



06 May 2026

Sarah Anderson,
Department of Planning, Housing and Infrastructure
12 Darcy Street,
Parramatta, NSW, 2150

Dear Sarah,

REQUEST FOR INDUSTRY SPECIFIC SEARs– 2-8 Kenny Street, Wollongong

This scoping report has been prepared by Gyde Consulting on behalf of Northland (Proponent) to support a request for Industry Specific Secretary's Environmental Assessment Requirements (SEARs) for a proposed mixed use development comprising residential apartments (including in-fill affordable housing), commercial floor space and centre-based childcare facility at 2-8 Kenny Street, Wollongong.

On 17 February 2026, the Housing Delivery Authority (HDA) Expression of Interest (EOI) (ref. 259520) on the site was successful and formally declared State significant development (SSD) by the HDA in SSD Declaration Order (No.20) 2026.

As per EOI 259520, the development proposes a mixed use development comprising approximately 173 apartments including 15% affordable housing with ground floor commercial space in a 38-storey building. The EOI included a request for a concurrent rezoning to amend the planning controls applying to the site (specifically relating to the floor space ratio (FSR)).

1. Proponent details

The Proponent details are as follows:

Table 1: Proponent details

Proponent detail	
Name	Northland
ABN	26 628659183
Address	Pennant Hills Business Centre – Suite 13, 380 Pennant Hills Road, Pennant Hills NSW 2120

2. The site and the surrounding context

2.1 Site description

Details of the site are provided in **Table 2** below.

Table 2: Site details

Site details	Description
Address	2-8 Kenny Street, Wollongong
Legal Description	Lot 44/-/DP979477 Lot 1/-/DP195640 Lot 1/-/DP82674
Local Government Area	City of Wollongong
Site Area	2,424sqm
Existing development	Retail / commercial premises

