



Your ref: SSD- 73910208
Our ref: DOC25/678373

Mr Stephen Dobbs
Team Leader Assessments
Department of Planning, Housing and Infrastructure

E-mail: stephen.dobbs@dpie.nsw.gov.au

Dear Mr Dobbs

Subject: Major Projects – New Request for Advice – Seniors Housing – IRT Woonona Redevelopment (SSD- 73910208) (Wollongong City)

Thank you for your email dated 24 July 2025 (via the Major Projects Portal) seeking comments from the Conservation Programs, Heritage and Regulation Group (CPHR) of the Department of Climate Change, Energy, the Environment and Water (DCCEEW) about the Environmental Impact Statement (EIS) for the Seniors Housing – IRT Redevelopment at 4-6 Popes Road, Woonona (SSD-73910208). The proposal includes the construction of five apartment buildings, adaptive reuse of a church, alterations to the existing residential care facility and provision of car parking.

We have reviewed the exhibited Environmental Impact Statement (EIS) prepared by MMJ Town Planning (dated 10 July 2025) against the Secretary's Environmental Assessment Requirements (SEARs) provided by the Department of Planning Housing and Infrastructure (DPHI) to the proponent on 5 August 2024.

In relation to biodiversity, we have reviewed the Biodiversity Development Assessment Report (BDAR) prepared by Ecoplaning (5 June 2025). We confirm that it meets the requirements of the SEARS, specifically addressing potential impacts to biodiversity and management of riparian vegetation adjacent to Collins Creek. The BDAR also identifies measures taken to avoid, minimise and mitigate impacts to biodiversity, in accordance with the "avoid, minimise, offset" framework of the BC Act. No further updates or amendments to the BDAR are recommended.

The issues relating to biodiversity and landscaping have been satisfactorily addressed. The following key issues relating to flooding remain:

- Several residential properties along Nicholson Road and the Woonona Bulli RSL Club that were previously not flood affected are shown to be inundated in the Probable Maximum Flood (PMF) velocity maps in the Flood Report (Acor Consultants dated 26 May 2025). This information makes it difficult to be satisfied that the adverse offsite flood impacts will be managed on-site.
- It is noted that the Flood Report concludes that the PMF with a freeboard will be used as the Flood Planning Level (FPL) to meet council's development controls. Whilst this avoids the need for evacuation of vulnerable residents, the Flood Report should still establish that

the proposed FPL is greater than the Design Flood Event, which is the 1% AEP plus climate change currently required by council.

Detailed comments, including matters recommended to be addressed in consent conditions, are provided in **Attachment A**.

Please be aware that our advice does not incorporate input on any relevant heritage matters. If heritage advice is sought it is provided by a separate division, and you will need to obtain this via heritagemailbox@environment.nsw.gov.au.

If you have any further questions about this issue, please contact Bianca Klein, Senior Conservation Planning Officer, South East, Regional Delivery at bianca.a.klein@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Saxon', with a stylized flourish at the end.

Michael Saxon
**Director South East
Regional Delivery
Conservation Programs, Heritage & Regulation
Department of Climate Change, Energy, the Environment and Water**

22 August 2025

Attachment A – CPHR Detailed Comments – 4-6 Popes Road Woonona IRT redevelopment (SSD- 73910208)

Further to our earlier advice (ref: DOC25/359066), the following documents have been provided for review:

- Environmental Impact Statement (EIS) by MMJ dated 10 July 2025;
- Biodiversity Development Assessment Report (BDAR) by EcoPlanning dated 5 June 2025;
- Landscape Plan prepared by Arcadia dated 20 May 2025;
- Flood Report by Acor Consultants dated 26 May 2025 – referred to as the “Flood Impact Assessment” in the EIS; and
- Flood Emergency Response Plan (FERP) by Water Technology dated 24 June 2025.

1. Addressing of comments provided by CPHR at the pre-lodgement stage

A matter we commented on at the pre-lodgement stage in relation to the BDAR was for the proponent to clearly delineate the scope of works and tree/vegetation removal approved against the existing development consent issued by Wollongong Council that applies to the site (DA-2023/808). The EIS reference the consent and note that the approved demolition works were nearing completion. The Architectural Plans reference the approved demolition and the proposed demolition as part of this application.

CPHR also recommended that landscaping is to incorporate locally indigenous species. In relation to landscaping, we note that the Landscape Plan prepared by Arcadia (20/5/2025) incorporates locally indigenous species including species listed in Table 3 of the Wollongong DCP 2009 - E6 Landscaping and some species forming part of Plant Community Type Illawarra Lowland Red Gum Grassy Forest (PCT 3327) and PCT 3153 - Illawarra Escarpment Bangalay x Blue Gum Wet Forest.

In relation to flooding, CPHR advised the applicant to submit a Flood Impact and Risk Assessment (FIRA) report. This was provided in the form of the Flood Report (Acor Consulting, May 2025). Matters related to flooding are discussed further below.

2. Key matters

Biodiversity

The Biodiversity Development Assessment Report (BDAR) at Appendix I of the EIS does address the SEARs. A streamlined (small area) BDAR was submitted to assess the potential biodiversity impacts in accordance with Appendix C of the Biodiversity Assessment Method (BAM) 2020.

Use of the BAM 2020 Streamlined Assessment Module: Small Areas

The minimum lot size for the site is 0.04ha and the proposed native vegetation clearing amounts to 0.3ha, therefore BAM Appendix C: Streamlined assessment module – small area is applicable and has been satisfactorily applied.

Avoidance of biodiversity impacts

The proposed development has largely been located within the footprint of the existing seniors home, with a small area (0.3ha) of native vegetation to be removed. One ecosystem credit is required to be offset for the removal of 0.3ha of PCT 3153 – Illawarra Escarpment Bangalay x Blue Gum Wet Forest vegetation. Additionally, Large-eared Pied Bat (*Chalinolobus dwyeri*) has been assumed present and will require one species credit to be offset.

