

73-77 Gipps Street and 60-74 Flinders Street, Wollongong

Scoping Report

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73-77 GIPPS STREET AND 60-74 FLINDERS STREET, WOLLONGONG

Demolition of existing structures and construction of a mixed-use development including shop top housing development comprising business and retail premises, and 906 apartments (approx. 220 affordable) above two basement levels

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Prepared by

[Aaron Sutherland](#)
B Town Planning UNSW

aaron@sutherlandplanning.com.au
Tel: 0410 452 371
PO BOX 814 BOWRAL NSW 2576

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Sutherland & Associates Planning Pty Ltd

APPENDIX B

HERITAGE NSW CONSULTATION

Heritage NSW & Regal Heritage

1.0 INTRODUCTION

1.1 Overview

This Scoping Report has been prepared by Sutherland & Associates Planning on behalf of Level 33. The Report relates to a proposal for the demolition of existing structures and construction of a mixed-use development at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong. The development consists of two basement levels; floorspace for specialised retail premises and business premises on the ground floor; takeaway food premises, specialised retail premises, and a gallery on Level 1; and shop top housing with a total of 906 apartments (including approximately 220 affordable housing apartments). The affordable housing component of the development will be managed by City West Housing. City West Housing is a registered Community Housing Provider.

Under Schedule 1, Section 26A of the State Environmental Planning Policy (Planning Systems) 2021 'in-fill affordable housing' to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies is identified as State significant development where the residential development component has an estimated development consent of more than \$30 million (on land other than land in the Eastern Harbour City, Central River City or Western Parkland City). The City of Wollongong is located within the Illawarra-Shoalhaven City pursuant to Schedule 9 of the Environmental Planning and Assessment Act 1979. The development includes affordable housing to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies, and the development will have a value in excess of \$30 million. Accordingly, the development is State significant development.

This Scoping Report has been prepared in accordance with the 'State Significant Development Guidelines: Preparing a Scoping Report' (prepared by the DPIE) as part of the process to obtain project-specific Secretary's Environmental Assessment Requirements (SEARs) to guide the preparation of an Environmental Impact Statement (EIS) for the development application. In accordance with the Guidelines, this report:

- describes the site
- describes the project
- discusses alternatives
- provides a strategic and statutory overview
- provides an overview of consultation to date and identify what future engagement will be carried
- identifies the key matters requiring further assessment in the EIS

A scoping summary table is provided at Appendix A.

The proposed development qualifies for Infill Affordable Housing Standard Industry Specific SEARs, as outlined in the DPIE Guidelines as the development is wholly permissible on the site, it does not meet the criteria for designated development and the development application is not a concept approval.

1.2 Applicant Details

The details of the applicant are outlined in the table below.

Applicant	Wollongong Developments No.7 Pty Ltd
ABN	34 672 679 042
Address	30A Eva Street, Riverwood
Contact	Charbel Kazzi, Head of Development

Applicant	Wollongong Developments No.7 Pty Ltd
Contact Details	0405 300 050

1.3 Project Objectives

The proposed redevelopment of the site is intended to achieve the following objectives:

- Deliver a significant quantum of affordable housing dwellings on the site to assist in relieving the shortfall of affordable dwellings in the local government area. The quantum of affordable housing floor space proposed exceeds the percentage of affordable housing that is incentivised by the provisions of Chapter 2, Part 2, Division 1 of SEPP (Housing) 2021. The SEPP permits additional height and floor space of up to 30%, where 15% of the total floor space is provided as affordable housing. 21% of the total floor area will be affordable housing, managed by a registered community housing provided for at least 15 years. The additional 6% of the affordable housing floor area is equivalent to the area of the development that exceeds the 31.7 metre building height limit that is permitted by clause 16 of the SEPP.
- Deliver a vibrant high density mixed use residential development within an accessible area in the Wollongong City Centre area.
- Maximise the supply and diversity of higher density housing close to transport, employment, recreation space and entertainment facilities.
- Achieve design excellence with a high-quality built form outcome that will contribute positively to the emerging character of the precinct and maximise the amenity for residents.
- Deliver a unit mix that meets local demand and responds to the local demographics.

1.4 Site Location

The land to which the proposal relates is in the suburb of Wollongong which is within the City of Wollongong local government area.

The site is within a precinct identified as the 'Wollongong City Centre' and is zoned 'E3 Productivity Support' pursuant to the Wollongong Local Environmental Plan 2009 (WLEP 2009). The Productivity Support zone is located to the north of the Wollongong Commercial Centre zone, and extends along Flinders Street, from the intersection of the Princes Highway and the railway to the north, to Smith Street to the south.

The site is located on the eastern side of the South Coast railway line and is approximately midway between North Wollongong railway station and Wollongong railway station. North Wollongong railway station is within 800 metres walking distance of the site and Wollongong railway station is located approximately 1 kilometre walking distance to the south of the site.

The location of the site is illustrated in Figure 1 below.

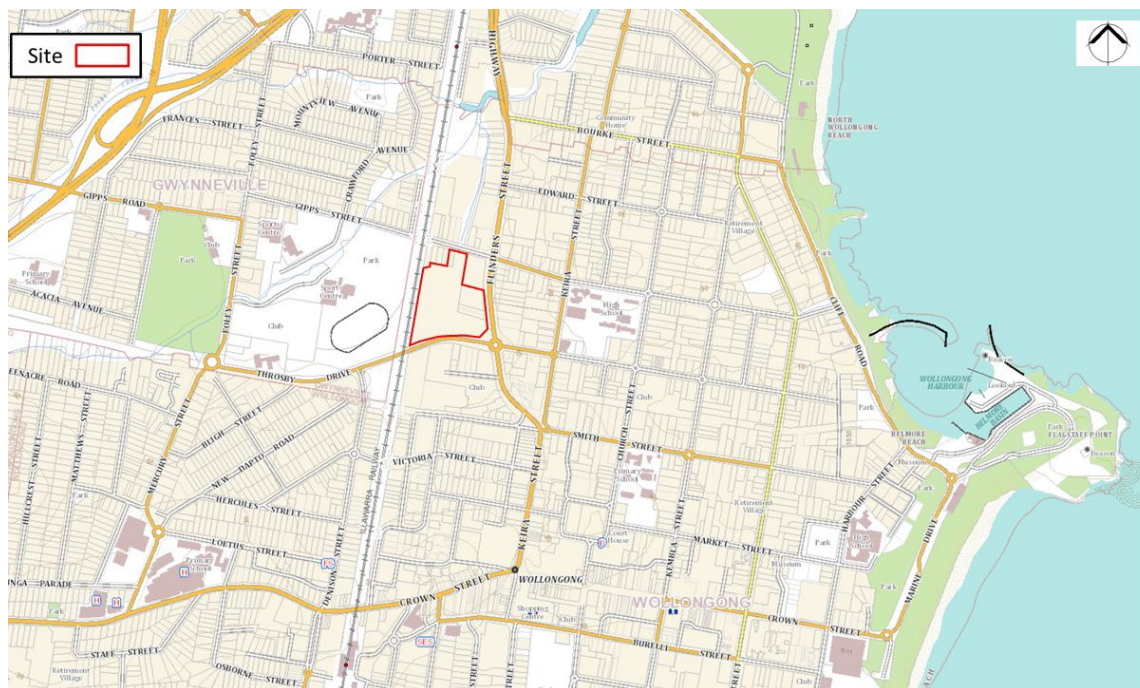


Figure 1:

Site Location: (Source: Google Maps 2024)

1.5 Site Description

The development site comprises the following allotments:

- Lot 205 in DP 801956, 73-75 Gipps Street, Wollongong
- Lot 4 in DP 17483, 77 Gipps Street, Wollongong
- SP37337, 60-72 Flinders Street, Wollongong
- Lots 1 and 2 in DP 504449, 74 Flinders Street, Wollongong

The site is an irregular shaped allotment with an area of 30,130 square metres. The site has a frontage of approximately 49 metres to Gipps Street. The southern frontage of the site to Throsby Drive, extends from the South Coast railway line to Flinders Street. The southern portion of the site is partly below the level of Throsby Drive, as shown in Photograph 5.

73-75 Gipps Street is improved by a large warehouse building and extensive at-grade carpark area, which was occupied by Bunnings Warehouse until early 2023. The building is currently vacant. The car parking area is located on the northern and eastern sides of the building, with circulation space provided on the southern and western sides of the building for deliveries. Vehicular access and egress to 73-75 Gipps Street is available via two, double width vehicular crossings from Gipps Street. There is a gated vehicular access point to the site from Flinders Street. 77 Gipps Street is a small site occupied by hardstand area and a small brick building at the rear.

Landscaping of the site largely follows the perimeter of the site, with some landscaping provided within the open car park.

60-72 Flinders Street is improved by multiple, single storey warehouse buildings. A larger at-grade car park is located within the frontage setback of the building. Vehicular access to the site is provide via two vehicular access points, one is located on the southern side of the site's frontage to Flinders Street and the second is located on the northern side of the site's frontage to Flinders Street.

74 Flinders Street is improved by a single storey building with at-grade, open car park areas located to the east and west of the site. This building is currently vacant. Landscaping of this property is largely limited to the rear boundary.

The site falls approximately 10 metres from the south-west corner of the site to the northern boundary adjoining Gipps Street. The site also falls from the eastern boundary adjoining Flinders Street to the approximate centre of the site. The topography of the site is summarised in the diagram prepared by DKO, that is included as Figure 3.

An underground culvert follows the low point of the site as shown in Figure 4. The culvert extends from Thorsby Drive to Gipps Street. The culvert becomes an open culvert from the northern side of Gipps Street.



Figure 2:

Aerial view of the site (Source: Six Maps, Department of Lands 2024)

TOPOGRAPHY



Figure 3:

Generalised diagram of the topography of the site (Source: DKO)

OVERLAND FLOW & DRAINAGE

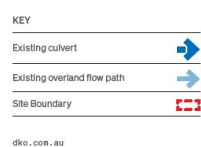


Figure 4:

Overland flow and drainage diagram (Source: DKO)



Photograph 1:

Gipps Street frontage
of 73-75 Gipps Street

Photograph 2:

Gipps Street frontage of
77 Gipps Street



Photograph 3:

73-75 Gipps Street as
viewed from Flinders
Street (Source: Google
Maps 2024)

Photograph 4:

73-75 Gipps Street as viewed from Throsby Drive (Source: Google Maps 2024)



Photograph 5:

73-75 Gipps Street as viewed from Throsby Drive.

Photograph 6:

View to the Gipps Street entry of the site from the driveway





Photograph 7:

View of the existing warehouse building at 73-75 Gipps Street

Photograph 8:

View to the west along the northern side of the existing building at 73-75 Gipps Street



Photograph 9:

View to the rear of 50-58 Flinders Street from the site



Photograph 10:

60-72 Flinders Street (Source: Google Maps 2024)



Photograph 11:

74 Flinders Street as viewed from Flinders Street (Source: Google Maps 2024)

1.6 Surrounding Development

To the west of the site, the site adjoins the South Coast railway line. Further west is the Beaton Park Sports Fields, Beaton Park Leisure Centre and the Kerryn McCann Athletic Centre.

To the west of the portion of the site that has frontage to Gipps Street, is 79 Gipps Street. This property is improved by an industrial building with an open car park located at the front of the site.

To the north of the site is an open culvert. On the western side of the culvert is 100 Gipps Street which is improved by a Kennards Self Storage Premise.

50-58 Flinders Street adjoins the site to the north-east. This site is improved by a vehicular sales premises that is accessed from Flinders Street/Princes Highway and Gipps Street.

Photograph 12:

50-58 Flinders Street, as viewed from Gipps Street



Photograph 13:

79 Gipps Street

Photograph 14:

Open culvert (right) and Kennards Self Storage premises at 100 Gipps Street (left).





Photograph 15:

The open culvert to the north of the site

Photograph 16:

Development to the north-east of the site with frontage to Gipps Street



Photograph 17:

Development to the south of the site (Source: Google Maps 2024)

Photograph 18:

View of development to the south-east of the site



1.7 Project summary

The proposal is for a mixed-use redevelopment of the site comprising the following:

- Demolition of existing buildings.
- The construction of five, mixed use buildings above two levels of basement car parking.
- The development incorporates non-residential uses on the ground floor, mezzanine level and Level 1. The non-residential uses include specialised retail premises, business premises, a gallery space, takeaway food and drink premises; and a neighbourhood shop.
- Each building consists of shop top housing, with a small number of other uses also proposed. A total of approximately 906 apartments are proposed, including around 220 affordable apartments in Building 5.
- Vehicle access to the site is proposed from Throsby Drive and Gipps Street.
- Two basements are proposed. The basements are located on either side of the underground culvert that extends from Gipps Street to Throsby Drive. Both basements have two levels.
- The application proposes the staged construction of the buildings. The proposed staging is shown on the staging plan prepared by DKO. The stages are as follows:
 - Stage 1 – Buildings 4 and 5 and associated access roads. Building 5 contains the affordable dwellings).
 - Stage 2 – Buildings 2 and 3
 - Stage 3 – Building 1.



Figure 5:

Extract from the Site Plan prepared by DKO



Figure 6:

View of the proposed development from the intersection of Throsby Street and Finders Street (Source: DKO)

1.8 Alternatives considered

An extensive and comprehensive site analysis process and exploration of alternatives for the site has been undertaken by DKO Architects. This process will be detailed in a Design Report prepared by DKO that will support the EIS. The design has also been revised following feedback from the State Design Review Panel.

The proposed distribution of built form and massing of the buildings across the site is the result of a considered analysis of the context of the site by DKO architects and the desire to deliver a positive urban design outcome.