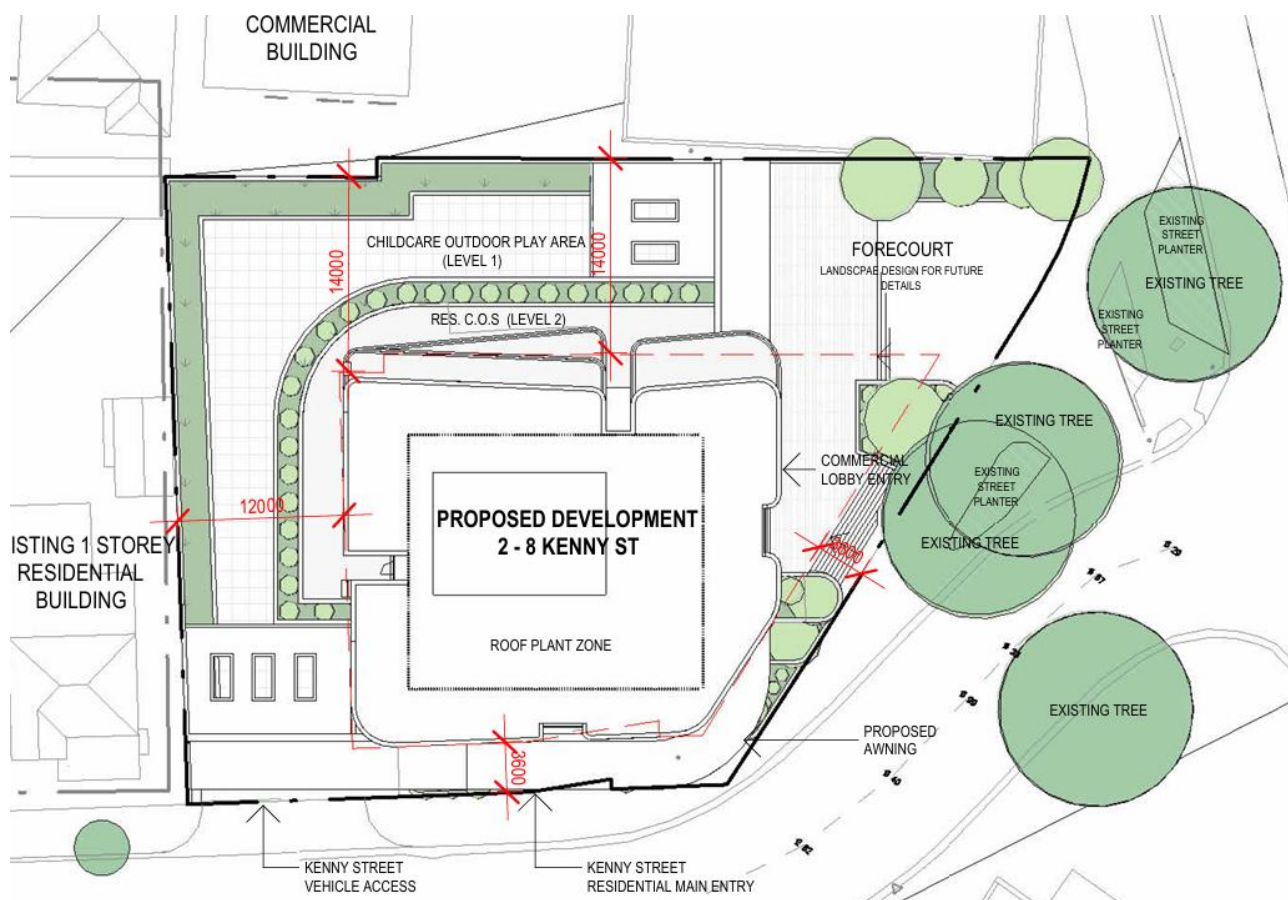


Figure 1 Site Plan (Source: DWA)

2.2 Site characteristics

Key characteristics and features of the site and wider context are provided below:

Table 3: Site characteristics

Characteristic/Feature	Relevant Mapping
Proximity to Wollongong Station	Wollongong Train Station is located approximately 300m east of the site.
Heritage	The site does not contain any heritage items, nor is the site located within a heritage conservation area. Note the site is in close proximity to 281-291 Burelli Street which is identified as a local heritage item.
Biodiversity	The site is not identified as being of biodiversity significance.
Bushfire	The site is not identified as impacted by bushfire.

2.3 Site Context

The site is located at 2-8 Kenny Street, Wollongong and is within the City of Wollongong Local Government Area. The site is located on a corner, with frontages to both Kenny Street (to the east) and Burelli Street (to the north), within 350m walking distance of Wollongong Train Station.

The site is identified within the Wollongong City Centre. The site is comprised of 3 lots, with these lots currently comprising of a mix of retail/commercial and medical premises. There are mature trees located at the junction of Kenny Street and Burelli Street at the northern boundary of the site.

The site is well located in close proximity to a wide range of shops, services, employment and facilities, including recreation and community infrastructure. The site is accessible due to its proximity to Wollongong Train Station and buses on Burelli Street only a short distance (approx. 65m).



Figure 2: Aerial view of the site (Source: Nearmap)