The proponent has the opportunity to survey for this species within its approved survey period to confirm presence/absence. If the species is not detected following targeted survey, an application to modify the credit obligation post-approval with the Minister for the Environment's concurrence may be made under s7.14(3A) of the BC Act may be made.

Flooding

The flood risk impact assessment maps (Figures F53 & F55 to F58) provided in the Flood Report (Acor Consulting, May 2025) identifies adverse flood impacts on Nicholson Road and Collins Creek in the 20% AEP event, and on the Princes Highway from the 10% AEP. The Probable Maximum Flood (PMF) velocity maps (Figures F32 & F61) identify several residential properties along Nicholson Road and the Woonona Bulli RSL Club that were previously not flood affected are shown to be inundated. This information makes it difficult for the determining authority to be satisfied that the adverse offsite flood impacts will be managed on-site. This issue should be resolved including any modifications to the proposed flow paths, flood storage and hydraulic structures (such as the proposed spillway) to ensure that the proposed development does not cause adverse off-site flood impacts and associated liabilities whilst still meeting its intended flood design outcomes for the new development.

As Wollongong City Council (council) is the local authority responsible for flood risk management and holds the most up to date flood information at this site, it is recommended that they be consulted to ensure that the adverse impact assessment issues identified above aligns with the requirements of council's flood related development controls. This should include managing adverse flood and stormwater impacts and flood related public safety requirements. It is noted that the Flood Report concludes that the PMF with a freeboard will be used as the Flood Planning Level (FPL) to meet council's development controls. Whilst this avoids the need for evacuation of vulnerable residents, the Flood Report should still establish that the proposed FPL is greater than the Design Flood Event, which is the 1% AEP plus climate change currently required by council.

A Flood Emergency Response Plan (FERP) for the site was supplied as part of the EIS to address emergency management issues. Evidence of consultation with the NSW SES during the development of the FERP was provided in the EIS. The NSW SES should be further consulted on the final FERP to ensure that any flood related public safety risks are adequately addressed including flood emergency management requirements.

3. Recommended consent conditions

Biodiversity credit retirement

- Prior to vegetation clearing works, the following biodiversity credits must be retired in accordance with the *Biodiversity Conservation Act 2016*:
 - o One PCT 3153 – Illawarra Escarpment Bangalay x Blue Gum Wet Forest ecosystem credit or equivalent.
 - o One Large-eared Pied Bat *Chalinolobus dwyeri* species credit
- The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.
- Evidence of the retirements of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority prior to the issue of the construction certificate.

Tree protection

- Tree Protection Fencing, erected as near as practicable to the edge of the Tree Protection Zones, should be used to protect trees to be retained (as detailed in the Aboricultural Impact Assessment Report, Allied Trees, May 2025). Where works are required that encroach into TPZs of trees to be retained, additional protection measures, which include trunk and low branch guards, and ground protection measures should be implemented in accordance with *Australian standard AS 4970 – 2009 Protection of trees on development Sites*.

Pre-clearing protocols

- Pre-clearing surveys are to be undertaken by a Project Ecologist prior to commencement of any vegetation clearing activities within the site. The Project Ecologist will conduct pre-clearing surveys to identify:
 - o Fauna species likely to be encountered during construction and potential impacts to fauna during vegetation clearing;
 - o Potential fauna habitat in the project site;
 - o Preferred locations to relocate fauna species and habitat features that can be retained following construction. Pre-clearing surveys will take place within 1 week prior to the commencement of vegetation clearing. The Project Ecologist will mark all potential fauna habitat (e.g. habitat trees, nest trees, burrows, etc.) in the development footprint with high visibility tape (e.g. trees, large woody debris and nests); and
 - o Clearing of habitat trees, soft-felling techniques are to be used. A qualified wildlife handler is to be present on site during felling of habitat trees.

Stormwater management

- Water sensitive urban design is to be implemented as per the Integrated Water Management Report (Acor Consultants, May 2025)

Erosion and sediment control

- Erosion and sediment control devices are to be installed prior to any construction activity on the site in accordance with the approved plan. These devices are to be maintained for the full period of construction and beyond this period where necessary. Particularly to avoid impacts to Collins Creek south of the project site.

Vegetation management plan

Prior to commencement of construction a Vegetation Management Plan (VMP) is to be prepared by a qualified ecologist for the conservation and enhancement of biodiversity values within retained vegetation along Collins Creek south of the project site.

- The VMP is to include the following:
 - o Description of current ecological features within the area, including habitat features and a flora/fauna species inventory.
 - o Actions for the restoration of remnant native vegetation to a moderate-good condition over a minimum period of **5** years.
 - o A revegetation schedule incorporating locally native species characteristic of PCT 3153 – Illawarra Escarpment Bangalay x Blue Gum Wet Forest ecological community.
 - o An appropriate maintenance schedule of plantings for the duration of the VMP.

- Performance targets for vegetation management actions over the duration of the Plan.
- Fixed photo monitoring points to demonstrate progress.
- A map showing the location of any high infestations of weeds (greater than 70% coverage)
- An inventory of species listed as a priority weed in the *South East Strategic Weed Management Plan 2023-2027*; or weed species subject to an approved biosecurity undertaking or direction under the NSW *Biosecurity Act 2015*.
- A weed treatment schedule in tabulated form, specifying for each species:
 - The method of treatment.
 - The rates of application methods of all herbicide treatments.
 - A clear, feasible and quantifiable weed reduction target and a method to measure success of management actions.

Weed management

- Exotic vegetation must be disposed of appropriately offsite.