building, makes the originally approved public piazza redundant on the basis that:

- it is significantly larger in area; and
- is directly connected to the urban form of the building and also serves to articulate the main pedestrian entrance.

5.3 Heritage

The row of connected shopfront buildings identified as 230-264 Crown Street are listed collectively as a locally heritage significant item (Item No. 6240). These shopfronts share a common wall and maintain a common building mass with the building at 226-228 Crown Street as seen in **Figures 4 and 5**.



Figure 4: View of the existing building at 226-228 Crown Street and neighbouring local heritage listed shopfronts looking west



Figure 5: View of the neighbouring local heritage listed shopfronts and the existing building at 226-228 Crown Street looking east

Both the proponent and Council note that the retention of the building at 226-228 Crown Street would benefit the streetscape by maintaining the setting of the adjoining and nearby locally heritage listed buildings.

The Department agrees with the proponent and Council that retention of the building at 226-228 Crown Street would benefit the streetscape by maintaining a continuation of the built form along the street and negate the need to address the side facade of the adjoining heritage building.

The Department therefore considers it appropriate to retain the existing building at 226-228 Crown Street as it is in keeping with the built form character of the area and the overall streetscape of this part of Crown Street.

6. CONCLUSION

The Department has assessed the proposed modifications and has considered Council and the RMS submissions on the proposal. The modifications would result in a number of positive improvements to the development including:

- improved vehicle access through Crown Lane;
- improved urban design as it relates to the public domain and architectural elements of the West Keira building; and
- a more sympathetic outcome to the built form character of the area and overall streetscape.

Based on the above positive improvements to the development, the Department recommends approval of the proposed modifications.

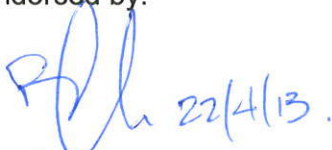
7. RECOMMENDATION

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

- **note** the information provided in this report;
- **approve** the modification request, subject to conditions; and
- **sign** the attached modifying instruments (**APPENDIX C**).

Prepared by: Roy Wong
Assessment Planner, Metropolitan & Regional Projects South

Endorsed by:



Ben Lusher
Team Leader
Metropolitan & Regional Projects South

Approved by:



Karen Jones
Director
Metropolitan & Regional Projects South

APPENDIX A MODIFICATION REQUEST

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5764; and
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5826

APPENDIX B SUBMISSIONS

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APPENDIX C RECOMMENDED MODIFYING INSTRUMENTS