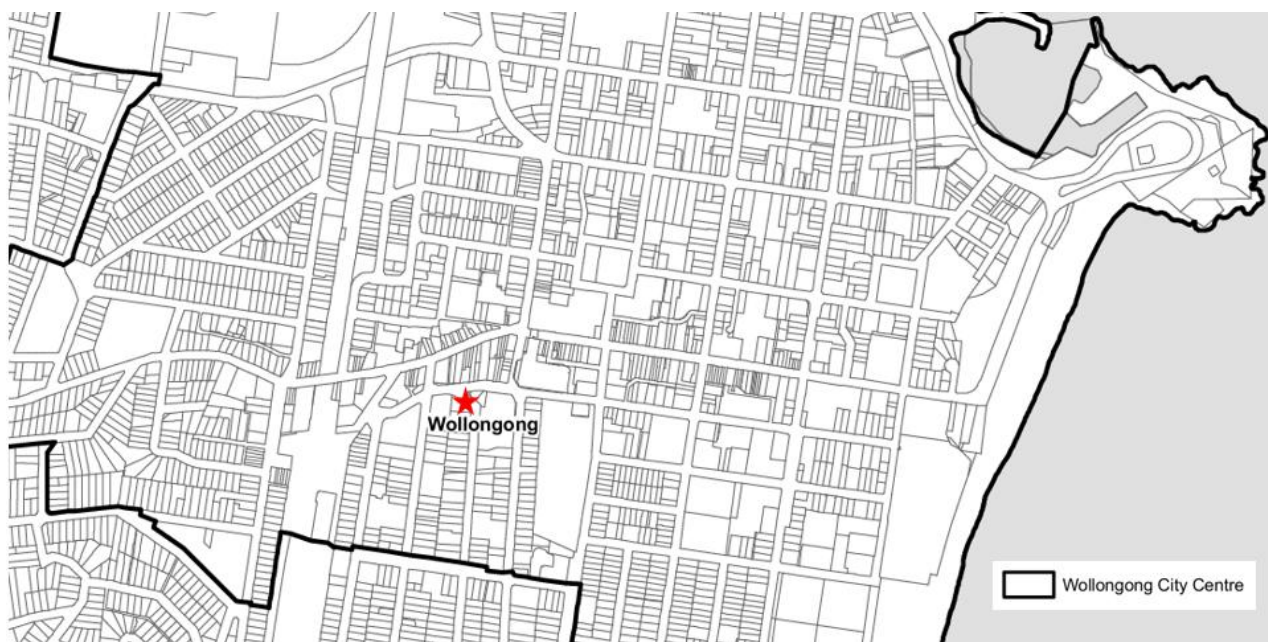


Figure 3 Location of site within Wollongong City Centre (Source: Wollongong City Council LEP)



Figure 4: View of site from Kenny St / Burrelli St junction



Figure 5: View of site from the eastern boundary

2.4 Surrounding Development

The site is currently surrounded by predominantly characterised by commercial, retail and medical premises.

- North: To the north there are light industrial and office buildings ranging from 3 to 6 storeys.
- West: To the west are 1 to 2 storey health premises, with residential apartment developments to the southwest ranging from 3 to 10 storeys. Approximately 125m west of the site is NSW State Emergency Service and 300m west is the Wollongong Train Station.
- East: To the east is a medical premises and multi-storey car park. Approximately 125m east of the site is McCabe Park.
- South: To the south are 1 to 2 storey commercial / retail premises.



Figure 6: Aerial view of surrounding development (Source: Nearmap)



Figure 7: Developments neighbouring the site to the west



Figure 8: Development to the north of the site

3. Planning History

3.1 The Site

On 17 February 2026, an HDA EOI (ref. 259520) was declared SSD under section 4.36(3) of the EP&A Act.

The declaration related to a proposal seeking SSD approval with a concurrent rezoning for the site. The scheme comprised a 38-storey mixed-use building delivering 173 apartments, including 15% affordable housing, with commercial uses at ground level. The EOI also sought to amend the existing planning controls through a concurrent rezoning, for changes to FSR controls.

The Ministerial Declaration Order (No 20) states the following:

- **Noted** the reasons for the HDA recommendation:
The proposal adequately satisfies the objectives and criteria of the HDA EOI.
- **Formed** the view that the development proposal is of State significance as it satisfies the HDA SSD criteria.
- **Provided** the following advice to the Minister o The proposal has State significance as it is a major residential project as it satisfies the HDA SSD criteria established in the document “HDA consideration of State significance under s4.36 of the EP&A Act.”

3.2 Wollongong City Centre Planning Proposal

The Wollongong City Centre Planning Proposal (PP) (PP-2025-2426) is a planning framework intended to enhance Wollongong’s role as the regional business, employment, retail and cultural centre of the Illawarra Shoalhaven Region.

The PP received Gateway Determination on 16 March 2026.

The future SSD will consider this PP, noting it is a proposed instrument and therefore a matter for consideration under section 4.15(1)(a)(ii) of the EP&A Act.

3.3 Surrounding SSDA/HDA/DA Sites

The area surrounding the site is subject to ongoing and recently determined applications. These have been provided in Table 4 below.