The proposal ensures a highly activated ground floor plane and the design of the proposal achieves a highly modulated built form outcome which serves to reduce the apparent bulk and mass of the development and deliver a visually dynamic outcome.

The proposal is a high-quality, transit orientated development that will provide both housing choice in a location that enjoys exceptional access to the Wollongong Commercial Centre and other amenities within the City of Wollongong.

2.0 STRATEGIC CONTEXT

2.1 Project Justification

2.1.1 Illawarra Shoalhaven Regional Plan 2041

The Illawarra Shoalhaven Regional Plan sets the strategic framework for the region. The Plan is based on four themes:

- A productive and innovative region.
- A sustainable and resilient region.
- A region that values its people and places.
- A smart and connected region.

The Plan sets 30 objectives related to the four themes. Objectives relevant to the proposed development include:

- Objective 1: Strengthen Metro Wollongong as a connected, innovative and progressive City.
- Objective 12: Building resilient places and communities.
- Objective 13: Increase urban tree canopy cover.
- Objective 18: Provide housing supply in the right location.
- Objective 19: Deliver housing that is more diverse and affordable.
- Objective 22: Embrace and respect the regional's local character.
- Objective 23: Celebrate, conserve and reuse cultural heritage.

In relation to objective 1, the Plan notes that Metro Wollongong is a prime location for greater housing choice, particularly high-density apartment living that can take advantage of the services and transport already available. The site is located within the 'Metro Wollongong' area as defined by the Strategy (refer to Figure 7). The development is located within 800 metres walking distance of North Wollongong railway station and there are a number of bus stops along Flinders Road, that are close to the site. The development is therefore consistent with objective 1 in that the proposed housing will be delivered within a centre that is capable of accommodating additional growth and residents will have access to a range of transport services.

The siting of the proposed buildings ensures that existing trees are retained where possible. An extensive landscape design will accompany the application to demonstrate how the urban tree canopy cover will be enhanced as a result of the proposed development, consistent with Objective 13.

Objective 19 seeks to provide a diversity of housing choices and dwelling sizes and increase the supply of affordable housing. The development incorporates a substantial number of affordable housing dwellings (approximately 220) and exceeds the percentage of affordable housing floor space that is incentivised by SEPP (Housing).

The building and landscaping design proposed, has been based on guidance from the local First Nations people. The building and landscape design incorporates a range of elements that ensure the development will have a strong and meaningful connection to Country, as encouraged by Objective 23. The Connecting with Country Strategy will be detailed as part of the EIS.

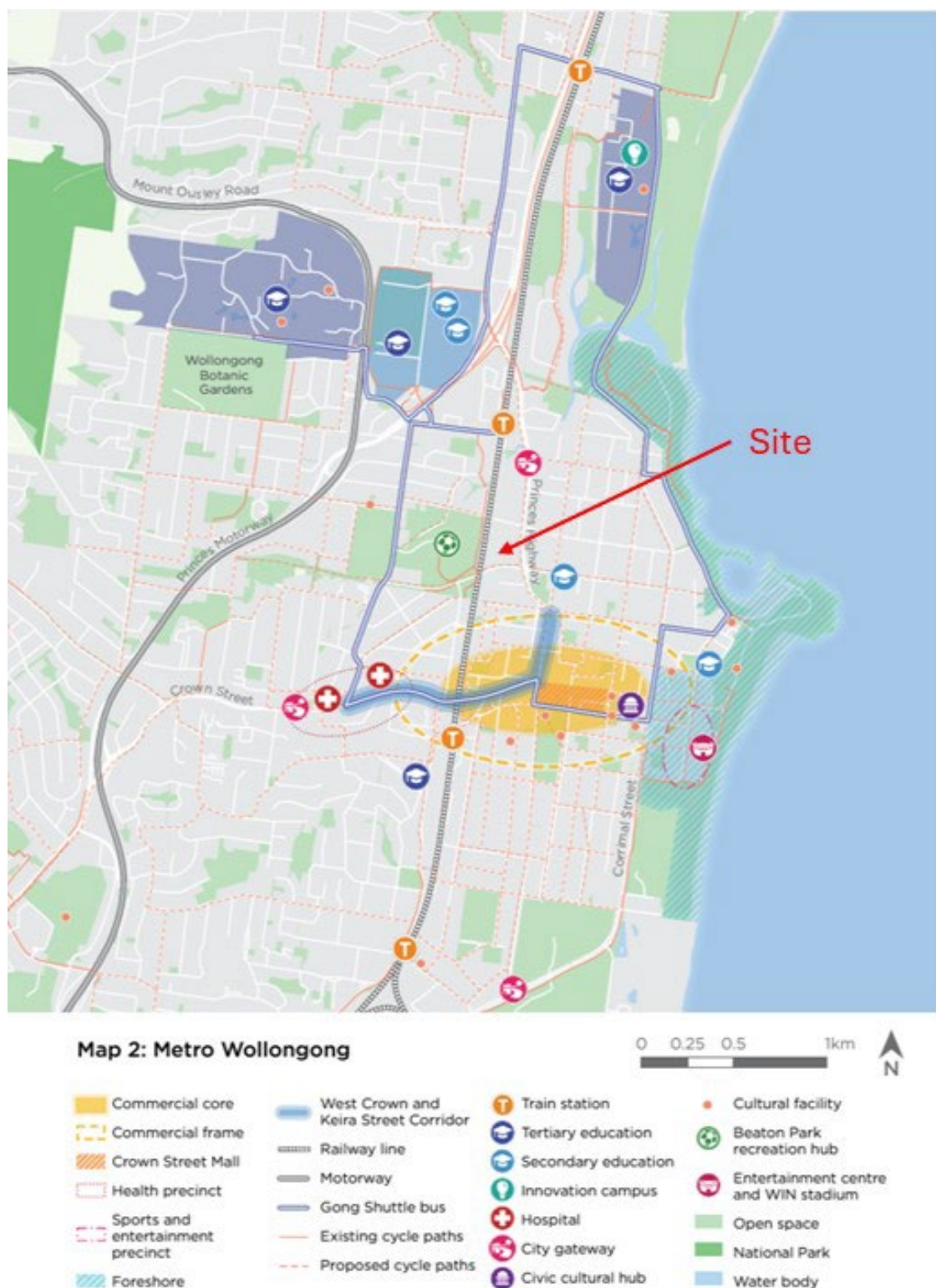


Figure 7:

Illawarra Shoalhaven Metro Wollongong Map

2.1.2 Wollongong Local Strategic Planning Statement

The LSPS notes that Wollongong City Centre and its surrounds are a key location for higher density taller residential flat buildings. The LSPS notes that residential development will continue to occur as sites are amalgamated and become available for development.

The LSPS indicates the draft Housing and Affordable Housing Options Paper will inform the Housing Strategy. A key theme for the Housing Strategy is to increase the supply of affordable rental housing stock.

