

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 shop-top housing development comprising commercial premises and a residential flat development comprising approximately 1,500 apartments

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Prepared by

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1.0 INTRODUCTION

1.1 Overview

This Scoping Report has been prepared by Sutherland & Associates Planning on behalf of Level 33 (Wollongong Developments No.7 Pty Ltd). 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 commercial premises on the ground floor and approximately 1,500 apartments above (including approximately 220 affordable housing apartments). The affordable housing component of the development will be managed by a registered Community Housing Provider.

On 23 July 2025, the proposed development of the site as specified in Expression of Interest (EOI) application 235550 to the Housing Delivery Authority (HDA) was declared State Significant Development by the Minister for Planning and Public Spaces pursuant to State Significant Development Declaration Order (No. 11) 2025.

In accordance with the Housing Delivery Authority (HDA) program, the SSDA will be accompanied by a concurrent planning proposal for the following amendments to the Wollongong Local Environmental Plan 2009:

- Additional Permitted Use of 'commercial premises' for the site in Schedule 1 of the WLEP
- an increase of the maximum permissible FSR for the site to approximately 4.5:1
- an increase of the maximum permissible height to approximately 140m

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

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
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.
- 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.

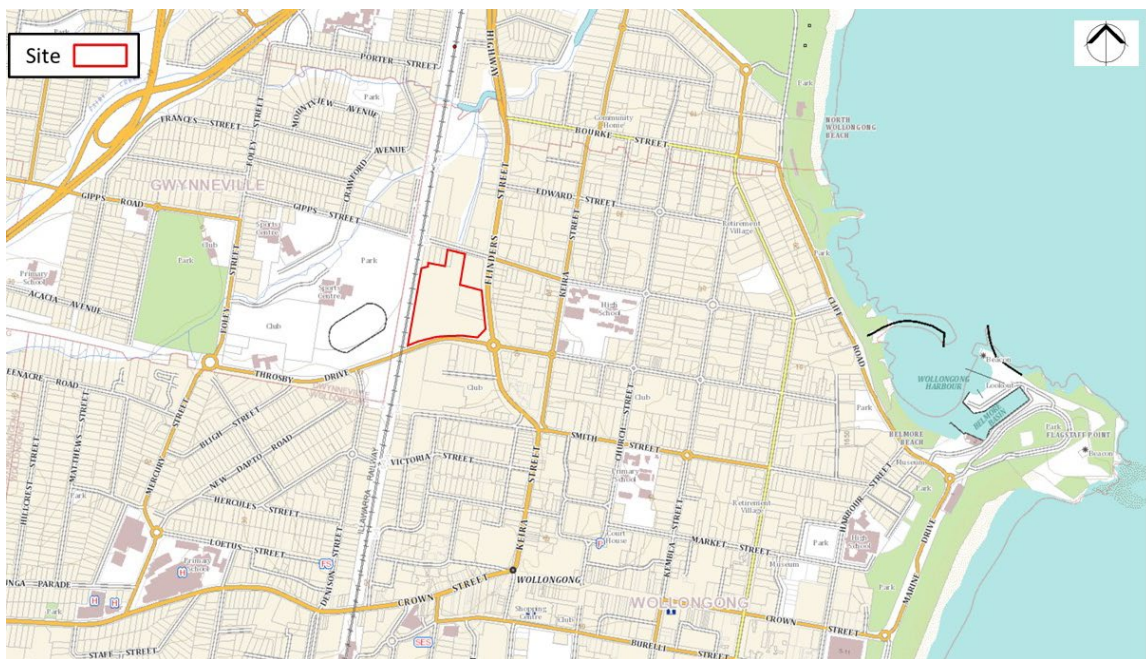


Figure 1:

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 33,130 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.

An underground culvert follows the low point of the site and 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)



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 Kerry 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 Description and Rezoning

1.7.1 State Significant Development

The proposed development is for the following works:

- 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 will predominantly comprise retail premises and business. A child care centre will also be provided.
- Each building consists of shop top housing. A total of approximately 1,500 apartments are proposed, including around 220 affordable apartments.
- 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.

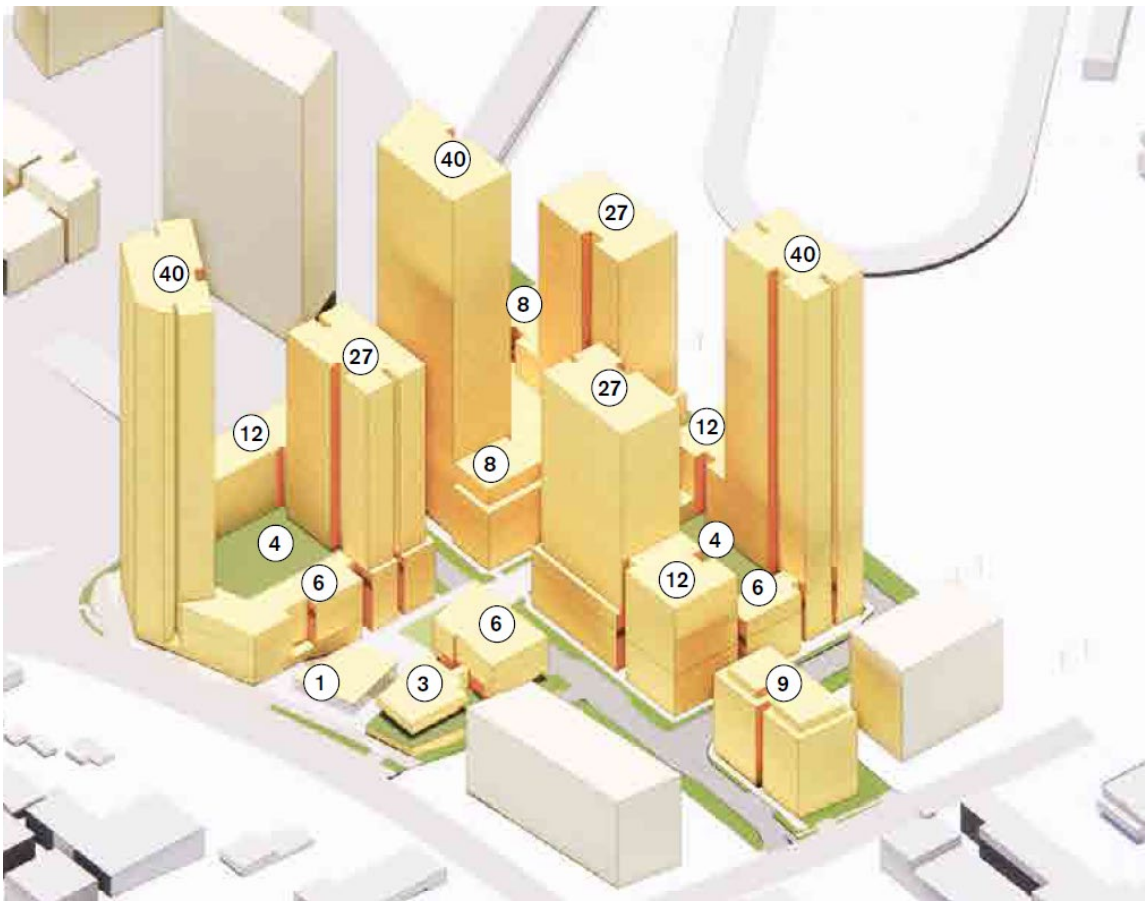


Figure 5:

Axonometric view prepared by DKO

1.7.2 Proposed Amendments to THLEP 2019

To facilitate the proposed built form sought, concurrent amendments are also sought to the WLEP 2009 pursuant to the Concurrent Rezoning process facilitated by the HDA planning pathway. Specifically, consent is sought to:

- Additional Permitted Use of 'commercial premises' for the site in Schedule 1 of the WLEP
- an increase of the maximum permissible FSR for the site to approximately 4.5:1
- an increase of the maximum permissible height to approximately 140m

1.8 Estimated Capital Investment Value

The estimated capital investment value (CIV) for the proposed development is in excess of \$500M.

1.9 Numerical Summary

Element	Proposed
Site Area	33,130 square metres by survey
Gross Floor Area	Non-residential: 7,000 square metres (Retail: 6,500sqm + Childcare: 500 sqm) Residential: 136,600 square metres Total: 143,600 square metres
FSR	4.33:1
Height	140m
Storeys	Max 40 storeys
Apartments (approximate)	1,500

2.0 STRATEGIC CONTEXT

2.1 Project Justification

2.1.1 Housing Delivery Authority and National Housing Accord

The NSW State Government has agreed to a National Housing Accord (Accord) with other states and territories, local government, institutional investors and the construction sector. The Accord includes an initial aspirational target agreed by all parties to build 1.2 million new well-located homes over 5 years from mid-2024. NSW has a target to deliver 377,000 new homes over five years by July 2029 under the National Housing Accord.

To accelerate the delivery of much needed homes and help meet NSW's target under the Accord, the NSW Government has established the Housing Delivery Authority (HDA). The HDA offers a clear planning pathway for large residential and mixed-use developments to be assessed as State significant development and State Significant Development with a Concurrent Rezoning. This process aims to improve consistency in planning decisions and speed up assessment, without sacrificing housing quality.

The subject site is well placed to deliver additional uplift to help achieve Accord housing goals, being a large, consolidated land holding under single ownership, with excellent public transport connections.

2.1.2 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.

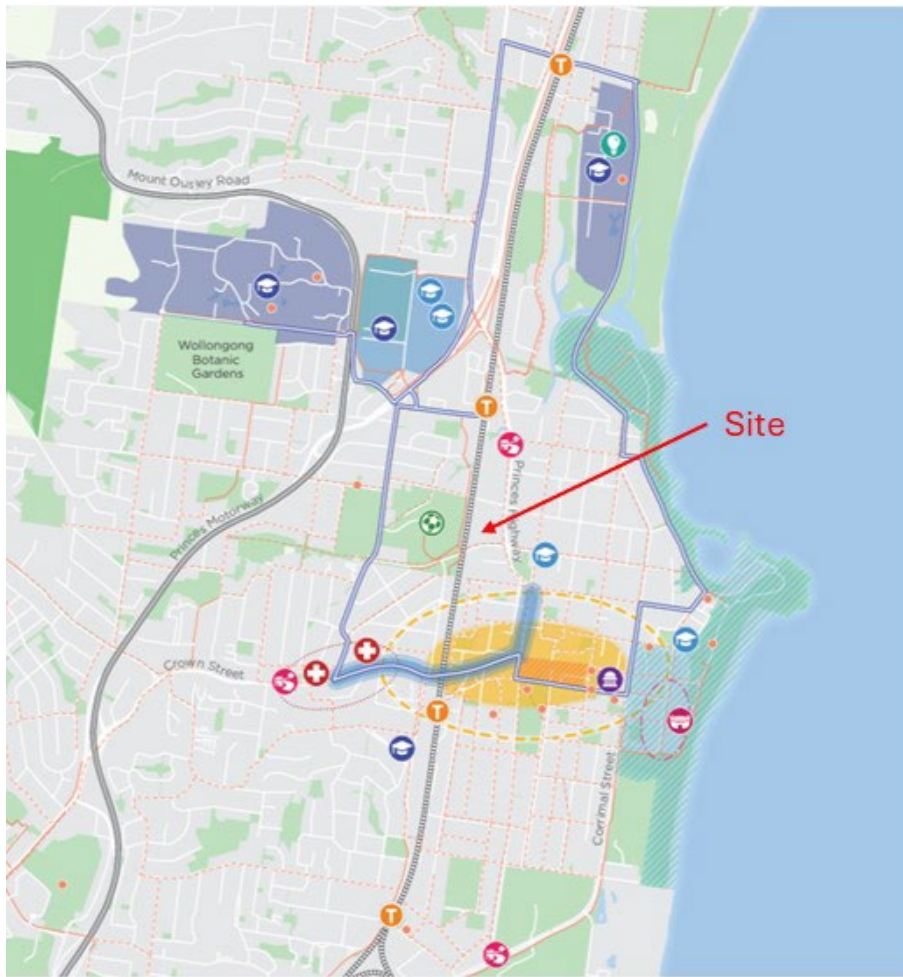
The Plan sets 30 objectives related to the four themes. Objectives relevant to the proposed development include:

- 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 6). 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).



Map 2: Metro Wollongong



- | | | | |
|-----------------------------------|--------------------------------------|---------------------|--------------------------------------|
| Commercial core | West Crown and Keira Street Corridor | Train station | Cultural facility |
| Commercial frame | Railway line | Tertiary education | Beaton Park recreation hub |
| Crown Street Mall | Motorway | Secondary education | Entertainment centre and WIN stadium |
| Health precinct | Gong Shuttle bus | Innovation campus | Open space |
| Sports and entertainment precinct | Existing cycle paths | Hospital | National Park |
| Foreshore | Proposed cycle paths | City gateway | Water body |
| | | Civic cultural hub | |

Figure 7:

- Illawarra
- Shoalhaven
- Metro
- Wollongong
- Map

2.1.3 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 a Community Housing Provider, for a period of 15 years.

2.1.4 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 proposed affordable housing provided within the development will assist in addressing the declining affordability of housing in the locality.

2.1.5 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:

- 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)

- o 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.

2.1.6 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:

- o Supply: the proposal will facilitate the delivery of a total of approximately 1,500 apartments, including approximately 220 affordable housing apartments, which is a significant boost to the supply of both rental and market accommodation
- o 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.
- o 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.
- o Resilience: ESD principles will be embedded into the buildings design and future operation.

3.0 STATUTORY CONTEXT

The relevant statutory context includes the following Acts, Regulations, environmental planning instruments and draft environmental planning instruments:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021 – Chapter 4 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Wollongong Local Environmental Plan 2009

In accordance with the *State significant development guidelines – preparing an environmental impact assessment* this section includes the following:

- Power to grant approval
- Permissibility
- Other approvals
- Preconditions table
- Mandatory considerations table

Matter	Description
Power to grant consent	<p>Environmental Planning and Assessment Act 1979 (EP&A Act)</p> <p>Division 4.7 of the EP&A Act establishes a specific system to consider projects classed as State Significant Development (SSD). SSD is development deemed to be of State significance and includes projects of a certain value that are being completed on sites regarded as important to the NSW Government</p> <p>Section 4.36(3) of the EP&A Act states that:</p> <p style="text-align: center;"><i>The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development.</i></p> <p>On 23 July 2025, the proposed development of the site as specified in Expression of Interest (EOI) application 235550 to the Housing Delivery Authority (HDA) was declared State Significant Development by the Minister for Planning and Public Spaces pursuant to State Significant Development Declaration Order (No. 11) 2025</p>
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>

Matter	Description
	The application seeks to introduce “commercial premises” as an additional permitted use for the site in Schedule 1 of WLEP. Subject to this amendment, the proposed mixed use development is permissible with consent.
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 2.119</p> <p>In accordance with clause 2.199 of State Environmental Planning Policy (Transport and Infrastructure) 2021, the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</p> <p>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</p> <p>(i) the design of the vehicular access to the land, or</p> <p>(ii) the emission of smoke or dust from the development, or</p> <p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> <p>The proposed development has a frontage to a classified road, but proposes access from other roads.</p>
	<p>State Environmental Planning Policy (Transport and Infrastructure) 2021 - Clause 2.120</p>

Matter	Description
	<p>Clause 2.120 applies to residential development adjacent to the road corridor with an annual average daily traffic volume of more than 20,000 vehicles and requires a consent authority to consider the impacts of road noise and vibration on residential development. This section specifically requires:</p> <p>(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following Lae1 levels are not exceeded—</p> <p>(a) In any bedroom in the residential accommodation—35dB(A) at any time between 10pm and 7am,</p> <p>(b) Anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40dB(A) at any time.</p>
	<p>State Environmental Planning Policy (Transport and Infrastructure) 2021 - Clause 2.122(4)</p> <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 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>

Matter	Description
	(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>State Environmental Planning Policy (Sustainable Buildings) 2002</p> <p><i>Clause 2.1(5) Standards for BASIX development and BASIX optional development</i></p> <p>(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.</p>
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> <p style="margin-left: 40px;">(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p style="margin-left: 40px;">(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p>

Matter	Description		
	<p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material or the destination of any excavated material,</p> <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>Chapter 4 Design of Residential Apartment Development</p>		
	<p><i>147 Determination of development applications and modification applications for residential apartment development</i></p>		
	<table border="1"> <tr> <td style="width: 50%; vertical-align: top;"> <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> </td> <td style="width: 50%; vertical-align: top;"> <p>The proposal is consistent with the design principles in Schedule 9 and achieves full compliance with the ADG.</p> <p>Compliance with the ADG will be demonstrated in the EIS and supporting documentation.</p> </td> </tr> </table>	<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>The proposal is consistent with the design principles in Schedule 9 and achieves full compliance with the ADG.</p> <p>Compliance with the ADG will be demonstrated in the EIS and supporting documentation.</p>
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	<p>Wollongong DCP 2009</p> <p>Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development.</p>		

4.0 ENGAGEMENT

4.1 Engagement carried out

The applicant has undertaken extensive engagement with Council and the DPHI over two to three years in relation to the development opportunities for the subject site. The most recent meetings are:

- 20 October 2025 – Meeting with DPHI to brief on the design development of the proposal, including the revised heights
- 28 October 2025 – Meeting with Council to brief on the design development of the proposal, including the revised heights

4.2 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:

- DPHI
- State Design Review Panel
- 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

5.0 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:

5.1 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).

5.2 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.

5.3 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.

5.4 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.

5.5 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.

5.6 Hazards and risks

5.6.1 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.

5.6.2 Riverine Corridor

The EIS will address the drainage culvert through the site.

5.6.3 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.

5.7 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.

5.8 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.

5.9 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.

5.10 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.

5.11 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.

5.12 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

6.0 CONCLUSION

The purpose of this report is to request project-specific SEARs for the preparation of an EIS to support a proposal for demolition of existing structures and construction of a mixed use development comprising shop top housing and several other non-residential uses at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong. Approximately 1,500 apartments are proposed, including approximately 220 affordable apartments.

On 23 July 2025, the proposed development of the site as specified in Expression of Interest (EOI) application 235550 to the Housing Delivery Authority (HDA) was declared State Significant Development by the Minister for Planning and Public Spaces pursuant to State Significant Development Declaration Order (No. 11) 2025.

In accordance with the Housing Delivery Authority (HDA) program, the SSDA will be accompanied by a concurrent planning proposal for the following amendments to the Wollongong Local Environmental Plan 2009:

- Additional Permitted Use of 'commercial premises' for the site in Schedule 1 of the WLEP
- an increase of the maximum permissible FSR for the site to approximately 4.5:1
- an increase of the maximum permissible height to approximately 140m

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.