Table 4: Surrounding sites

Ref. no	Address	Description	Status
SSD-76440958	Crown Square, Crown Street, Wollongong	Mixed use with in-fill affordable housing– 546 dwellings	Response to submissions
EOI- 267962	22-30 Kenny Street, Wollongong	Mixed use – 292 dwellings and 140 hotel rooms	Declared SSD
DA-2019/748	264-268 Keira Street, 23 Kenny Street Wollongong	Shop top housing – 109 dwellings	Under construction

4. The Proposed Development

The site was declared SSD in the *SSD Declaration Order (No. 20) 2026* for a mixed-use development including residential apartments (including in-fill affordable housing), commercial floor space and centre-based childcare facility. Specifically, the project comprises the following:

- Demolition of existing buildings/structures on the site;
- Approval for the construction of a 38 storey mixed use development comprising:
 - Approximately 173 dwellings, with 15% to be allocated as affordable housing, comprising a mix of 1-, 2-, 3- 4- and 5-bedroom dwellings designed to achieve a high level of residential amenity.
 - Provision of approximately 1,440.95sqm of commercial/retail and childcare floor space across lower ground level, ground level and level 1.
 - 4 levels of basement car parking including approximately 226 car parking spaces.
 - Landscaping and associated works.

Concurrent rezoning

The proposal seeks to include an additional local provision in Schedule 1 of Wollongong Local Environmental Plan 2009 (Wollongong LEP) that provides the following:

- A maximum FSR of 6:1 and removal of all limitations/restrictions on residential floor space. This includes wording that the local provision in Schedule 1 prevails over clause 4.4A (floor space ratio – Wollongong city centre).
- Retention of the existing maximum building height of 120m.

The proposal seeks to utilise the in-fill affordable housing provisions in the Housing SEPP to achieve up to 30% additional FSR and building height, resulting in a maximum permissible FSR of 7.8:1 and maximum permissible building height of 156m. However, based on modelling and the concept scheme prepared for the site, an FSR of 7.8:1 would only facilitate a building height of 129.3m. This is only marginally higher than the built form outcome currently envisaged for the site under the Wollongong LEP, which is 120m.



Figure 9 Height plane diagram (Source: DWA)

5. Statutory Planning Context

Zoning and Permissibility

The site is zoned E2 Commercial Centre under the Wollongong LEP, which permits commercial premises, shop-top housing and centre based childcare facilities with development consent. The land adjoining the site is also zoned E2 Commercial Centre. This application does not seek to alter the approved land use.



Figure 10 Extract of land zoning map (Source: NSW eSpatial viewer)

Other approvals

Section 4.41 of the Act identifies certain authorisations that are not required for SSD and Section 4.42 of the Act identifies certain authorisations that cannot be refused if they are necessary for carrying out SSD, see Table 5 below.

Table 5: Summary of other approvals

NSW Legislation	Requirement for subject application
<u>Approvals that do not apply to SSD</u>	
<i>Fisheries Management Act 1994</i>	No
<i>Heritage Act 1977</i>	No
<i>National Parks and Wildlife Act 1974</i>	No
<i>Rural Fires Act 1997</i>	No
<i>Water Management Act 2000</i>	No
<u>Legislation that must be applied consistently</u>	
<i>Fisheries Management Act 1994</i>	No
<i>Mine Subsidence Compensation Act 1961</i>	No
<i>Mining Act 1992</i>	No
<i>Petroleum (Onshore) Act 1991</i>	No
<i>Protection of the Environment Operations Act 1997</i>	No

NSW Legislation	Requirement for subject application
<i>Roads Act 1993</i>	Will be confirmed in the Environmental Impact Statement (EIS) preparation stage.
<i>Pipelines Act 1967</i>	No

Pre-conditions to exercising power to grant approval

Table 6 identifies the pre-conditions to be fulfilled by the consent authority prior to exercising their power to grant development consent.