The development is consistent with the LSPS as it involves the amalgamation of three sites, to allow for a coordinated residential development on a significant parcel of land within the Wollongong City Centre precinct. The development also includes a substantial number of affordable housing apartments, that will be managed by City West Housing, for a period of 15 years.

2.1.3 Wollongong Housing Strategy 2023

The Wollongong Housing Strategy acknowledges the declining affordability of dwellings in the local government area:

House prices have increased an average of 7.8% p.a. over the past 5 years, and unit prices 4.3%. In one year house prices have increased dramatically by over 30% which has had significant impact on housing affordability and affordable housing (for person on very low, low and moderate incomes). In May 2022 it was reported that the average house price in the Wollongong LGA exceeded \$1m. In July 2022 Domain reported that the median rental in the Wollongong LGA exceeded \$600 per week. Since the peak in April-May 2022, the average Wollongong house price has reportedly fallen some 10%.

The high dwelling prices has a flow on effect to higher rental prices. Rental stress is 36.9% which is higher than the Regional NSW average of 35.5%. The cost of living is also increasing which is placing additional pressure on household budgets. Over the last 12 months, the ABS has reported inflation at 7.8% the highest since 1990 (Figure 3). Housing costs have increased by 10.7%, transport by 8% (including fuel), fruit and vegetables by 8.45%, and education by 4.6% (ABS CPI Dec 2022 1). Council is aware of these broad household pressures and takes a holistic approach to supporting our communities. The increases are also leading to increases in the cost of materials and labour, and supply chain issues for the development and building sectors.

The Housing vision set out on pages 11 and 12 of the Housing Strategy is as follows:

The draft Housing and Affordable Housing Options Paper has shown that there is a need to:

- Provide more diverse housing to address housing demand, household size and affordability.
- Provide more housing in places that have high amenity and access to shops, jobs, transport. This means that some places will experience

growth and changing character over time - this may be challenging but necessary.

- Provide less housing in locations with environmental or infrastructure constraints. Based on the feedback from the draft Housing Options Paper and draft Housing Strategy, the following vision for Housing in the LGA is adopted:

- Housing will respond to Wollongong's unique environmental setting and heritage.
- New housing will continue to diversify supply and provide choice for residents. Diversity will be provided through a variety of housing types, sizes, configurations, and features, to cater for a wide range of residential needs and price-points. Focus for diversity will be on affordable, smaller, and/ or adaptable housing located throughout the Wollongong LGA to cater for a range of incomes and abilities.
- Wollongong City Centre will deliver a range of higher density housing options in appropriate locations having regard to retail and commercial outcomes. It will be a thriving and unique regional city, delivering a diverse economy and offering a high quality lifestyle. It will be liveable and a place where people will want to live, learn, work and play
- ...
- Wollongong will strive to increase affordability in the housing market, and to ensure housing provides for a wide range of incomes, people with a disability and for our ageing population.

The proposed development is entirely consistent with the Housing vision set out in the Housing Strategy. The development is within the Wollongong City Centre and is therefore well located in terms of providing residents access to transport, employment, recreation facilities and entertainment. The development will contribute to the vibrancy of the Wollongong City Centre and will revitalise a significant parcel of land in the E3 zone, that has been vacant for a number of years. The high percentage of affordable housing provided within the development will assist in addressing the declining affordability of housing in the locality.

2.1.4 Future Transport Strategy 2056

The future transport strategy outlines the 40-year vision of the State Government in regard to the State's transport network and system. The strategy aims to place NSW at the forefront of the country with a sophisticated transport system which will harness the rapidly advancing transport technology. The strategy outlines a planned and coordinated set of actions to address challenges faced by the NSW transport system to support the State's economic and social performance over the next 40 years.

The proposed development is consistent with the relevant State-wide outcomes of the Future Transport Strategy 2056 as it:

- o provides an optimal mix of residential and non-residential uses which will achieve a transformational place making outcome for the region (Outcome 1: Successful Places)

- will encourage business and individual investment in the area by contributing towards a critical mass of residential population within the precinct (Outcome 2: Strong Economy)
- encourages the use of public transport by linking residential uses to a transport node (Outcome 6: Sustainability).

The development is located within close proximity of two railway stations and bus services operating along Flinders Street. The introduction of residential and non-residential uses in this location will assist in maximising the use of existing infrastructure.

2.1.5 Housing 2041 – NSW Housing Strategy

Housing 2041 represents a 20 year vision for the delivery of housing as established by the NSW Government. Housing 2041 sets the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as high amenity housing. Housing 2041 establishes four pillars to underpin the future of housing. The proposed development will closely align with each of these pillars in the following manner:

- Supply: the proposal will facilitate the delivery of a total of approximately 906 apartments, including approximately 220 affordable housing apartments, which is a significant boost to the supply of both rental and market accommodation
- Diversity: the proposal provides for a balanced mix between apartments for rent and apartments for sale. Moreover, a range of 1, 2 and 3-bedroom apartments are proposed to appeal to a broad residential market and ensure that all types of households have a place in the development.
- Affordability: the proposal will assist in improving affordability in two primary ways, firstly by providing increased supply of rental apartments at an affordable rate which provides downward pressure on rents, and secondly by providing increased supply of market apartments which provides downward pressure on apartment prices.
- Resilience: ESD principles will be embedded into the buildings design and future operation.

3.0 PROJECT

3.1 Proposed Development

The proposal is for a mixed-use redevelopment of the site comprising the following:


- Demolition of existing buildings.
- The construction of five, mixed use buildings above basement car parking. The location and heights of the buildings are as follows:
 - Building 1 - Building 1 is located in the south-west corner of the site and has a height of 7-11 storeys.
 - Building 2 - Building 2 is located to the south of Building 3, and is located to the north of the proposed raised east-west aligned public plaza that extends across the site. Building 2 has a height of 7-9 storeys
 - Building 3 - Building 3 is the northernmost building on the site and has frontage to Gipps Street. This building has a height of 7-10 storeys.
 - Building 4 - Building 4 is located to the south of 50-58 Flinders Street and has a height of 8-10 storeys.
 - Building 5 - Building 5 is located in the south-east corner of the site, at the intersection of Throsby Rive and Flinders Street/Princes Highway. This building has a height of 9-13 storeys.
- The development incorporates non-residential uses on the ground floor, mezzanine level and Level 1. The non-residential uses include specialised retail premises, business premises, a gallery space, takeaway food and drink premises; and a neighbourhood shop.
- Each building consists of shop top housing, with a small number of other uses also proposed. A total of approximately 906 apartments are proposed, including around 220 affordable apartments in Building 5.
- The built form incorporates extensive landscaping on the ground floor plane and vertically through the building, to soften the building form, create a green outlook for apartments and a higher level of amenity for residents, provide quality communal spaces throughout the development, connect the built form with the surrounding natural environment and improve the environmental performance of the building.
- Two basements are proposed. The basements are located on either side of the underground culvert that extends from Gipps Street to Throsby Drive. Both basements have two levels.
- Vehicular access to the site is proposed from Gipps Street and Throsby Drive.
- The application proposes the staged construction of the buildings. The proposed staging is shown on the staging plan prepared by DKO. The stages are as follows:
 - Stage 1 – Buildings 4 and 5 and associated access roads. Building 5 contains the affordable dwellings).
 - Stage 2 – Buildings 2 and 3
 - Stage 3 – Building 1.