Table 6: Pre-conditions to exercising power to grant approval

Instrument	Response
<i>Biodiversity Conservation Act 2016</i>	<p>Pursuant to section 7.9 of the Biodiversity Conservation Act 2016, a SSDA must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have a significant impact on biodiversity values (BDAR Waiver).</p> <p>The site is currently occupied by existing buildings and does not contain native vegetation that would be required to be removed to facilitate the proposed development.</p> <p>To satisfy the Industry-Specific SEARs, the Proponent will engage a suitably qualified ecologist to undertake a preliminary biodiversity assessment to confirm whether a BDAR waiver is appropriate or whether a BDAR will be required to accompany the Environmental Impact Statement (EIS).</p>
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<p>Section 2.122 of the Transport and Infrastructure SEPP requires the consent authority to provide Transport for New South Wales with written notice of the development application for 'traffic-generating development' and take into consideration any response.</p> <p>In accordance with Schedule 3 of the Transport and Infrastructure SEPP, the development will not constitute traffic generating development as it does not propose more than 2,000sqm in gross floor area of commercial premises and does not propose more than 300 dwellings with access to a road (generally). The site does not have access to a classified road or to a road that connects to a classified road (within 90m).</p>
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	<p>Section 4.6 of the Resilience and Hazards SEPP sets out that a consent authority must not consent to the carrying out of any development on land unless:</p> <ul style="list-style-type: none"> - It has considered whether the land is contaminated; - If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be after remediation); and - If the land requires remediation to make it suitable for the use, it is satisfied that the land will be remediated before the land is used for that purpose. <p>A Preliminary Site Investigation (PSI) and if required, a Detailed Site Investigation (DSI) will be prepared for the EIS. Should it be identified in the DSI that a Remediation Action Plan is required, one will be prepared and accompany the EIS.</p>

Instrument	Response
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Chapter 2 Vegetation on non-rural land will be considered in the EIS. The site is located in the Zone E2 Commercial Centre. Relevant provisions will be considered.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	Chapter 2 Section 2.1 notes that development consent must not be granted to certain BASIX development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified. A BASIX Report will be submitted with the EIS

Mandatory matters for consideration

Table 7 sets out the matters that a consent authority will be required to consider in deciding whether to grant consent to the SSD. These matters will be addressed in detail in the EIS.

Table 7: Matters for consideration

Legislation	Matters for Consideration	Comment
<i>The Act</i>		
Section 1.3	<i>Objects of the Act</i>	An assessment against the objects of the Act will be undertaken in the EIS.
Section 4.15	<ul style="list-style-type: none"> a) <i>the provisions of:</i> <ul style="list-style-type: none"> i) <i>relevant environmental planning instruments</i> ii) <i>any proposed instrument that is or has been subject of public consultation under the Act</i> iii) <i>any development control plan</i> iv) <i>any planning agreement</i> v) <i>the regulations</i> b) <i>likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i> c) <i>suitability of the site for the development</i> d) <i>any submissions made in accordance with the Act or Regulations</i> e) <i>the public interest.</i> 	Section 4.15 of the Act will be addressed in detail in the EIS and supporting documentation for the SSD.
<i>Housing SEPP</i>		
Chapter 2 Affordable Housing	<i>Part 2 Development for affordable housing</i>	The proposal seeks to provide 15% affordable housing, which is consistent with the objective of Chapter 2.
Chapter 4 Design of Residential Apartment Development	<i>Sections 142 Aims of chapter – 149 Apartment Design Guide prevails over development control plans</i>	Compliance with the ADG will be demonstrated in the EIS and supporting documentation.

Table 8: Assessment against Relevant Provisions of WLEP

Provision	Comment	Compliance
Wollongong LEP 2009		
Permitted or prohibited development		
2.2 Zoning of the land to which this Plan applies	The site is zoned E2 Commercial Centre. Under the LEP, commercial premises, centre-based child care facilities and shop top housing are permitted with consent in the E2 zone.	Yes
2.3. Zone objectives and Land Use Table <ul style="list-style-type: none"> To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity. To encourage investment in commercial development that generates employment opportunities and economic growth. To encourage development that has a high level of accessibility and amenity, particularly for pedestrians. To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area. To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. To encourage development that is consistent with the centre's position in the centres hierarchy. To strengthen the role of the Wollongong city centre as the business, retail and cultural centre of the Illawarra region. 	The proposal is consistent with the objects of the zone as follows: <ul style="list-style-type: none"> The proposal includes commercial floor space which will support the provision of businesses and retail in the zone and can contribute to community and cultural activity The proposal will generate employment opportunities within both the commercial and residential elements of the development. The proposal will be of high quality design that high level of accessibility and pedestrian amenity. The proposal includes shop top housing which is permissible with consent in the E2 zone. The proposal offers attractive and active street frontages to Burelli Street and Kenny Street. The proposed development will enhance the Wollongong City Centre by delivering high-quality design and amenity, while contributing both residential dwellings and commercial floor space essential to the centre's functionality and long-term sustainability. 	Yes
Part 4 Principle development standards		
4.3 Height of buildings	The site has a maximum mapped height of 120m.	N/A

Provision	Comment	Compliance
Establishes a maximum building height of 120m for the site.	Under the infill affordable housing provisions of the Housing SEPP, an additional 30% uplift would result in a permissible height of 156m. However, the proposed development does not intend to utilise the full extent of the bonus height provision. Instead, the proposal includes a height of 129.3m, which is only marginally above the maximum height envisaged under the LEP.	
<i>4.4 Floor space ratio</i> Establishes a maximum FSR of 1.5:1 for the site.	The site falls within the Wollongong City Centre and therefore Clause 4.4A applies to the proposal.	N/A
<i>4.4A Floor space ratio— Wollongong city centre</i>	The subject site has a maximum mapped FSR of 1.5:1 however, Clause 4.4A permits an FSR of 3.5:1 for residential purposes and 6:1 for any land use other than residential purposes. Under the infill affordable housing provisions of the Housing SEPP, an additional 30% FSR would result in a total maximum permissible FSR of 7.8:1. The proposed concurrent rezoning seeks to allow for a base FSR of 6:1, which will ultimately allow for the same built form outcome on the site envisaged under the LEP controls, only with a higher percentage of residential floor space.	N/A
Part 5 Miscellaneous provisions		
<i>5.10 Heritage conservation</i>	A Statement of Heritage Impact will be prepared to support the EIS.	Yes
Part 7 Local Provisions - general		
<i>7.1 Acid sulfate soils</i>	N/A - the site is not identified on the spatial viewer as being affected by acid sulfate soils.	Yes
<i>7.2 Earthworks</i>	A Geotechnical Investigation will be prepared to consider the excavation and filling required on site to facilitate the proposed development.	Yes
<i>7.18 Design excellence in Wollongong city centre and at key sites</i>	The proposed development will demonstrate design excellence.	Yes
Part 8 Local provisions – Wollongong City Centre		
<i>8.4 Minimum street frontage</i>	Compliance with Clause 8.4 will be demonstrated in the EIS and supporting documentation.	-
<i>8.6 Building separation within Zone E2 Commercial Centre</i>	Compliance with Clause 8.6 will be demonstrated in the EIS and supporting documentation.	-

6. Community and Stakeholder Engagement

6.1 Engagement carried out

A meeting was held with the Department of Planning, Infrastructure and Housing (DPHI) on 31 March 2026 to discuss and present the preliminary scheme prior to a request for SEARs.

6.2 Engagement to be carried out

Community and stakeholder engagement will be carried out with the following groups prior to lodgement of the SSDA and concurrent rezoning:

- City of Wollongong Council
- Transport for NSW
- Surrounding residents, businesses and local community groups.

Feedback from these engagement sessions will be considered and integrated into the final design where possible.

7. Proposed Assessment of Impacts and Key Site Considerations

Wollongong City Centre Planning Proposal

Consideration of the Wollongong City Centre Planning Proposal will be made throughout the EIS and concurrent rezoning.

Built Form and Visual Impact

The EIS will demonstrate that the site is suitable for the proposed density to provide additional housing including affordable housing on a town centre site in an accessible location, in proximity to Wollongong Train Station.

An assessment of the bulk and scale will consider impacts on the surrounding locality in relation to overshadowing, views, visual bulk, building setbacks and street presentation, in an existing and future development context.

The development introduces a new development with a maximum building height of approximately 120m and will therefore change the visual composition of the catchment in which it is located. A visual analysis of the proposed development will be undertaken and considered as part of the EIS and the concurrent rezoning.

Traffic and Vehicle Access

A Transport and Accessibility Report will support the application. Details of new roads proposed within the site will be discussed within the EIS.

Trees

Any trees required to be removed to facilitate the development will be assessed by an arborist as part of the application.

Industry Specific SEARs

Industry Specific SEARs are being requested for this project.

Rezoning Requirements

Rezoning Requirements are being requested for this project.

8. Conclusion

We trust the information provided in this cover letter and accompanying appendices is sufficient to enable Industry Specific Housing SEARs to be issued for this project.

Should you have any questions please do not hesitate to contact the undersigned or Karen Fox (Project Planner) at karenf@gyde.com.au or 02 9071 1826.

Yours sincerely,



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