The proposed development is detailed on the concept Architectural Scheme prepared by DKO Architects which accompanies this Report.

3.2 Estimated Capital Investment Value

The estimated capital investment value (CIV) for the proposed development is in excess of \$30M.

3.3 Numerical Summary

Element	Proposed
Affordable Housing	21% of total Gross Floor Area (19,840 sqm)
Site Area	30,130 square metres
Permissible FSR	3.34:1 including 30% for affordable housing
Proposed GFA/FSR	2.95:1
Height	<ul style="list-style-type: none"> Permissible: 20m x 30% = 31.2m Proposed: Variable building heights. Areas exceeding the height limit are shown in the following diagram prepared by DKO.  <p>KEY</p> <ul style="list-style-type: none"> NON-RESIDENTIAL RESIDENTIAL ABOVE 31.2m HEIGHT PLANE
Storeys	7 to 13 storeys
Component	<ul style="list-style-type: none"> Non-residential floor space: 14,159.4 square metres Residential floor space: 83,416.6 square metres - Approximately 686 market apartments, Approximately 220 affordable housing apartments
Apartments (approximate)	<ul style="list-style-type: none"> 1 bed – 346 2 bed – 460 3 bed – 82

Element	Proposed
	<ul style="list-style-type: none"> Total – 906
Deep Soil	6,143.8 square metres – 18.5%
Solar access	70%
Cross Ventilation	60%

4.0 STATUTORY CONTEXT

This section provides an overview of the key statutory requirements for the project, having regard to:

- the EP&A Act and EP&A Regulation
- other relevant legislation
- relevant environmental planning instruments

Matter	Description
Power to grant consent	<p>Environmental Planning and Assessment Act 1979 (EP&A Act)</p> <p>Section 4.36(1) of the EP&A Act identifies State Significant Development as being development 'declared' under that section to be State significant development. Subsection (2) of the same section provides that a State environmental planning policy may declare any development "or any class or description of development" to be State significant development.</p>
	<p>State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</p> <p>Part 2.2 of Ch 2 of State Environmental Planning Policy (Planning Systems) 2021 (the SEPP) contains provisions directed to State significant development. Clause 2.6, within Pt 2.2, relevantly provides:</p> <p><i>"2.6 Declaration of State significant development: section 4.36</i></p> <p><i>(1) Development is declared to be State significant development for the purposes of the Act if -</i></p> <p><i>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without consent under Part 4 of the Act, and</i></p> <p><i>(b) the development is specified in Schedule 1 or 2."</i></p> <p>Schedule 1, Clause 26A of the State Environmental Planning Policy (Planning Systems) 2021 states that the following development is considered to be SSD –:</p> <p><i>(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i></p> <p><i>(a) the part of the development that is residential development has a capital investment value of—</i></p> <p><i>(i) for development on land in the Eastern Harbour City, Central River City, Western Parkland City or Central Coast City in the Six Cities Region—more than \$75 million, or Note— The Act, Schedule 9 sets out the local government areas in each city in the Six Cities Region.</i></p> <p><i>(ii) for development on other land—more than \$30 million, and</i></p> <p><i>(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.</i></p> <p>The proposal:</p> <ul style="list-style-type: none"> • Is located in the Illawarra-Shoalhaven City of the Six Cities Region • Has a capital investment value (CIV) greater than \$30 million, and • Does not involve development prohibited under an EPI applying to the land.

Matter	Description
	Therefore, the development is SSD is accordance with section 26A of the Planning Systems SEPP.
Permissibility	<p>Wollongong Local Environmental Plan 2009</p> <p>In accordance with clause 2.7, the demolition of a building or work may be carried out only with development consent.</p> <p>The site is located within the E3 Productivity Support zone pursuant to the Wollongong Local Environmental Plan 2009 (WLEP).</p> <p>The application seeks consent for the following uses:</p> <ul style="list-style-type: none"> • Business premises, • Specialised retail premises, • Takeaway food and drink premises • Shop top housing <p>Pursuant to the Land Use Table of the WLEP, the proposed non-residential uses are permitted with consent.</p> <p>Pursuant to Section 34, Schedule 1 of the WLEP 2009, shop top housing is an additional permitted use in the E3 zone for certain land identified as “34” on the Additional Permitted Use Map. The site is identified as 34 on the Map and therefore shop top housing is permitted with consent.</p>
Other approvals	There are no other approvals that are required under the EP&A Act for the project.
Approvals required if the project was not an SSDA	<p>Water Management Act 2000</p> <p>During the preparation of the EIS an assessment of potential impacts to surface or groundwater and the underground culvert will be undertaken.</p> <p>Consistent with section 4.41 of the EP&A Act, SSD does not require an approval for water use (section 89), a water management work (section 90) or an activity (section 91) of the Water Management Act 2000.</p>
Pre-conditions to granting consent	<p>Biodiversity Conservation Act 2016 – Clause 7.9</p> <p>Section 7.9 applies to an application for development consent under Part 4 of the EP&A Act for SSD. In accordance with clause 7.9(2) any such application is to be accompanied by a BDAR or BDAR waiver under the Planning Agency Head and Environment Agency Head determine that the proposed development is not likely have any significant impact on biodiversity values.</p> <p>Wollongong Local Environmental Plan 2009</p> <ul style="list-style-type: none"> • Clause 5.21 Flood Planning • Clause 7.4 Riparian lands • Clause 7.5 Acid Sulfate Soils • Clause 7.18(3) and (5) Design Excellence in Wollongong city Centre and at key sites (the site is within the Wollongong City Centre) • Clause 8.4 Minimum building street frontage <p>State Environmental Planning Policy (Transport and Infrastructure) 2021 - Clause 2.122(4)</p>

Matter	Description
	<p>The proposal comprises traffic-generating development in accordance with Schedule 3 the SEPP, and therefore under clause 2.122(4), the consent authority before determining the DA, must:</p> <ul style="list-style-type: none"> • within 7 days after the application is made, give written notice of the application to TfNSW, and • take into consideration - <ul style="list-style-type: none"> • any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless before the 21 days, TfNSW advises that it will not be making a submission), and the accessibility of the site concerned.
	<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose.</p> <p>The EIS will be accompanied by a Detailed Site Investigation (and Remediation Action Plan if required) which confirms that the site is suitable for the proposed development.</p>
	<p>State Environmental Planning Policy (Housing) 2021</p> <p><i>Clause 21</i></p> <p>Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—</p> <p>(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and</p> <p>(b) the affordable housing component will be managed by a registered community housing provider.</p> <p><i>Clause 147 Determination of development applications and modification applications for residential apartment development</i></p> <p>(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</p> <p>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</p> <p>(b) the Apartment Design Guide,</p> <p>(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</p>
	<p>State Environmental Planning Policy (Sustainable Buildings) 2002</p> <p><i>Clause 2.1(5) Standards for BASIX development and BASIX optional development</i></p>

Matter	Description
	(5) Development consent must not be granted to development to which the standards specified in Schedule 1 or 2 apply unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.
Mandatory matters for consideration	<p>Environmental Planning and Assessment Act 1979</p> <p>The relevant objects of the Environmental Planning and Assessment Act 1979 set out under section 1.3 must be considered.</p> <p>Section 4.15 of the EP&A Act outlines the matters that a consent authority must take into consideration when determining development applications.</p> <p>These matters are summarised as:</p> <ul style="list-style-type: none"> • provisions of environmental planning instruments (including draft instruments) • planning agreements • the EP&A Regulation • the environmental, social and economic impacts of the development • the suitability of the site • any submissions • the public interest, including the objects of the EP&A Act and the encouragement of ecologically sustainable development (ESD). <p>These requirements will be addressed and detailed in the EIS.</p> <p>Wollongong Local Environmental Plan 2009 – Clause 2.3(2) Zone objectives</p> <p>Clause 2.3(2) requires the consent authority to have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p>Wollongong Local Environmental Plan 2009 – Clause 4.3 Height of Buildings</p> <p>Clause 4.3 states that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>Wollongong Local Environmental Plan 2009 – Clause 4.4 Floor Space Ratio</p> <p>Clause 4.4 states that the floor space ratio of a building on any land is not to exceed the maximum floor space ratio for the land on the Floor Space Ratio Map.</p> <p>Wollongong Local Environmental Plan 2009 – Clause 7.6 Earthworks</p> <p>Clause 7.6 Earthworks requires the consent authority to consider the following matters in determination of the application:</p> <ul style="list-style-type: none"> (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or of the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material or the destination of any excavated material,

Matter	Description
	<p>(f) the likelihood of disturbing Aboriginal objects or other relics,</p> <p>(g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>
	<p>Wollongong Local Environmental Plan 2009 – Clause 7.18</p> <p>Clause 7.18(4) sets out the matters a consent authority must have regard to when in considering whether development exhibits design excellence.</p>
	<p>State Environmental Planning Policy (Housing) 2021</p> <p>Chapter 2 Affordable Housing Div 1 In-fill affordable housing</p>
	<p><i>15C Development to which division applies</i></p>
<p>(1) This division applies to development that includes residential development if—</p> <p>(a) the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and</p>	<p>The site is located within the E3 Productivity Support zone pursuant to the WLEP.</p> <p>The application seeks consent for residential development (shop top housing) that is permitted as an additional permitted use on the land, subject to Schedule 1 of the WLEP.</p>
<p>(b) the affordable housing component is at least 10%, and</p>	<p>The proposal seeks to provide 21% of total floor space as affordable housing for 15 years</p>
<p>(c) all or part of the development is carried out—</p> <p>(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area,</p> <p><i>accessible area</i> means land within—</p> <p>(a) 800m walking distance of—</p> <p>(i) a public entrance to a railway, metro or light rail station, or</p> <p>(ii) for a light rail station with no entrance—a platform of the light rail station, or</p> <p>(iii) a public entrance to a wharf from which a Sydney Ferries ferry service operates, or</p> <p>(b) (Repealed)</p> <p>(c) 400m walking distance of a bus stop used by a regular bus service, within the meaning of the <i>Passenger</i></p>	<p>The development is located within an accessible area with the site being within 800 metres walking distance to North Wollongong train station. The site is also located within 400 metres of bus stops on Flinders Street used by regular bus services.</p>

Matter	Description	
	<p><i>Transport Act 1990, that has at least 1 bus per hour servicing the bus stop between—</i></p> <p><i>(i) 6am and 9pm each day from Monday to Friday, both days inclusive, and</i></p> <p><i>(ii) 8am and 6pm on each Saturday and Sunday.</i></p>	
	<p>(2) Affordable housing provided as part of development because of a requirement under another environmental planning instrument or a planning agreement within the meaning of the Act, Division 7.1 is not counted towards the affordable housing component under this division.</p>	<p>In this circumstance, no other environmental planning instrument or a planning agreement within the meaning of the Act, Division 7.1, requires affordable housing.</p>
	<p><i>16 Affordable housing requirements for additional floor space ratio</i></p>	
	<p>(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</p>	<p>Noted –</p> <p>The applicable FSR zone is outlined in the Numerical Summary including the 30% increase.</p> <p>An assessment against this provision will be provided for the SSD.</p>
	<p>(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</p> <p>Affordable housing component = additional floor space (as a percentage) divided by 2</p>	<p>The proposal will provide 21% affordable housing. The development is entitled an additional 30% floor space (this is the maximum that can be provided).</p>
	<p>(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</p> <p>Example— Development that is eligible for 20% additional floor space ratio because the development includes a 10% affordable housing component, as</p>	<p>The site is subject to a 24m height control as Clause 6.21(4) is satisfied. This is increased by 30% to 31.2 metres. The development exceeds the height limit. The area of floor space above the height limit is equivalent to the additional affordable housing floor space that is provided in addition to the maximum of 15% that is incentivised by the SEPP.</p>

Matter	Description	
	calculated under subsection (2), is also eligible for 20% additional building height if the development involves residential flat buildings or shop top housing.	
	(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.	N/A
<i>19 Non-discretionary development standards – the Act, s4.15</i>		
	(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.	Noted.
	(2) The following are non-discretionary development standards in relation to the residential development to which this division applies— (a) a minimum site area of 450m ²	The site area exceeds 450sqm. Landscaped area is subject to detailed assessment.
	(b) a minimum landscaped area that is the lesser of— (i) 35m ² per dwelling, or (ii) 30% of the site area	Capable of complying.
	(c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site	Complies.
	(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid- winter,	Complies.
	(e) the following number of parking spaces for dwellings used for affordable housing—	Complies.

Matter	Description	
	<p>(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,</p> <p>(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,</p> <p>(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,</p>	
	<p>(f) the following number of parking spaces for dwellings not used for affordable housing—</p> <p>(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,</p> <p>(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,</p> <p>(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</p>	Capable of complying.
	<p>(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development</p>	Capable of complying.
	<p>(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies</p>	Noted.
	<i>20 Design Requirements</i>	
	<p>(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—</p> <p>(a) the desirable elements of the character of the local area, or</p> <p>(b) for precincts undergoing transition—the desired future character of the precinct.</p>	<p>The proposed height is not inconsistent or incongruous with the desired future character for this locality. The additional height proposed allows for the delivery of an additional 6% of the floor space as affordable housing.</p> <p>A detailed assessment against this provision will be provided for the SSD.</p>
	<i>21 Must be used for affordable housing for at least 15 years</i>	
	<p>(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—</p>	<p>Noted –</p> <p>Evidence will be provided to demonstrate that the affordable housing component of the development will be managed as such for at least 15 years.</p>

Matter	Description	
	(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and	
	(b) the affordable housing component will be managed by a registered community housing provider.	The affordable housing component will be managed by City West Housing. City West Housing is a registered Community Housing Provider and details of this CHP will be provided with the SSD application.
Chapter 4 Design of Residential Apartment Development		
<i>147 Determination of development applications and modification applications for residential apartment development</i>		
	(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following— (a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.	The proposal is consistent with the design principles in Schedule 9 and achieves full compliance with the ADG. Compliance with the ADG will be demonstrated in the EIS and supporting documentation.
Wollongong DCP 2009 Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development.		

5.0 ENGAGEMENT

5.1 Engagement carried out

5.1.1 First Nations Consultation

Members of the design team and representative of the Proponent, met with representatives of the local First Nations community on 15 March 2024.

5.1.2 State Design Review Panel

The proposed development has been presented to the State Design Review Panel on two occasions. Substantial and significant amendments were made to the proposal following the first meeting.

5.1.3 Heritage NSW

On behalf of the applicant, Regal Heritage has consulted with Heritage NSW regarding a proposal for the proponent to complete a compressed Aboriginal Cultural Heritage Assessment (ACHA) process. Given the highly disturbed nature of the site, Regal Heritage proposed a compressed ACHA process as follows:

- Completion of Stage 1 (i.e., Notification of project proposal and registration of interest) of the Community Consultation Process as per the guidelines.
- Completion of Stage 2 to 4 of Consultation Process (i.e., Stage 2 Presentation of information about the proposed project, Stage 3 – Gathering information about cultural significance and Stage 4 Review of draft ACHAR) as a combined process.

In an email dated 17 June 2024 (Appendix B), Heritage NSW has advised that Heritage NSW supports the proposed approach. Accordingly, it is requested that the SEARs reflect the agreed amended process.

5.1.4 General

A pre-lodgement meeting was held with Council on 28 June 2024.

Community consultation will be undertaken prior to the lodgement of the application.

5.2 Engagement to be carried out

A comprehensive programme of communication and engagement will occur during the preparation of the EIS with relevant stakeholders which will include the relevant State and Local authorities, service and utility providers and surrounding landowners, as follows:

- DPIE
- Wollongong City Council
- TfNSW
- Community stakeholders
- Surrounding residents and businesses
- Relevant community groups (including the local Aboriginal community)
- Relevant special interest or recreational groups
- Relevant utility authorities

6.0 ASSESSMENT OF IMPACTS

Based on this preliminary environmental assessment, the following are the key issues that will need to be considered as part of the EIS:

6.1 Access

Transport and Traffic Impact Assessment will be submitted as part of the SSDA documentation to address:

- Car and bicycle requirements for residents and visitors,
- Existing and forecast traffic movements,
- Measures to be implemented to encourage walking, cycling, public transport and car sharing, and
- Vehicle access arrangements (including for service vehicles and loading/unloading).

6.2 Amenity

Amenity impacts to and from the site will be considered in the preparation of the SSDA documentation, including:

- Solar access/overshadowing,
- Acoustic impacts,
- Visual privacy,
- Views and visual impacts, and
- Reflectivity,

This will include but not be limited to a detailed assessment against the provisions of Chapter 4 of SEPP Housing and ADG.

6.3 Biodiversity

The subject site does contain some existing vegetation; however, the vegetation is not identified on the Biodiversity Values map and the site has not been identified as supporting threatened species communities. It is the intention of the Applicant to seek a waiver to the requirement for a Biodiversity Development Assessment Report (BDAR) under Section 7.9 of the Biodiversity Conservation Act 2016.

6.4 Built environment

The EIS will include an assessment of the proposed building design and will outline how the proposed building achieves an appropriate built form, noting the existing approval on the site. The application will also include an urban design report.

A detailed assessment against the provisions of Chapter 4 of SEPP Housing and ADG will also be undertaken, with a Design Verification Statement prepared by the architect to be submitted as part of the SSDA documentation.

6.5 Economic

The EIS will consider the potential economic benefits of the proposal including additional resident population which will contribute to demand for local services and therefore support broader economic growth in the region.

6.6 Hazards and risks

6.6.1 Contamination

The EIS will be accompanied by the Detailed Site Investigation which supported the recently approved development consent on the land and demonstrates that the site is suitable in its current state for the proposed development.

6.6.2 Riverine Corridor

The EIS will address the drainage culvert through the site.

6.6.3 Waste

The EIS will detail likely waste that will be generated during construction and outline proposed measures to dispose of the waste offsite in accordance with relevant legislation and guidelines. All construction and operational waste will be reused or recycled where possible.

6.7 Heritage

An Aboriginal Cultural Heritage Report (ACHR) will also be prepared and will document the process of investigation, Aboriginal community consultation and assessment with regards to Aboriginal cultural heritage and Aboriginal archaeology. An amended ACHA process has been agreed upon with Heritage NSW, as detailed in section 5.1.3 of this report.

6.8 Land (Geotechnical Assessment)

Geotechnical assessment for the suitability of this development will be provided with the EIS to demonstrate that the development is safe and sustainable.

6.9 Infrastructure and servicing

The EIS will assess the impact the proposal will have on existing utility services and service provider assets surrounding the site. The infrastructure requirements and augmentation needed (on and off site) to support the development will be outlined and assessed. This includes with regards to water, sewerage, electricity, telecommunications infrastructure.

6.10 Social

The social impacts resulting from the proposal are expected to be positive and will likely include improved housing supply and diversity, and built form that exhibits design excellence. A social impact assessment will also be prepared in accordance with the Department's Social Impact Assessment Guideline.

6.11 Water

The proposed development will involve an increase in impervious and semi impervious areas within the site. This increase of impervious area will increase stormwater runoff within the local system. The introduction of additional vehicles will further add to the stormwater treatment requirements.

The site has extensive permeable areas that will remain to attenuate and treat flows, with a stormwater management scheme proposed to further treat and manage flow rates.

The EIS will be accompanied by an Integrated Water Management Strategy, including suitable modelling, to address the potential for increased impact on downstream receptors as part of the environmental assessment. It will focus on varied water quality and quantity resulting from the development. Suitable mitigation measures and development measures will be recommended as part of the assessment.

6.12 Other Matters

The EIS will also address:

- Capital investment
- Building Code of Australia compliance
- Accessibility
- Tree removal
- Sustainability
- Connecting to Country
- Visual Impact
- Landscape Design
- Crime Prevention Through Environmental Design
- Site suitability and the public interest

7.0 CONCLUSION

The purpose of this report is to request project-specific SEARs for the preparation of an EIS to support the a proposal for demolition of existing structures and construction of a mix use development comprising shop top housing and several other non-residential uses at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong. Approximately 906 apartments are proposed, including approximately 220 affordable apartments.

This SEARs request outlines the approval pathway for the application, the legislative framework, and the key matters for consideration in the assessment of the application. The EIS will demonstrate how the proposal is suitable for the site and that potential environmental impacts can be appropriately mitigated, minimised, or managed to avoid any unacceptable impacts.

Consultation with government agencies and the surrounding community throughout the following stages and development of the proposal will ensure the most favourable outcomes.

The receipt of SEARs will enable the proposed development to move to the EIS stage where specialist studies as identified above will be commissioned and more detailed investigations undertaken.

APPENDIX A

SCOPING SUMMARY TABLE

A

Sutherland & Associates Planning Pty Ltd

Level of Assessment	Matter	CIA	Engagement	Relevant government plans, policies and guidelines	Scoping report reference
Detailed	Access	Y	Specific	<ul style="list-style-type: none"> Guide to Traffic Management – Part 3 Traffic Studies and Analysis (Austroads, 2013) Guide to Traffic Generating Developments Version 2.2 (RTA, 2002) 	Section 6.1
Detailed	Noise	Y	General	Interim Construction Noise Guideline (Department of Environment, Climate Change and Water, 2009)	Section 6.2
Standard	Visual	N	General	Refer to scoping report	Section 6.2
Detailed	Biodiversity	Y	General	Consistent with the Biodiversity Conservation Act 2016	Section 6.3
Standard	Built Environment	N	General	Refer to scoping report	Section 6.4
Standard	Contamination	N	General	<ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021 Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (Department of Urban Affairs and Planning and Environment Protection Authority, 1998) 	Section 6.6.1
Detailed	Heritage	N	Specific	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW)	Section 6.7
Detailed	Infrastructure and Servicing	Y	General	Refer to scoping report	Section 6.9
Standard	Social	N	General	Refer to scoping report	Section 6.10
Standard	Waste	N	General	<ul style="list-style-type: none"> Waste Classification Guidelines (DECCW, 2009) Waste Avoidance and Resource Recovery Act 2001 	Section 6.6.3
Standard	Water	N	Specific	Refer to scoping report	Section 6.11
Standard	Engagement	N	Specific	Undertaking Engagement Guidelines for State Significant Projects, Nov 2021	Section 5

APPENDIX B

HERITAGE NSW CONSULTATION

B

Heritage NSW & Regal Heritage

From: Marika Low <marika.low@environment.nsw.gov.au>
Sent: Monday, June 17, 2024 11:53 AM
To: Consultation <consultation@regalheritage.com.au>
Subject: Heritage NSW response RE: S73-75 and 77 Gipps Street and 60-74 Flinders Street Wollongong: SD Application ACHA meeting

Hi Renée,

Thank you for reaching out to Heritage NSW.

It is understood that:

- A SSD application is being prepared for a proposed mixed-use development at 73-75 and 77 Gipps Street and 60-74 Flinders Street Wollongong.
- The Proponent will shortly be lodging a scoping report requesting Secretary Environmental Assessment Requirements (SEARs) for the project.
- In relation to Aboriginal cultural heritage (ACH), it is expected that the SEARs will require the preparation of Aboriginal Cultural Heritage Assessment Report (ACHAR), in accordance with relevant policy and guidelines.
- The proposal site was previously used as the Wollongong Gas works and is heavily disturbed as a result of this past use, having been previously subject to complete cut and fill and remediation due to soil contamination.
- Based on the level of past disturbance and land-modification resulting from the Wollongong Gas works there is nil potential for surface or subsurface Aboriginal objects.
- Regal Heritage Pty Ltd. has been engaged by Level 33/the Proponent to complete the Aboriginal cultural heritage assessment process. Due to the nature of the proposal site as a heavily disturbed area with nil Aboriginal archaeological potential, Regal Heritage are proposing to complete a compressed ACH assessment process as follows:
 - Completion of Stage 1 (i.e., Notification of project proposal and registration of interest) of the Community Consultation Process as per the guidelines.
 - Completion of Stage 2 to 4 of Consultation Process (i.e., Stage 2 Presentation of information about the proposed project, Stage 3 – Gathering information about cultural significance and Stage 4 Review of draft ACHAR) as a combined process.

Based on our understanding of the above, Heritage NSW supports Regal Heritage's proposed approach to the ACH Assessment process. This has been placed on file accordingly.

If you have any queries regarding the above, please let me know.

Kind regards,

Marika

Marika Low, BA (Hons), PhD

Senior Assessments Officer

Heritage NSW

**Department of Climate Change,
Energy, the Environment and Water**

M 0400 477 904 **E** marika.low@environment.nsw.gov.au

Locked Bag 5020 Parramatta 2124

Working days Monday to Friday, 08:00am - 04:00pm



From: Consultation <consultation@regalheritage.com.au>

Sent: Thursday, 6 June 2024 3:42 PM

To: OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>

Subject: Fwd: S73-75 and 77 Gipps Street and 60-74 Flinders Street Wollongong: SD Application ACHA meeting

Renée Regal

Director/ Heritage Consultant

Regal Heritage

From: Consultation <consultation@regalheritage.com.au>

Sent: Thursday, June 6, 2024 3:41:43 PM

To: OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>

Subject: Fwd: S73-75 and 77 Gipps Street and 60-74 Flinders Street Wollongong: SD Application ACHA meeting

Good morning,

I am writing regarding an SSD Application for the proposed mixed-use development at 73-75 and 77 Gipps Street and 60-74 Flinders Street Wollongong (see attached Figure). Regal Heritage Pty Ltd has been engaged by Level 33 to complete the ACHA components of the EIS. At this stage, the client is lodging their scoping report next week for their SEARs and would like to draw to Heritage NSW's attention the heavily disturbed nature of the site as part of it was previously the Wollongong Gas works. As a result, the site has been subject to complete cut and fill and remediation due to soil contamination, meaning there is no potential for subsurface Aboriginal objects to remain on the Subject Area.

Due to this I am writing to request for the Proponent to complete a compressed ACHA assessment process, as an Archaeological Report is not appropriate. For this compressed process I am suggesting that Stages 1- 4 are completed of the consultation process, however a methodology would not be completed as a site inspection is not required due to the disturbed nature of the site. This would mean that in lieu of the methodology review process the RAPs would be issued with the draft ACHA to review and comment on. This ACHA would have historical aerials, photographs and figures highlighting the disturbance across the sites, as well as areas that are using existing concrete pads etc for the proposed development.

I appreciate your consideration of this matter and am available to attend a meeting either in person or via teams with a representative Level 33 to discuss this process moving forward if required.

Kind regards,

Renée



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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment, Energy and Science.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL