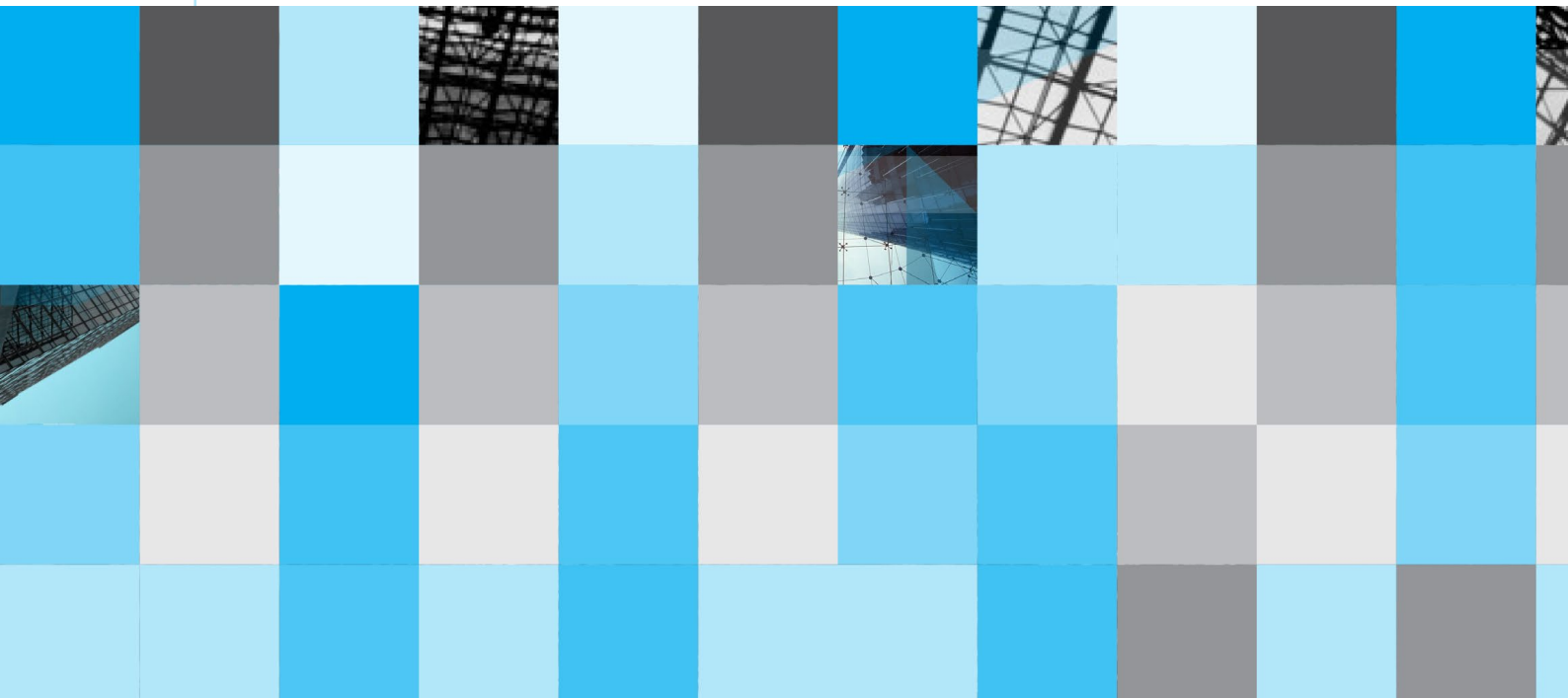




73-77 Gipps Street and 60-74 Flinders Street, Wollongong

Environmental Impact and Rezoning Statement (SSD 100626709)

Environmental Impact and Rezoning Statement (SSD 100626709)

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

Demolition of existing structures and construction
of a mixed-use development comprising two
basement levels; retail premises on the ground
floor; a child care centre on Level 1; and a total
of 1,260 apartments (including 190 affordable
housing apartments)

August 2026

Prepared under instructions from
[Wollongong Developments No. 7 Pty Ltd](#)

by

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GLOSSARY AND ABBREVIATIONS	13
SIGNED DECLARATION	15
SUMMARY	17
1.0 INTRODUCTION	20
1.1 Applicant Details	20
1.2 Site Location	20
1.3 State Significant Declaration Order (No 11) 2025	21
1.4 Project Description and Rezoning	22
1.4.1 State Significant Development SSD-100626709	22
1.4.2 Proposed Amendments to WLEP 2009	22
1.5 Objectives of the development	22
1.6 Key strategies adopted to avoid, minimise or offset the impacts of the project	23
2.0 STRATEGIC CONTEXT	24
2.1 Supporting Strategies, Policies and Plans	24
2.1.1 Housing Delivery Authority and National Housing Accord	24
2.1.2 NSW State Premier's Priorities	24
2.1.3 Illawarra Shoalhaven Regional Plan 2041	24
2.1.4 Wollongong Local Strategic Planning Statement	26
2.1.5 Wollongong Housing Strategy 2023	26
2.1.6 Flinders Street Precinct Urban Design Framework	27
2.1.7 Future Transport Strategy 2056	29
2.1.8 NSW Planning Guidelines for Walking and Cycling	30
2.1.9 Housing 2041 – NSW Housing Strategy	30
2.1.10 Better Placed – An Integrated Design Policy for the Built Environment of NSW	31
2.1.11 Connecting with Country Framework	34
2.1.12 Healthy Urban Development Checklist	34
2.2 Key Features of Site and Surrounds	35
2.2.1 Site Description	35
2.2.2 Surrounding Development	42
2.3 Cumulative Impacts with Future Projects	45
3.0 PROJECT DESCRIPTION	46
3.1 Project area	46

3.2	Project Overview	46
3.3	Built Form and Urban Design	49
3.4	Connecting with Country	56
3.5	Materials and Finishes	57
3.6	Commercial and Child Care Uses and Signage	59
3.7	Site Preparation Works	59
3.7.1	Demolition	59
3.7.2	Tree Removal	60
3.7.3	Earthworks	60
3.8	Public and Private Open Space	60
3.9	Parking and Access	61
3.9.1	Pedestrian and Vehicle Access	61
3.9.2	Parking	62
3.10	Servicing and Waste Removal	62
3.11	Stormwater	62
3.12	Sustainability	63
3.13	Services	63
3.14	Construction Details	63
3.14.1	Construction Traffic Management Plan	63
3.14.2	Construction Hours	63
3.15	Affordable Housing	63
3.16	Staging and Timing	64

4.0 PROPOSED REZONING AMENDMENTS 66

4.1	Proposed Amendments to the WLEP	66
4.1.1	Additional Permitted Use	66
4.1.2	Height of Buildings	67
4.1.3	Floor Space Ratio	68
4.2	Justification of Strategic Merit	69
4.2.1	Question 1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?	69
4.2.2	Question 2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	69
4.2.3	Question 3 - Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?	70
4.2.4	Question 4 - Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?	72

4.2.5	Question 5 - Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?	75
4.2.6	Question 6 - Is the planning proposal consistent with applicable SEPPs?	77
4.2.7	Question 7 - Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?	79
4.3	Justification of Site-Specific Merit	83
4.3.1	Question 8 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Proposal?	83
4.3.2	Question 9 - Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?	83
4.3.3	Question 10 - Has the Planning Proposal adequately addressed any social and economic effects?	84
4.3.4	Question 11 - Is there adequate public infrastructure for the Planning Proposal?	84
4.3.5	Question 12 - What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?	85

5.0 STATUTORY CONTEXT 86

5.1	Relevant Statutory Requirements	86
5.1.1	Power to grant approval	86
5.1.1	Permissibility	87
5.1.2	Other approvals	87
5.1.3	Pre conditions	87
5.1.4	Mandatory Considerations table	97

6.0 ENGAGEMENT 100

6.1	Authority Consultation	100
6.1.1	Consultation with the Wollongong City Council	100
6.1.2	Consultation with GANSW	101
6.1.3	Department of Planning, Housing and Infrastructure	103
6.1.4	NSW Police	103
6.1.5	Department of Education	104
6.1.6	Transport for NSW	104
6.2	Community Engagement	104

7.0 ASSESSMENT OF IMPACTS 106

7.1	Statutory Context	106
7.1.1	Wollongong Local Environmental Plan 2015	106
7.2	Design Quality	115

7.3	Built Form and Urban Design	116
7.3.1	Layout, Bulk and Scale	116
7.3.2	Separation	117
7.3.3	Setbacks	117
7.3.4	Façades	118
7.3.5	Materials	118
7.3.6	Accessibility	119
7.4	Environmental Amenity	119
7.4.1	Solar Access	119
7.4.2	Natural Ventilation	119
7.4.3	Visual Privacy	120
7.4.4	Common Open Space	120
7.4.5	Views	120
7.4.6	Shadow Impacts	120
7.4.7	Wind Impacts	121
7.4.8	Reflectivity	121
7.4.9	Acoustic Privacy	121
7.5	Visual Impact	121
7.6	Public Space	122
7.6.1	Integration with the Public Domain	122
7.6.2	Crime Prevention Through Environmental Design Principles	123
7.7	Trees and Landscaping	123
7.7.1	Impacts on existing trees	123
7.7.2	Proposed Landscaping	124
7.8	Ecologically Sustainable Development	124
7.9	Traffic, Transport and Accessibility	125
7.9.1	Traffic	125
7.9.2	Car Parking	126
7.9.3	Access	128
7.9.4	Service vehicle movements and access arrangements	128
7.10	Biodiversity	128
7.11	Noise and Vibration	128
7.11.1	Noise Attenuation for Future Residents	128
7.11.2	Noise Emissions from Development	128
7.11.3	Construction Noise and Vibration	129
7.12	Ground and Water Conditions	130
7.13	Water Management	130
7.14	Flooding Risk	131
7.15	Contamination	131

7.16	Waste Management	132
7.16.1	Construction Waste	132
7.16.2	Operational Waste	132
7.17	Environmental Heritage	132
7.18	Social Impact Assessment	132
7.19	Utilities	133
7.20	Contributions	133
7.20.1	Section 7.11 Contributions	133
7.20.2	Housing and Productivity Contribution	133
7.21	Rail Corridor	134

8.0 JUSTIFICATION OF THE PROJECT 135

8.1.1	Affordable Housing	135
8.1.2	Strategic Alignment	135
8.1.3	Statutory Alignment	136
8.1.4	Impact Assessment	136
8.1.5	Evaluation	137

9.0 CONCLUSION 138

APPENDIX LIST

Appendix	Title	Author
1	SEARs	DPHI
2	SEARs Compliance Table	Sutherland & Associates Planning
3	Statutory Compliance Table	Sutherland & Associates Planning
4	Mitigation Measures Table	Sutherland & Associates Planning
5	Survey	Masters Surveying
6	Architectural Package	DKO
7	Design Verification Statement and Design Report	DKO
8	Landscape Plans	Land and Form
9	Detailed Site Investigation	EI Australia
10	Geotechnical Report	Foundation Earth Sciences
11	Transport and Accessibility Impact Assessment	JMT Consulting
12	Noise Impact Assessment	PWNA
13	BCA Compliance Assessment Report	Nest Consulting
14	BASIX Certificate	Green Perch
15	Operational Waste Management Plan	Elephants Foot
16	Construction and Demolition Waste Management Plan	Elephants Foot
17	Arboricultural Report	Creative Planning Solutions
18	Accessibility Report	Nest Consulting
19	Civil Plans	Stellen Consulting
20	Civil Engineering Report	Stellen Consulting
21	Flood Impact Assessment	Stellen Consulting
22	EDC Report	Archi-QS Pty Ltd
23	Connecting with Country Report	JMP
24	Economic Impact Statement	Hill PDA
25	Statement of Heritage Impact	Archive Heritage
26	Aboriginal Cultural Heritage Assessment Report	Regal Heritage
27	Biodiversity Development Assessment Report	Narla Environmental
28	ESD Report	Green Perch
29	Social Impact Assessment	Sarah George Consulting

Appendix	Title	Author
30	Community Engagement Report	Sarah George Consulting
31	Wind Report	VIPAC
32	Infrastructure Management Plan	Neuron
33	Affordable Housing Nomination	Housing Trust
34	Rail Impact Assessment Report	Arcadis Australia Pacific
35	Acid Sulphate Soils Management Plan	EI Australia
36	Wollongong City Council - pre-lodgement minutes	Wollongong City Council
37	Hydrogeological Assessment	Foundation Earth Sciences
38	Visual Impact Assessment	Colliers Urban Planning
39	Embodied Emissions Form	Archi-QS Pty Ltd
40	Craneage Plans	L88
41	Letter of Support – Urban Design	Matt Pullinger
42	Adaptable Housing Report	Nest Consulting

Figures

Figure	Description	Page
Figure 1	Site Location	21
Figure 2	Illawarra Shoalhaven Metro Wollongong Map	25
Figure 3	Figure 40 of UDF	29
Figure 4	Aerial view of the site	36
Figure 5	Overland flow and drainage diagram	37
Figure 6	Generalised diagram of the topography of the site	41
Figure 7	Proposed site plan	47
Figure 8	Design Evolution – Respecting the escarpment songlines	50
Figure 9	Design Evolution – Celebration of creek line	50
Figure 10	Design Evolution – Community Heart	51
Figure 11	Design Evolution – Podium Definition	51
Figure 12	Design Evolution – Street Character	52
Figure 13	Design Evolution – Height Variation	52
Figure 14	Design Evolution – Vertical Articulation	53
Figure 15	Design Evolution – Maintain Wodi Wodi songlines	53

Figure	Description	Page
Figure 16	Design Evolution – Communal Open Space	54
Figure 17	Proposed massing	54
Figure 18	CGI of Building 2 as viewed from the intersection of Throsby Drive and Flinders Street facing north	55
Figure 19	CGI of Buildings 4 and 5 as viewed from Beaton Park Sports Fields facing east	55
Figure 20	CGI of Buildings 1 in the background and the public plaza in the foreground	56
Figure 21	Connecting with Country Initiatives	57
Figure 22	Façade and materiality - Escarpment (Source: DKO)	58
Figure 23	Façade and materiality - Creekline (Source: DKO)	58
Figure 24	Façade and materiality - Saltwater (Source: DKO)	59
Figure 25	Landscape structure through the site (Source: Landscape Design Report)	61
Figure 26	Vehicle access (Source: Design Report)	62
Figure 27	Staging plans (Source: Design Report)	65
Figure 28	Extract from the WLEP Height of Building Map	67
Figure 29	Proposed amendment to the WLEP Height of Buildings Map	68
Figure 30	Excerpt from WLEP FSR map	68
Figure 31	Proposed amendment to the WLEP FSR map	69
Figure 32	Massing of proposal presented to SDRP on 4 February 2026 (Source: DKO)	101
Figure 33	Massing of proposal presented to SDRP on 15 April 2026 (Source: DKO)	102
Figure 34	Massing of proposal in response to feedback from SDRP on 15 April 2026 (Source: DKO)	103
Figure 35	Extract from the WLEP Land Zoning Map	107
Figure 36	Excerpt from WLEP acid sulphate soils map	110
Figure 37	Setback strategy (Source: DKO Design Report)	118

Tables

Table	Description	Page
Table 1	Applicant Details	20
Table 2	Assessment against Better Placed objectives	31
Table 3	Assessment against Healthy Urban Development Checklist	34
Table 4	Legal description of site	35

Table	Description	Page
Table 5	Summary of Key Elements of the Development	48
Table 6	Affordable housing apartments	64
Table 7	Consistency with objectives of Illawarra Shoalhaven Regional Plan	70
Table 8	Consistency with SEPPs	77
Table 9	Consistency with Ministerial Directions	79
Table 10	Power to Grant Consent	86
Table 11	Permissibility	87
Table 12	Pre conditions table	88
Table 13	Mandatory Considerations	97
Table 14	Clause 7.18 of WLEP	112
Table 15	Car parking rates	126
Table 16	Residential car parking compliance	126
Table 17	Mitigation measures to address construction noise	129

Photographs

Photograph	Description	Page
Photograph 1	Gipps Street frontage of 73-75 Gipps Street	37
Photograph 2	Gipps Street frontage of 77 Gipps Street	37
Photograph 3	73-75 Gipps Street as viewed from Flinders Street (Source: Google Maps 24)	38
Photograph 4	73-75 Gipps Street as viewed from Throsby Drive (Source: Google Maps 2024)	38
Photograph 5	73-75 Gipps Street as viewed from Throsby Drive	38
Photograph 6	View to the Gipps Street entry of the site from the driveway	39
Photograph 7	View of the existing warehouse building at 73-75 Gipps Street	39
Photograph 8	View to the west along the northern side of the existing building at 73-75 Gipps Street	39
Photograph 9	View to the rear of 50-58 Flinders Street from the site	40
Photograph 10	60-72 Flinders Street (Source: Google Maps 2024)	40
Photograph 11	74 Flinders Street as viewed from Flinders Street (Source: Google Maps 2024)	40
Photograph 12	50-58 Flinders Street, as viewed from Gipps Street	43

Photograph	Description	Page
Photograph 13	79 Gipps Street	43
Photograph 14	Open culvert (right) and Kennards Self Storage premises at 100 Gipps Street (left).	43
Photograph 15	The open culvert to the north of the site	44
Photograph 16	Development to the north-east of the site with frontage to Gipps Street	44
Photograph 17	Development to the south of the site (Source: Google Maps 2024)	44
Photograph 18	View of development to the south-east of the site	45

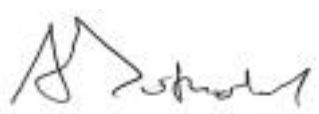
GLOSSARY AND ABBREVIATIONS

Abbreviation	Term
ABCHAR	Aboriginal Cultural Heritage Assessment Report
ACA	Access Design Assessment
AEP	Annual Exceedance Probability
AIA	Arboricultural Impact Assessment
BCA	Building Code of Australia
BC Act	Biodiversity Conservation Act 2016
BC Regulation	Biodiversity Conservation Regulation 2017
CPTED	Crime Prevention Through Environmental Design
DA	Development Application
DCP	Development Control Plan
EDC	Estimated Development Cost
EI&RS	Environmental Impact and Rezoning Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
ESD	Ecologically Sustainable Development
FSMS	Flood and Stormwater Management Strategy
GANSW	Government Architect New South Wales
GR	Geotechnical Report
GTP	Green Travel Plan
NIA	Noise Impact Assessment
PMF	Probable Maximum Flood
PSI	Preliminary Site Investigation
QS	Quantity Surveyor
RAP	Remediation Action Plan
SEARs	Secretary's Environmental Assessment Requirements
SIA	Social Impact Assessment
SOHI	Statement of Heritage Impact
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TIA	Traffic Impact Assessment
TMP	Tree Management Plan

Abbreviation	Term
WLEP	Wollongong Local Environmental Plan 2009
WSUD	Water Sensitive Urban Design

SIGNED DECLARATION

Project details	
Project name:	73-77 Gipps Street and 60-74 Flinders Street, Wollongong
Application number:	SSD-100626709
Land to be developed Address of the land in respect of which the development application is made:	73-75 Gipps Street, Wollongong – Lot 205 in DP 801956 77 Gipps Street, Wollongong – Lot 4 in DP 17483 60-72 Flinders Street, Wollongong – SP37337 74 Flinders Street, Wollongong - Lots 1 and 2 in DP 504449
Applicant details	
Applicant name:	Wollongong Developments No. 7 Pty Ltd
Applicant address:	102 Bonds Road, Riverwood
Details of person by whom this EI&RS was prepared	
Name:	Aaron Sutherland, Director
Address:	Sutherland & Associates Planning Pty Ltd PO Box 814 Bowral NSW 2576
Professional qualifications:	Bachelor of Town Planning (UNSW)
Declaration by Registered Environmental Assessment Practitioner	
Name:	Aaron Sutherland
Registration Number:	145648
Organisation Registered With:	Planning Institute of Australia
Declaration:	The undersigned declares that this EI&RS: • has been prepared in accordance with Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021; • contains all available information that is relevant to the environmental assessment of the proposed development, activity and infrastructure to which the EI&RS relates; • does not contain information that is false or misleading; • addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; • has been prepared having regard to the Departments State Significant Development Guidelines – Preparing an Environmental Impact and Rezoning Statement;

Project details	
	- contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; - contains a consolidated description of the project in a single chapter of the EI&RS; - contains an accurate summary of the findings of any community engagement; and - contains an accurate summary of the detailed technical assessment of the impact of the project as a whole.
Signature:	
Date:	28 August 2026

SUMMARY

This Environmental Impact and Rezoning Statement (EI&RS) has been prepared under section 4.12(8) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on behalf of Wollongong Developments No. 7 Pty Ltd in support of a State Significant Development (SSD) Development Application (DA) for the purposes of a mixed use development comprising two basement levels; retail premises on the ground floor; a child care centre on Level 1; and a total of 1,260 apartments (including 190 affordable housing apartments) at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong.

The site has been the subject of *State Significant Declaration Order (No 11) 2025* (Order) issued on 23 July 2025, which specifies development in EOI application 235550 dated 31 January 2025, including development for the purposes of a shop top housing including retail premises with provision of affordable housing at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong, is SSD.

The Order enables SSD-100626709 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to the *Wollongong Local Environmental Plan 2009* (WLEP 2009). Accordingly, this Report sets out both the development sought under SSD-100626709 and the amendments sought to the WLEP 2009, and the relevant matters for consideration under Division 4.7 and Section 3.33 of the EP&A Act.

Secretary's Environmental Assessment Requirements (SEARS) for the proposal were issued on 22 December 2025. The EI&RS has been prepared in response to the SEARS and the relevant requirements in the EP&A Regulation. The EI&RS has been prepared in accordance with the *State Significant Development Guidelines November 2021*.

The EI&RS addresses the relevant mandatory considerations and preconditions to the granting of consent for the development and details the proposal's consistency with the relevant strategic planning policies, and compliance against the applicable environmental planning instruments including:

- 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

The proposed development the subject of this SSD application is for the following works:

- Demolition of existing buildings.
- The construction of five, mixed use buildings above two levels of basement car parking, as follows:
 - Building 1: 1-9 storeys
 - Building 2: 4-36 storeys
 - Building 3: 18 storeys
 - Building 4: 3-35 storeys
 - Building 5: 3-35 storeys
- The development incorporates retail premises on the ground floor, and an indicative child care centre on Level 1.
- A total of 1,260 apartments are proposed, including 190 (15%) 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.
- 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 1 and 2 and associated access roads.
 - Stage 2 – Buildings 3 and 4
 - Stage 3 – Building 5

A detailed description of the proposal is provided under Section 3.0 of this EI&RS, as well as illustrated in the Architectural Drawings prepared by DKO architects at **Appendix 5** and the Landscape Plans prepared by Land and Form at **Appendix 8**.

To facilitate the proposed built form sought under SSD-100626709, 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' and 'residential flat building' for the site in Schedule 1 of the WLEP
- an increase of the maximum permissible FSR for the site to 4.1:1
- amend clause 4.4A to exclude the clause from SSD-100626709
- an increase of the maximum permissible height to 125m

The proposed development and amendments to the WLEP 2009 exhibit strategic and site-specific merit. The proposal represents a direct response to *State Significant Declaration Order (No 11) 2025* (Order) issued on 23 July 2025. It directly responds to the objectives of the HDA and National Housing Accord to build new well-located homes to alleviate the housing crisis.

This EI&RS demonstrates that the development is consistent with Illawarra Shoalhaven Regional Plan 2041, the Wollongong LSPS, and the Wollongong Housing Strategy 2023. Having regard to the applicable legislative framework, the proposed development is also consistent with the aims and objectives of the relevant environmental planning instruments, strategies and policies and in particular the recent amendments specifically aimed to increase housing supply in especially affordable housing.

The proposed design of the development responds positively to the emerging character of the locality and the various design objectives which apply to the site. Considerable attention has been given to developing a high-quality architectural design response that delivers a positive contribution to the local skyline, the streetscapes and the public domain and provides an appropriate transition to the surrounding properties and minimises impacts on the amenity on these properties.

A 'Connecting with Country' Strategy has been developed by JMP in conjunction with members of the Traditional Custodians of the land through a series of ongoing consultations including a Walk on Country. A comprehensive design response to Country has been integrated into the development, with a particular focus on: rejuvenating country within the site; maintaining sightlines and experiences that link Mount Keira and Mount Kembla to the five islands on the coast; and integrating interpretive signage, public art and landscape features that communicate local Aboriginal knowledge, history, and connection to Country.

Community and stakeholder engagement has been undertaken which has informed and guided the development of the design. The proponent has consulted with landowners, community groups, Government authorities and

service providers. In particular, the proposal has been presented to the State Design Review Panel on several occasions which was highly supportive of the first principles design approach to the site.

This EI&RS identifies the key issues raised during the engagement process in Section 5 and **Appendix 30** and summarises how the design has been influenced by, and amended in response to, issues raised. The technical reports that accompany the application also address key issues raised.

The EI&RS provides details of the assessment of the potential impacts of the project including in relation to traffic, parking, stormwater management, waste management, heritage, geotechnical, ecological impacts, and amenity impacts such as noise and vibration, overshadowing, visual amenity, and wind. The EI&RS and the accompanying technical reports confirm that the proposed development will not result in any unreasonable impacts on the surrounding environment, having regard to the specific design measures incorporated into the development, the implementation of construction and operational management measures and the implementation of the mitigation measures recommended in each report and summarised in this EI&RS. The required mitigation measures are clearly outlined in Section 6 and **Appendix 4**.

This EI&RS demonstrates that the application satisfies all relevant planning considerations including all relevant strategic plans and policies and statutory provisions. The EI&RS demonstrates the environmental impacts of the development have been appropriately assessed and adequate mitigation measures will be put in place. As such, the proposed mixed use development including 15% affordable housing at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong can be approved, subject to appropriate conditions of consent.

1.0 INTRODUCTION

This section of the EI&RS identifies the applicant for the project, provides a simple description of the site project and sets out the background to the project.

1.1 Applicant Details

The applicant details are summarised in the following table.

Table 1: Applicant Details

Applicant	Wollongong Developments No.7 Pty Ltd
ABN	34 672 679 042
Address	102 Bonds Road, Riverwood
Contact	Charbel Kazzi, Head of Development
Contact Details	0405 300 050

1.2 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.

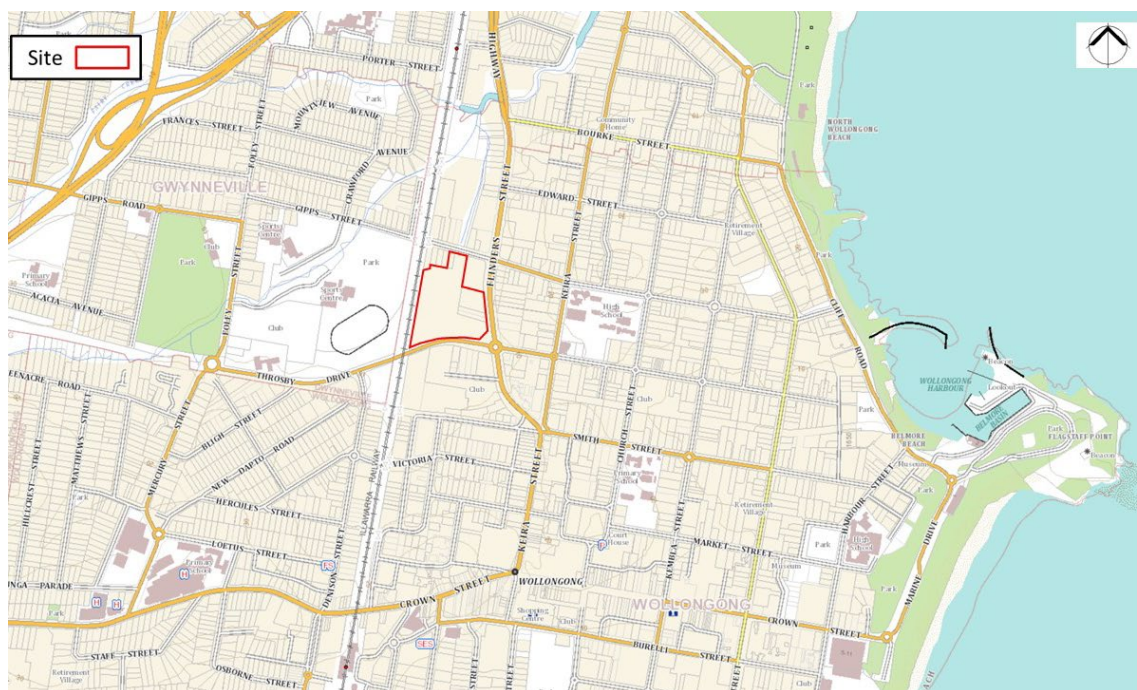


Figure 1:

Site Location: (Source: Google Maps)

1.3 State Significant Declaration Order (No 11) 2025

The NSW State Government has agreed to a National Housing Accord (Accord) to build 1.2 million new well-located homes over 5 years from mid-2024, with NSW targeted to deliver 377,000 new homes over five years by July 2029.

To accelerate the delivery of much needed homes the NSW Government has established the Housing Delivery Authority (HDA) to provide a pathway for large residential and mixed-use developments to be assessed as State significant development and State Significant Development with a Concurrent Rezoning.

The site has been the subject of *State Significant Declaration Order (No 11) 2025* (Order) issued on 23 July 2025, which specifies development in EOI application 235550 dated 31 January 2025, including development for the purposes of a shop top housing including retail premises with provision of affordable housing at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong, is SSD.

The Order enables SSD-100626709 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to the *Wollongong Local Environmental Plan 2009* (WLEP 2009). Accordingly, this Report sets out both the development sought under SSD-100626709 and the amendments sought to the WLEP 2009, and the relevant matters for consideration under Division 4.7 and Section 3.33 of the EP&A Act.

1.4 Project Description and Rezoning

1.4.1 State Significant Development SSD-100626709

The proposed development the subject of this SSD application is for the following works:

- Demolition of existing buildings.
- The construction of five, mixed use buildings above two levels of basement car parking, as follows:
 - Building 1: 1-9 storeys
 - Building 2: 4-36 storeys
 - Building 3: 18 storeys
 - Building 4: 3-35 storeys
 - Building 5: 3-35 storeys
- The development incorporates retail premises on the ground floor, and an indicative child care centre on Level 1.
- A total of 1,260 apartments are proposed, including 190 (15%) 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.
- 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 1 and 2 and associated access roads.
 - Stage 2 – Buildings 3 and 4
 - Stage 3 – Building 5

1.4.2 Proposed Amendments to WLEP 2009

To facilitate the proposed built form sought under SSD-100626709, 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' and 'residential flat building' for the site in Schedule 1 of the WLEP
- an increase of the maximum permissible FSR for the site to 4.1:1
- amend clause 4.4A to exclude the clause from SSD-100626709
- an increase of the maximum permissible height to 125m

1.5 Objectives of the development

The objectives of the development are:

- 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.
- Provide an appropriate amount of commercial space.

- 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.

1.6 Key strategies adopted to avoid, minimise or offset the impacts of the project

The following key strategies have been adopted to avoid and/or minimise offset the impacts of the development:

- The design of the development has been guided by the relevant strategic plans and policies and statutory provisions.
- Engagement with the SDRP and incorporation of feedback into the design.
- Consideration of the building's appearance and visual impact at a macro and micro scale.
- Engagement with the Department of Planning, Housing and Infrastructure.
- Incorporation of ESD principles to manage environmental impacts.
- Incorporation of a 'Connection with Country' strategy.
- The mitigation measures recommended in the technical reports that accompany the application will be implemented.

2.0 STRATEGIC CONTEXT

2.1 Supporting Strategies, Policies and Plans

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 NSW State Premier's Priorities

The proposed development aligns with the Premier's and State Priorities as it will deliver much needed housing supply in an ideal location adjacent to a major central business district town centre. The proposal will also deliver on the priority of 'well connected communities with quality local environments' through the provision of quality open space as well as the fact that the site is immediately adjacent to the Beaton Park sports field and associated facilities which provides a high level of amenity for future residents.

2.1.3 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 2). 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 accompanies this application at **Appendix 8** which demonstrates 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 190 affordable housing dwellings.

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 is found at **Appendix 23** to this EI&RS.

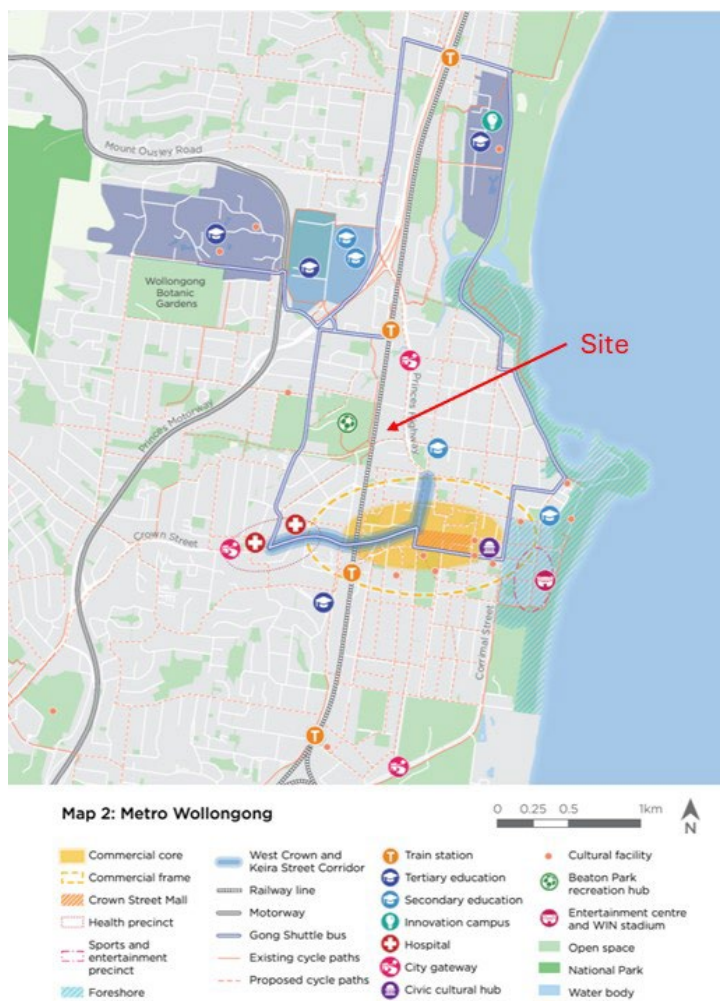


Figure 2:

Illawarra Shoalhaven Metro
Wollongong Map

2.1.4 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 provides that the State's short term housing targets for Wollongong require the LGA to provide 9,200 constructed dwellings over the five years from July 2024 to July 2029, or 1,840 per year. Just over half that number is expected to eventuate from existing approvals or rezonings that have already occurred. The remaining number are expected to be delivered through the NSW Government's housing reforms.

The LSPS identifies that the State's targets for Wollongong are ambitious and require a concerted effort from multiple levels of government and private industry. The subject proposal is a direct response and will assist in reaching the housing target identified by Council as being ambitious.

The development is consistent with the LSPS as it involves the amalgamation of multiple 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 Housing Trust, for a period of 15 years.

2.1.5 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.

2.1.6 Flinders Street Precinct Urban Design Framework

On 25 May 2026, Wollongong City Council adopted the Flinders Street Precinct Urban Design Framework (UDF).

The UDF was prepared in response to multiple State Significant Development applications under the Housing Delivery Authority pathway and Council's intention was to set a vision and provide a framework

against which to consider uplift proposals and to also inform future updates to the Wollongong Local Environmental Plan (LEP) 2009 and Wollongong Development Control Plan (DCP) to enable the delivery of housing and supporting uses in a manner that Council believes is sustainable.

Council's initiative in undertaking a review of the planning controls within the precinct is supported, and in particular the recognition that some areas within the precinct have the capacity to deliver additional housing within Wollongong, and also that the currently permissible uses within the E3 zone are not compatible with residential apartments.

The site is located within an area nominated as the Parkside Sub-Precinct at Section 4.6 and the proposal is closely aligned with the suggested structure plan for the site as illustrated at Figure 40 of the UDF and in particular the following elements of this section of the UDF as follows:

- Enable additional commercial uses at ground to support the potential large residential population of this sub precinct
- Identify a key site (former Bunnings site) within the sub-precinct that can support high quality built form and streetscape outcomes, including the provision of through site links and publicly accessible open space
- Locate taller development along the railway corridor where it overlooks Beaton Park
- Preserve the Flinders and Gipps Street view corridors to Mount Keira
- Ensure that development is well-separated and varies in height to maintain views towards the escarpment
- Encourage well-considered design in flood-prone areas to ensure appropriate access and building interfaces are provided, particularly where there are freeboard requirements for land within the flood planning area
- Extend the landscape edge along Throsby Drive and setback development from the busy road. The UDF suggests 9 metre, but without basis, and the proposal provides a variable setback which is much greater than 9 metres at the western end, and less than 9 metres at the eastern end of the Throsby Road frontage where an active edge is proposed.
- Provide a landscape buffer along the railway corridor with trees and vegetation. The UDF suggests 9 metre, but without basis, and the proposal provides 6 metres which is the recognised dimension in the Apartment Design Guide to support mature vegetation.
- Investigate opportunity to provide a publicly accessible open space centrally located within the block.
- Extend the landscape character created by Beaton Park and the escarpment and provide increased tree canopy and landscaping.
- Prioritise vehicle access on Gipps Street and Throsby Drive.
- Provide pedestrian through site links between Throsby Drive, Flinders Street and Gipps Street.

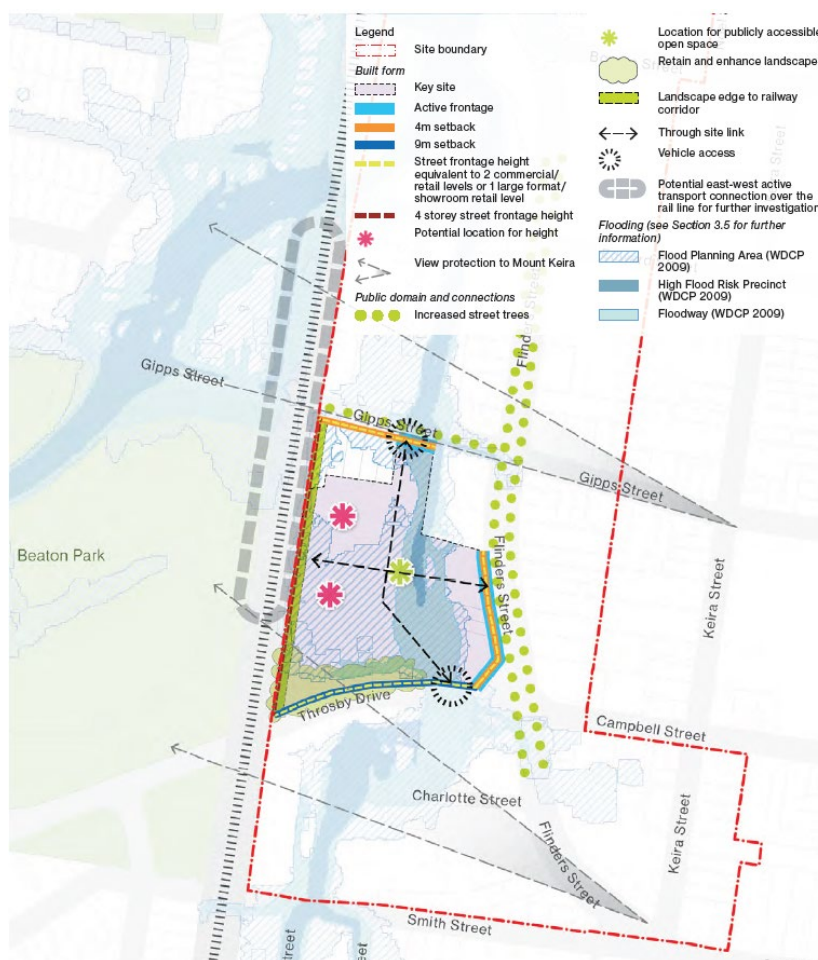


Figure 3:

Figure 40 of the UDF

Notwithstanding the areas of alignment, the UDF only recommends a maximum height of 40 metres or only 12 storeys for the site. The suggested height of 40 metres is only marginally above the 31.2 metres which can already be achieved for the site under the current statutory planning regime.

DKO architects have been involved in the design process for the redevelopment of this specific site for several years in collaboration with Matthew Pullinger, who is an award-winning architect and urban designer and Acting Commissioner with the NSW Land and Environment Court. This extensive design process has resulted in a much more detailed understanding of the site characteristics, context, and capacity to deliver homes and jobs than the high level analysis which informed the UDF.

This detailed analysis of the subject site has established that it has the environmental capacity to deliver housing and job creation substantially beyond the street wall and overall heights suggested in the UDF.

The proposal represents an appropriate increase in height and density which will ensure that the subject site properly fulfils its capacity to address the housing crisis, will encourage urban renewal, economic growth, improvement to the quality of accommodation, and a sense of place and identity for the area.

2.1.7 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)
- 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.

2.1.8 NSW Planning Guidelines for Walking and Cycling

These guidelines function to improve the consideration of walking and cycling and their role in the creation of sustainable neighbourhoods and cities. The proposed development aligns with these guidelines by providing an attractive and interesting pedestrian environment that is highly connected to the surrounding public domain. The design of the pathways surrounding the site will allow for the development to connect with future public domain works.

The proposal provides a high density mixed use and residential development near the Wollongong central business district, which means that residents will be able to walk to a broad range of services, facilities, shops, and employment. Wollongong is also well served by public transport services which provides connectivity to the Illawarra region and greater Sydney including a train station. In addition, the development is in close proximity to a range of recreational opportunities. The location and nearby facilities are such that the proposal will encourage walking and cycling as a viable transportation method.

2.1.9 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 1,260 apartments, including 190 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.

2.1.10 Better Placed – An Integrated Design Policy for the Built Environment of NSW

Better Placed is an integrated design policy for the built environment, prepared by the Government Architect of NSW, to create a transparent approach to ensure good design outcomes are achieved to deliver desired architecture, public places and environments throughout NSW (September 2017). The policy includes seven applicable objectives:

- Objective 1 - Better fit
- Objective 2 - Better performance - sustainable, adaptable and durable
- Objective 3 - Better for the community - inclusive, connected and diverse
- Objective 4 - Better for people
- Objective 5 - Better working - functional, efficient and fit for purpose
- Objective 6 - Better value - creating and adding value
- Objective 7 - Better performance - engaging, inviting and attractive

An assessment of the proposal in relation to the Better Placed objectives is provided in the table below:

Table 2: Assessment against Better Placed objectives

Objective	Assessment
Better fit - contextual, local and of its place Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based and relevant to and resonant with local character, heritage and communal aspirations. It also contributes to evolving and future character and setting.	The proposed development provides for a 'precinct' approach to the site, which optimises site permeability including the introduction of an internal road and pedestrian and open space network that serves to greatly improve connectivity of the local area. The proposal conforms with the required deep soil front setbacks and will provide an opportunity to enhance the public domain with a coordinated landscaped extension around the perimeter of the site. The stepping and modulation of the scale of the buildings also achieves an integrated outcome with the existing and emerging character within the area. The proposed site layout and building footprints, setbacks, distribution of uses, street activation and address, common open space, stormwater design, vehicular access, and loading and waste arrangements all achieve an optimised outcome which respects the context of the site to deliver a high quality place-based design outcome.
Better Performance – sustainable, adaptable and durable	The proposal for the site has responded to the site context to achieve a high level of

Objective	Assessment
Environmental sustainability and responsiveness is essential to meet the highest performance standards for living and working. Sustainability is no longer an optional extra, but a fundamental aspect of functional, whole of life design.	sustainability for the project. The buildings have been designed to maximise solar access and natural cross ventilation, as well as dealing with differing demands for varying orientations of facades. The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design, roof top gardens to reduce the urban heat island effect, and deep soil zones coupled with Water Sensitive Urban Design measures. The development has been designed in accordance with best practice sustainability practices, including the requirements of BASIX.
Better for Community – inclusive, connected and diverse The design of the built environment must seek to address growing economic and social disparity and inequity, by creating inclusive, welcoming and equitable environments. Incorporating diverse uses, housing types and economic frameworks will support engaging places and resilient communities.	The proposal has been designed to provide opportunities for social interaction in the private communal areas, the publicly accessible spaces, and in and around the active uses. The proposal provides a particularly high level of open and accessible spaces throughout the development. In addition to the above, the proposal will deliver much needed additional housing supply, and in particular affordable housing. The development has a good diversity of housing typologies and 20% Silver Level Livable Housing as required by the Apartment Design Guide, to meet the needs of the local community now and into the future.
Better for People – safe, comfortable, and liveable The built environment must be designed for people with a focus on safety, comfort and the basic requirement of using public space. The many aspects of human comfort which affect the usability of a place must be addressed to support good places for people.	The proposal development has been designed to contribute to a walkable and active local centre development with good access to a range of commercial and retail facilities. Active street frontages allows for a vibrant pedestrian experience within the area. A high quality public domain throughout the development, including a publicly accessible plaza, allows for finer grain pedestrian connections within the area. The proposed site layout combined with the design of the buildings with highly activated ground level interfaces and the landscape design have adopted good CPTED principles and practices. There will be a high level of passive surveillance achieved, and the pedestrian network layout provides direct routes

Objective	Assessment
	to destination points on clearly established desire lines. The common open space designs, are such that they will provide important meeting places for residents and visitors.
Better Working – functional, efficient and fit for purpose Having a considered, tailored response to the program or requirements of a building or place, allows for efficiency and usability with the potential to adapt to change. Buildings and spaces which work well for their proposed use will remain valuable and well-utilised.	The proposed development provides a large range of non-residential tenancies suitable for retail and business uses which will provide significant employment generation.
Better Value – creating and adding value Good design generates ongoing value for people and communities and minimises costs over time. Creating shared value of place in the built environment raises standards and quality of life for users, as well as adding return on investment for industry.	The proposed development achieves the maximum value having regard to its location within Wollongong and near the Wollongong central business district. It maximises the benefit of the amenities and facilities within the centre, including the train station, for a large number of new residents. The proposal will also benefit the existing and future community by creating an attractive high density and sustainable urban precinct, with a broad range of future retail services and employment opportunities. The proposal has great public amenity and will create a neighbourhood that people will want to live in.
Better Look and Feel – engaging, inviting and attractive The built environment should be welcoming and aesthetically pleasing, encouraging communities to use and enjoy local places. The feel of a place, and how we use and relate to our environments is dependent upon the aesthetic quality of our places, spaces and buildings. The visual environment should contribute to its surroundings and promote positive engagement.	The proposal has been designed to ensure that the built form and amenity of the future urban environment results in the creation of useable, enjoyable and attractive buildings and public domain. The design is the culmination of a detailed assessment of the site, its relationship to its context, the objectives of transit oriented development as well as a range of other design parameters. The detailed design of the development has been subject to a design review process with the State Design Review Panel, where it has been demonstrated that a visually dynamic architectural outcome, with good street activation, high quality landscape, and appropriate architectural detailing and materials and finishes combine to achieve an aesthetically pleasing outcome. The project has been designed with reference to its specific location,

Objective	Assessment
	including the generous landscape public domain around and throughout the site.

2.1.11 Connecting with Country Framework

The Connecting to Country Framework acts as a guide for developing connections with Country to inform the planning, design, and delivery of built environment projects in NSW. The proposal will provide a meaningful Connection with Country informed by consultation with First Nations groups to identify a range of design initiatives to be incorporated into the building and landscape design.

2.1.12 Healthy Urban Development Checklist

The Healthy Urban Development Checklist was commissioned by the NSW Department of Health and Sydney South West Area Health Service. The purpose of the Healthy Urban Design Checklist is to assist in ensuring the following questions are considered and addressed at the earliest possible phases of the urban planning and development process:

1. What are the health effects of the urban development policy, plan or proposal?
2. How can it be improved to provide better health outcomes?

Chapters 7 to 16 focus on specific aspects important for healthy urban development. The most relevant chapters to the proposed development are addressed below:

Table 3: Assessment against Healthy Urban Development Checklist

Checklist	Comment
Physical activity	The proposed development will encourage incidental physical activity as it is located near an established central business district and nearby outdoor recreational facilities.
Housing	The proposed development provides new housing, as well as affordable housing, which will improve housing affordability generally and also provides a good diversity of housing to meet the needs of the community.
Transport and physical connectivity	The proposed development is located near the Wollongong central business district and provides excellent transport and physical connectivity. This will reduce car dependency and encourage active transport.
Community safety and security	The design of the buildings with highly activated ground level interfaces and the landscape design have adopted good CPTED principles and practices. There will be a high level of passive surveillance achieved, and the pedestrian network layout provides direct routes to destination points on clearly established desire lines.
Public open space	The development will provide extensive public domain throughout the ground floor plain including a publicly accessible plaza, which provides a form of public open space for the community with spaces to gather.

Checklist	Comment
	Additionally, the proposal will deliver housing in close proximity to a range of public open space areas within the locality, as well as the pedestrian and cycling network connecting the site with the nearby beaches and coastal walk.
Social cohesion and social connectivity	The proposed development will significantly enhance the opportunity for social interaction and connection amongst the community and the design of the development, with high quality connections, a large public domain offering within the ground floor place, elevated open space, and highly engaged ground floor plane will promote a strong sense of community and attachment to place.
Environment and health	The proposed development ensures a healthy environment with Water Sensitive Urban Design measures ensuring water quality, remediation of the land during construction, and acceptable air quality.

2.2 Key Features of Site and Surrounds

2.2.1 Site Description

The subject site is situated within the Wollongong Local Government Area in the suburb of Wollongong, only several hundred metres to the north of the Wollongong central business district.

The development site comprises 5 allotments and is known as 73-77 Gipps Street and 60-74 Flinders Street, Wollongong. The site is legally described as follows.

Table 4: Legal description of site

Address	Lot/DP/SP
73-75 Gipps Street	Lot 205 DP 801956
77 Gipps Street	Lot 4 DP 17483
60-72 Flinders Street	SP 37337
74 Flinders Street	Lots 1 and 2 DP 504449

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.

An aerial view of the site and surrounds is included as Figure 4.

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.

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 4:

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

Figure 5:

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)

Topography

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 6.

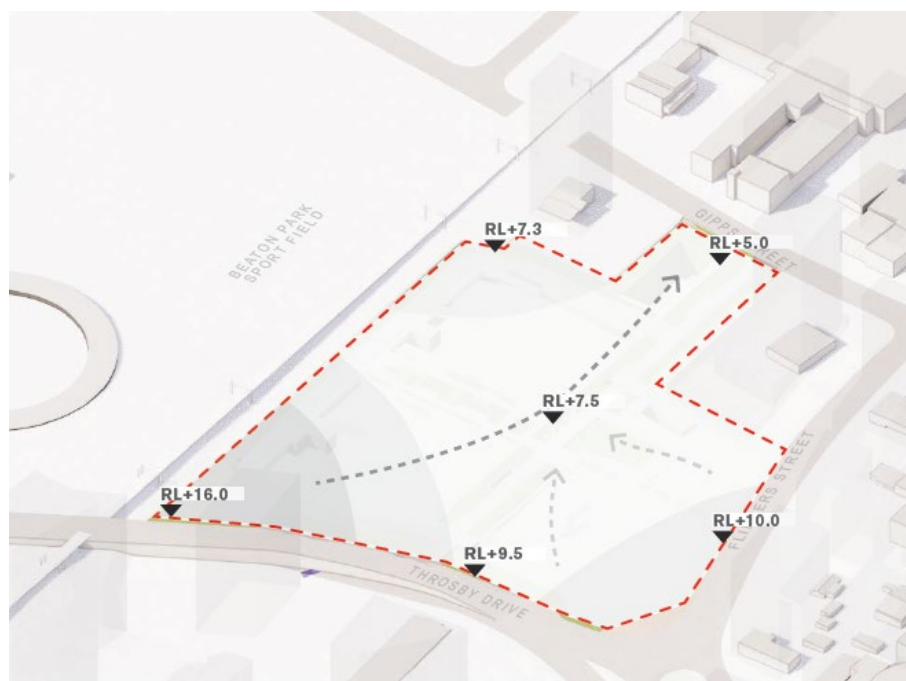


Figure 6:

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

Flora and Fauna

A Biodiversity Development Assessment Report including an assessment of the impacts of the proposed development on Biodiversity Values identified in the BC Act and Regulation, and the Biodiversity Offset Credit Requirements accompanies this application at **Appendix 27**.

Trees

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Creative Planning Solutions (**Appendix 17**). The proposed development requires extensive excavation which will necessitate the removal of 93 of 147 trees within and around the site. However, only 26 of these trees are identified as being of high retention value. Notwithstanding, the most significant trees are retained along the southern end of the site.

Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the required excavation. Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with more suitable tree species which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Land and Form landscape architects which accompany this application.

Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by Regal Heritage accompanies this application at **Appendix 26**. The ACHAR has been prepared in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH 2011).

As part of the SEARs approval The Proponent and Regal Heritage consulted with Heritage NSW about the contamination of the land within the Subject Area, leading to a lack of subsurface archaeological deposit. During this consultation it was requested and granted by Heritage NSW that the consultation process in accordance with the Aboriginal Cultural Heritage Consultation Requirements for proponents 2010 (DECCW 2010a) could be undertaken in a condensed format. As there is no archaeological potential remaining at the site due to disturbance an Archaeological Report (AR) has not been completed as part of this assessment, however sections relating to the archaeological survey and desktop assessment have been included within this ACHAR.

An extensive AHIMS search was completed and while 16 Aboriginal cultural heritage sites were identified within the 5 km search area, none of the Aboriginal cultural heritage sites fall within the site.

The ACHAR includes recommendations including an unexpected finds protocol, which forms part of the Mitigation Measures.

European Heritage

The subject site is not listed as an individual heritage item, nor is it located within a heritage conservation area or within close proximity of any heritage items.

Access

The site is highly accessible from the road at network. The site is bounded by Flinders Street along its eastern boundary which is the major arterial linking with the Wollongong central business district to the south and North Wollongong to the north. Gipps Street provides access to the beaches to the east of the site.

Public and Active Transport

The Site is highly accessible being adjacent to the Wollongong central business district with multiple interconnecting bus services and a train station.

Services and Drainage

Investigations have confirmed that all urban utility services are available and can be readily augmented to meet the needs of the development.

2.2.2 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)

Photograph 18:

View of development to the south-east of the site



2.3 Cumulative Impacts with Future Projects

In accordance with the Cumulative Impact Assessment Guidelines for State Significance Projects dated November 2021 the cumulative impacts of the development have been considered in the EI&RS and in the various accompanying technical reports.

In summary, the technical studies supporting the EI&RS have assessed cumulative impacts within the context of the proposal and its surrounds as follows:

- Predicted noise impacts are cumulative in that they account for background noise emissions, to which predicted noise levels emanating from the proposal were added. A comparison of predicted noise emissions from the proposal against measured daytime, evening and night time noise levels at representative residences and other receivers shows that proposed development would not significantly increase cumulative noise generation.
- The traffic assessment considers cumulative impacts by undertaking baseline traffic counts combined with an analysis of existing and predicted vehicle movements associated with the development. The traffic assessment concludes that vehicle movements associated with the proposal would not have a significant impact on the levels of service or capacity of the existing road network indicating that cumulative impacts would be minor and acceptable.
- The proposal generally provides ADG compliant setbacks which ensures that an adequate level of visual privacy is achieved.
- The development has been modulated to ensure that the proposed height does not result in any unacceptable overshadowing from the proposal. The shadow does not result in an unacceptable impacts and must be balanced with the dire need to optimise housing supply on an ideal amalgamated site adjacent to an established central business district, including much needed affordable housing.
- The design of the stormwater system manages cumulative impact and achieves an improvement for the local catchment when compared with the existing situation. The proposed development does not increase flooding depths on downstream or upstream properties.

The proposed development on its own or in conjunction with other development in the locality, does not give rise to any cumulative environmental impacts that cannot be appropriately managed through the implementation of the mitigation measures that are identified within **Appendix 4**.

3.0 PROJECT DESCRIPTION

3.1 Project area

The land on which the project will be located has a street address of 73-77 Gipps Street and 60-74 Flinders Street, Wollongong as shown in Figure 3.

The project area comprises five allotments that are legally described in **Table 4** with a site area of 33,130 square metres.

3.2 Project Overview

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

- Demolition of existing buildings.
- Remediation and bulk excavation.
- The creation of an internal road and public domain network comprising a primary north-south road connecting Gipps Street and Throsby Drive with a raised pedestrian plaza and publicly accessible park, a secondary north-south service road along the western boundary, and a centrally located east-west raised pedestrian plaza.
- The internal road network defines five mixed use buildings above basement car parking, with the location and heights of the buildings as follows:
 - Building 1 - Building 1 is located to the south of 50-58 Flinders Street and to the north of the proposed through-site link from Flinders Street into the centre of the site and has a height of 1-9 storeys.
 - Building 2 - Building 2 is located in the south-east corner of the site, at the intersection of Throsby Rive and Flinders Street/Princes Highway, and to the south of the proposed through-site link from Flinders Street into the centre of the site. This building has height of 4-36 storeys.
 - Building 3 - Building 3 is the northernmost building on the site and has frontage to Gipps Street. This building has a height of 18 storeys.
 - Building 4 - Building 4 is located centrally at the rear /western edge of the site and to the north of the proposed east-west aligned shareway. Building 2 has a height of 3-35 storeys
 - Building 5 - Building 5 is located in the south-west corner of the site and to the south of the proposed east-west aligned shareway. Building 5 has a height of 3 to 35 storeys.
- The development incorporates retail tenancies on the ground floor of Buildings 1, 2, 4 and 5 and an indicative child care centre on Level 1 of Building 1. The specific individual uses of the retail tenancies will be the subject of future fitout and use development applications.
- A total of 1,260 apartments are proposed, including 190 affordable apartments.
- The built form incorporates extensive landscaping on the ground floor plane and vertically through the development, 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.
- Vehicle access to the site is proposed from Throsby Drive and Gipps Street. Three basements are proposed. One basement is located beneath Buildings 1 and 2, another beneath Buildings 3 and 4, and the final basement is located beneath Building 5. The basements are located on either side of the underground culvert that extends from Gipps Street to Throsby Drive. Each basement has 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 1 and 2 and associated access roads.

- Stage 2 – Buildings 3 and 4
- Stage 3 – Building 5



Figure 7:

Proposed site plan (Source: DKO architects drawing DA1004)

The proposed development is discussed further in the following subsections and also detailed in:

- the Architectural Drawings prepared by DKO architects and included at **Appendix 6**
- the Design Verification Statement and Design Report prepared by DKO architects and included at **Appendix 7**
- the Landscape Drawings prepared by Land and Form and included at **Appendix 8**

Table 5: Summary of Key Elements of the Development

Element	Proposed
Site Area	33,130 square metres
Proposed GFA	- Non-residential floor space: 5,352.4 square metres - Residential floor space: 129,093.6 square metres - Total: 134,446 square metres
Proposed FSR	4.06:1
Storeys	- Building 1: 1-9 storeys - Building 2: 4-36 storeys - Building 3: 18 storeys - Building 4: 3-35 storeys - Building 5: 3-35 storeys
Apartments	1 bed – 247 (19.6%) 2 bed – 896 (71.1%) 3 bed – 115 (9.1%) 4 bed – 2 (0.2%) - Total – 1,260
Affordable Housing	15% of total Residential Gross Floor Area (20,187.6sqm) 190 apartments
Deep Soil	<3m: 194 square metres >3m: 887.8 square metres >6m: 5,554.3 square metres - Total: 6,636.1 square metres or 20%
Landscape Area	16,552.3 square metres – 50%
Communal Open Space	10,376.5 square metres or 31%
Solar access	2 hours: 901 of 1,260 or 71.5% No sun: 188 of 1,260 or 14.9%
Cross Ventilation	354 of 577 or 61.3%
Car Parking	1,268 spaces comprising: 1,128 residential spaces 120 retail and visitor 20 child-care centre
EDC (excl GST)	\$394,203,721.00
Jobs	1,950.5 new jobs across the construction phase 1,429.5 new jobs across the operational phase

3.3 Built Form and Urban Design

The proposed distribution of built form and massing across the site is the result of a considered analysis of the constraints of the site combined with context of the site and the desire to deliver a positive urban design outcome.

In particular, the proposed design has developed from an evolution which firstly recognises the site topography, overland flow, and existing ecological values to define the appropriate locations for buildings. Having established the footprints for buildings, several key design moves have informed the building layouts. This includes the need for a circulation network through the site, the desire for through site pedestrian links and a central public plaza, the sculpting of each tower for wind, vertical articulation, height articulation, and a hierarchy of communal spaces.

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.

Finally, the proposal seeks some relief to the height control to modulate the skyline of the development and to facilitate a diversity in scale. The site is particularly large and there are significant urban design benefits in achieving a modulation of height, variety of scale and articulation to the skyline across the development in order to avoid a homogenous built form outcome. This is intended to be achieved by introducing areas a series of 8 storey podiums, 12 storey street walls and lower 'connecting' elements, which break up the taller buildings, and also by ensuring that all towers have a modulated termination to the building.

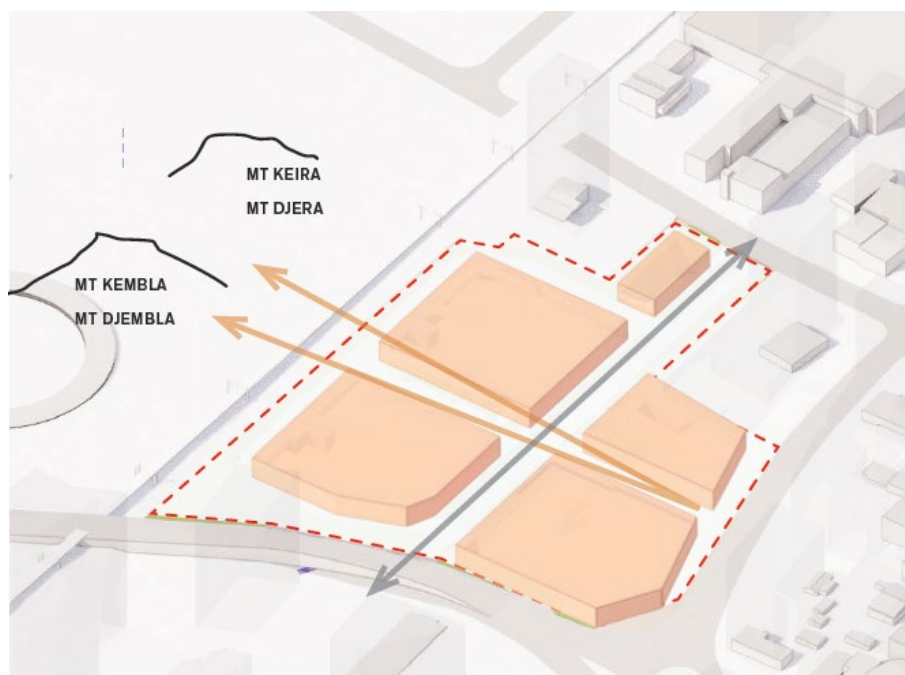
The additional height has been located either on the key site corner, or along the western frame of the site. Building 5 is the highest building and has a 36 storey element to mark this prominent corner location.

The Design Report by DKO Architects demonstrates that the proposal achieves a high level of amenity and compatibility with the meeting site context.

The proposal is a high quality transit orientated development that will provide both housing choice and employment floor space in a location that enjoys exceptional access to the Wollongong central business district and other amenities within the wider Wollongong area.

The buildings exhibit a high level of environmental performance, provide a high level of amenity and an attractive contemporary architectural expression that will contribute positively to the built form quality of the building stock located in Wollongong.

A varied palette and materiality are used to provide a clear identity for the development. The varied architectural language generates a high level of visual interest.



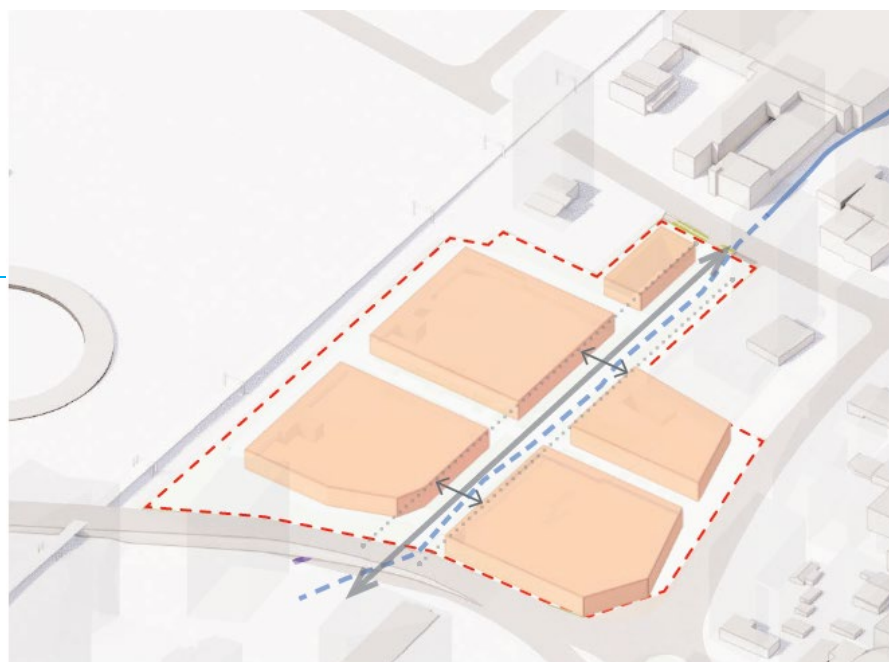
- Site boundary
- Podium
- Future Context
- North-south link
- East-west corridor

Figure 8:

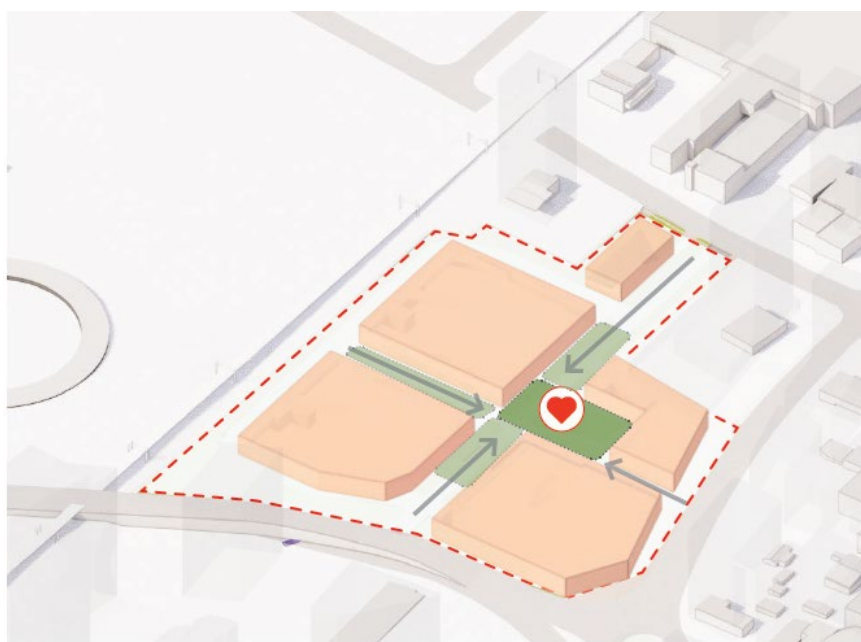
Design
Evolution –
Respecting the
escarpment
songlines
(Source: DKO)

Figure 9:

Design
Evolution –
Celebration of
Creek line
(Source: DKO)



- Site boundary
- Podium
- Future Context
- Creek
- - - Historic creek



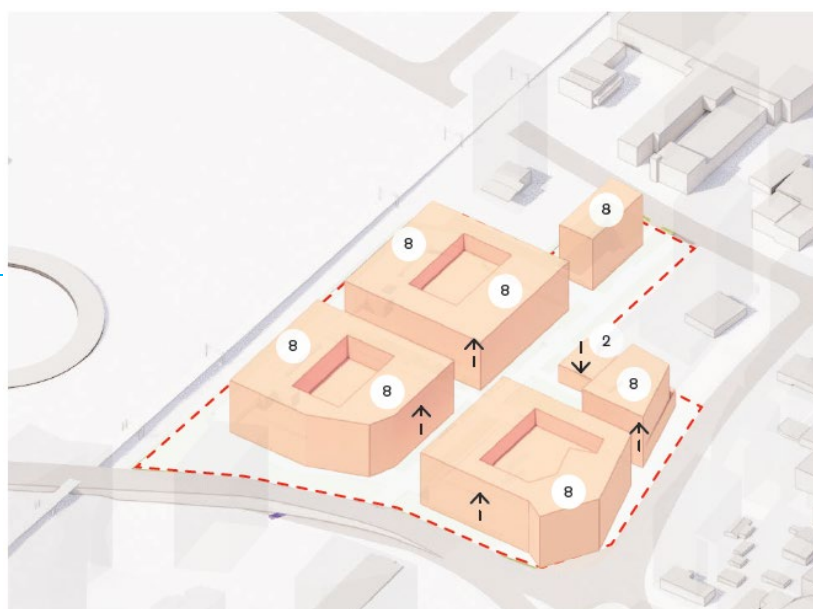
- Site boundary
- Podium
- Activated Areas
- Future Context
- Plaza

Figure 10:

Design Evolution –
Community Heart
(Source: DKO)

Figure 11:

Design Evolution –
Podium definition
(Source: DKO)



- Site boundary
- Podium
- Tower
- Future Context



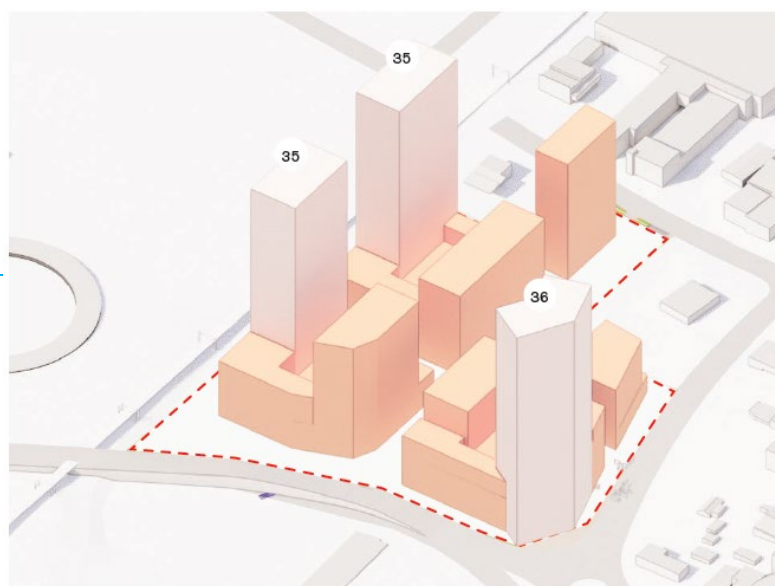
- Site boundary
- Podium
- Tower
- Future Context

Figure 12:

Design Evolution –
Street character
(Source: DKO)

Figure 13:

Design Evolution – Height
variation (Source: DKO)



- Site boundary
- Podium
- Tower
- Future Context



Figure 14:

Design Evolution –
Vertical Articulation
(Source: DKO)

- Site boundary
- Podium
- Tower
- Future Context

Figure 15:

Design Evolution –
Maintain Wodi Wodi
songlines (Source: DKO)



- Site boundary
- Podium
- Tower
- Future Context

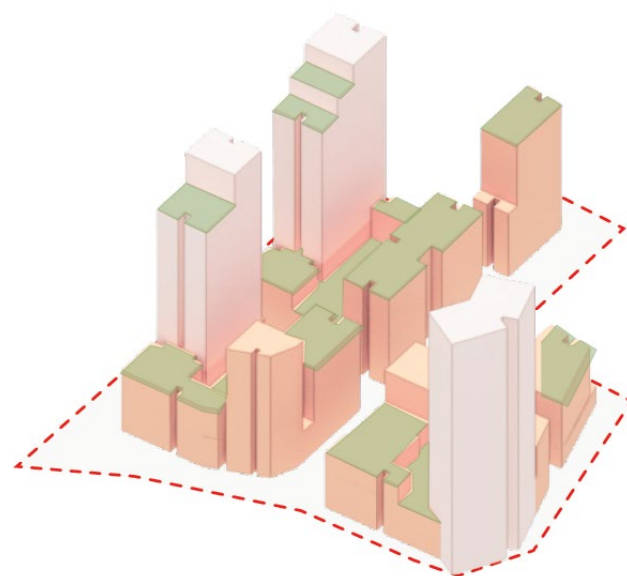


Figure 16:

Design Evolution –
Communal open space
(Source: DKO)

- Site boundary
- Communal open space
- Future Context



Figure 17:

Proposed massing



Figure 18:

CGI of Building 2 as viewed from the intersection of Throsby Drive and Flinders Street facing north



Figure 19:

CGI of Buildings 4 and 5 as viewed from Beaton Park Sports Fields facing east



Figure 20:

CGI of Buildings 1 in the background and the public plaza in the foreground

3.4 Connecting with Country

The design development of the project has evolved with careful consideration and recognition to the importance of the First Nations historic and ongoing care of Country.

A 'Connecting with Country' Strategy has been developed by JMP in conjunction with members of the Traditional Custodians of the land through a series of ongoing consultations including a Walk on Country. A comprehensive design response to Country has been integrated into the development, with a particular focus on: rejuvenating country within the site; maintaining sightlines and experiences that link Mount Keira and Mount Kembla to the five islands on the coast; and integrating interpretive signage, public art and landscape features that communicate local Aboriginal knowledge, history, and connection to Country.

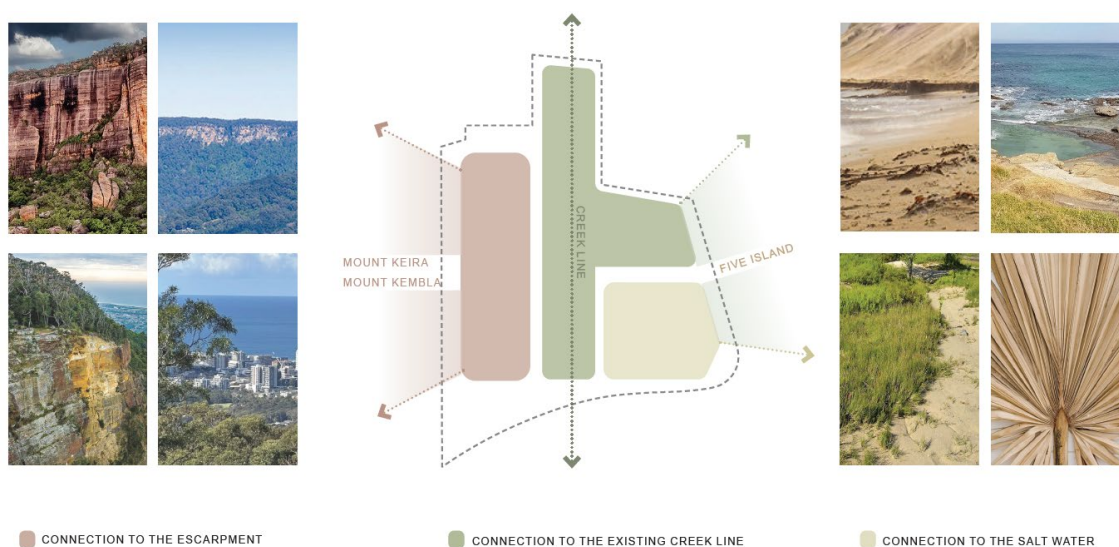


Figure 21:

Connecting with Country initiatives (Source: Design Report)

3.5 Materials and Finishes

The proposed development provides a broad range of materials and finishes, but with familial elements to achieve architectural variety throughout the project, but also to ensure that a cohesive visual outcome is also achieved.

The materials incorporated into the buildings have also been selected based on the environmental performance and sustainability requirements for the materials and the building.

The proposed materials and finishes are detailed in the architectural plans provided by DKO Architects as well as being detailed on the accompanying material and finishes board.

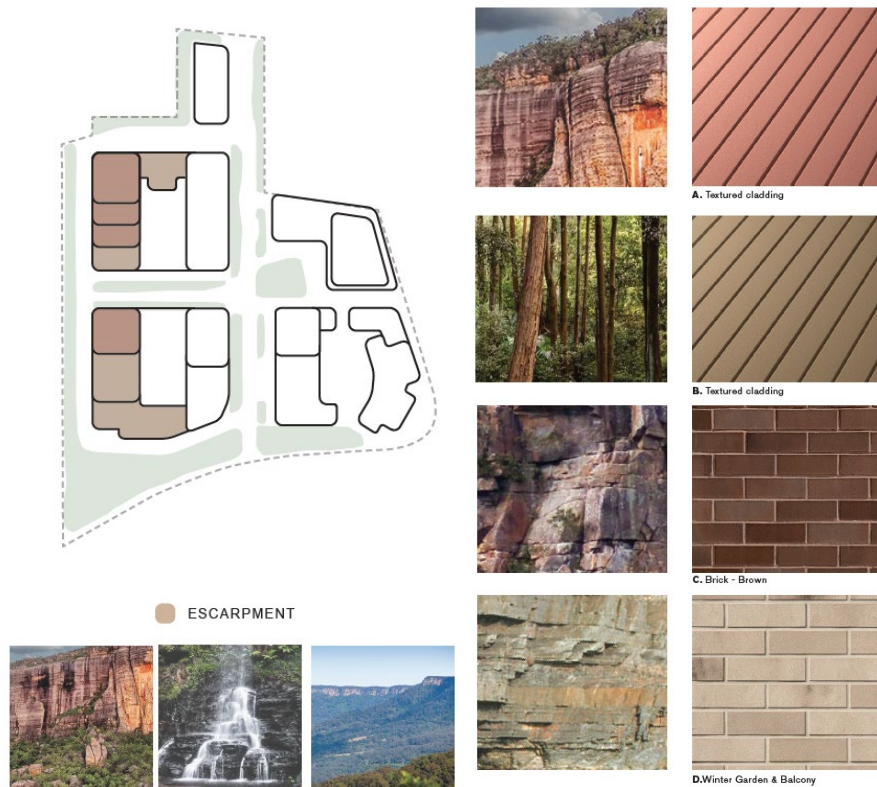


Figure 22:

Façade design
 and materiality -
 Escarpment
 (Source: DKO)

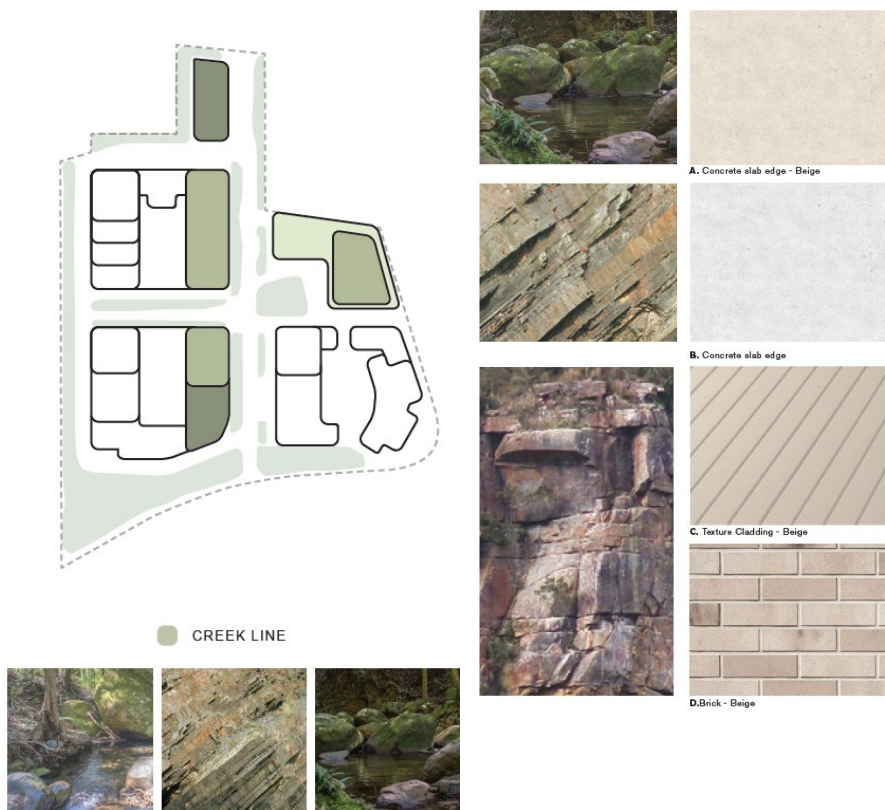


Figure 23:

Façade design
 and materiality -
 Creekline
 (Source: DKO)



Figure 24:

Façade design
 and materiality -
 Saltwater
 (Source: DKO)

3.6 Commercial and Child Care Uses and Signage

The proposal is a mixed use development which provides a series of commercial tenancies at the ground floor and a child care centre on Level 1.

Careful consideration has been given to the design and location of the commercial components of the project to ensure the achievement of a vibrant and active street edge for the development as well as connectivity and functionality within the site.

Consent is not sought within this application for the specific use and fitout of each commercial tenancy, or for the child care centre which is only indicative at this stage, and this will be the subject of future fitout and use applications. No formal consent is sought for signage within this application as the detailed arrangement of signage will be subject to market demand and leasing arrangements, and accordingly signage will be addressed in a subsequent development application.

3.7 Site Preparation Works

Site preparation works are proposed in order to faceplate preparation for the proposed built form. This includes demolition, tree removal, and earthworks as outlined below:

3.7.1 Demolition

The proposed development seeks the demolition and removal of all structures on the site.

3.7.2 Tree Removal

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Creative Planning Solutions (**Appendix 17**). The proposed development requires extensive excavation which will necessitate the removal of 93 of 147 trees within and around the site. However, only 26 of these trees are identified as being of high retention value. Notwithstanding, the most significant trees are retained along the southern end of the site.

Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the required excavation. Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with more suitable tree species which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Land and Form landscape architects which accompany this application.

3.7.3 Earthworks

Bulk earthworks are required to grade the site, excavate proposed basement structures and provide platforms for the future buildings. The proposed earthworks are generally constructed to the footprints of the proposed building envelopes.

3.8 Public and Private Open Space

Public Open Space

The proposal provides a series of publicly accessible spaces throughout the site which are based upon a primary north-south connection, a primary east-west connection, an ecological zone along the Throsby Drive component of the site. The landscape structure for the ground floor plane and publicly accessible spaces are illustrated in Figure 25 below.

Private Open Space

The proposed development provides 10,376.5 square metres of common open space distributed throughout the development which is the equivalent of 31% of site area and compliant with the minimum requirement under the Apartment Design Guide.

The common open space areas are comprised of ground level pocket parks, the central plaza central landscaped area, podium and rooftop areas throughout the development.

The variety of common open space areas ensure that there are many outdoor opportunities for future residents with difficult attributes and qualities. The podium and rooftop areas will provide for a more private setting exclusively for residents and will be used for a range of activities and will include, raised turf areas, outdoor seating, community gardens, and BBQ pavilions.

The development provides balconies for all apartments with a range of sizes which are generally greater than the size requirements of the Apartment Design Guide.



Figure 25:

Landscape structure through the site (Source: Landscape Design Report)

3.9 Parking and Access

3.9.1 Pedestrian and Vehicle Access

Pedestrian access is provided to the residential apartments via multiple entries from the adjacent streets, the primary north-south road through the site, as well as from the east-west pedestrian plaza.

The development rationalises the number of existing vehicular crossings and improves pedestrian and traffic safety, by removing the 16 vehicular crossings which currently serve the site.

All vehicular access into the development is provided via two driveways into the site in similar locations to the existing arrangement from both Throsby Drive at the southern end of the site, and Gipps Street at the northern end of the site.

The basements for Buildings 3/4 and Building 5 and are accessed from the western service road, whilst the basement for Buildings 1 and 2 is accessed from the northern end of the primary north-south internal road.

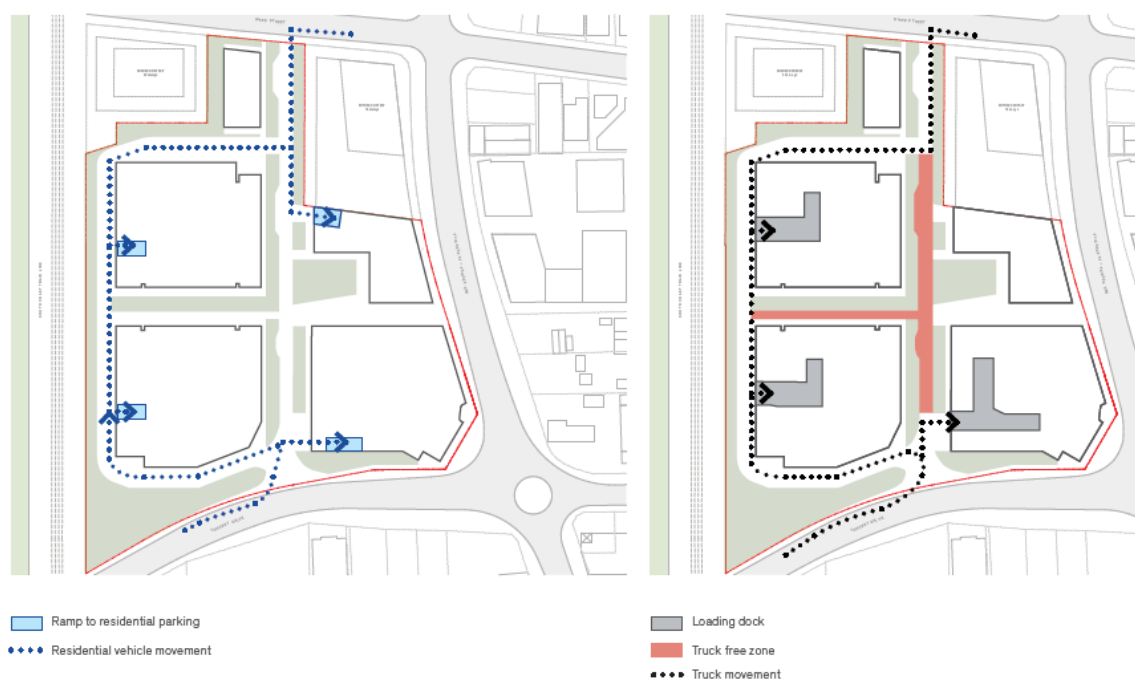


Figure 26:

Vehicle access (Source: Design Report)

3.9.2 Parking

The proposal provides a total of 1,268 spaces comprising:

- 1,128 residential spaces
- 120 retail and visitor
- 20 child-care centre

3.10 Servicing and Waste Removal

Each of the separate stages has its own loading dock arrangement for on-site garbage collection as well as loading for the site. The loading bay designs are capable of accommodating Council's waste collection trucks and enabling them to manoeuvre on site to collect waste.

A detailed discussion in relation to the design of the loading docks, bins storage and location, and methods for collection is included in the Operational Waste Management Plan prepared by Elephants Foot which accompanies this application at **Appendix 15**.

3.11 Stormwater

A detailed stormwater management and drainage plan has been prepared and accompanies this application. The plans detail the provision for onsite stormwater detention and various control measures across the site. The proposed development is unlikely to disrupt or negatively impact on neighbouring land uses or structures with adequate measures proposed to mitigate against potential instability during the construction of the basement car parking.

The stormwater design is discussed in detail within the Civil Engineering Report at **Appendix 20** prepared by Stellen Consulting which supports this application.

3.12 Sustainability

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance in relation to energy efficiency, water conservation and thermal comfort. An ESD Report has been prepared by Green Perch and included at **Appendix 28**, which details the sustainability initiatives that have been achieved and/ or embedded within the design, construction and operation of the proposed development to promote sustainability.

3.13 Services

All required services will be provided to the site. Refer to the Infrastructure Management Plan prepared by Neuron at **Appendix 32**.

3.14 Construction Details

3.14.1 Construction Traffic Management Plan

A preliminary Pedestrian Construction Traffic Management Plan prepared by JMT Consulting forms part of the Transport and Accessibility Impact Assessment at **Appendix 11**. A condition of consent can be imposed requiring the preparation of a Construction Management Plan prior to release of the Construction Certificate which addresses the following matters:

- Material management;
- Construction traffic management;
- Health and safety;
- Equipment/materials staging and parking;
- Construction Noise management;
- Dust control measures; and

3.14.2 Construction Hours

The proposed development will be constructed within the following hours as per the relevant guidelines:

- Monday to Friday: 7:00am to 6:00pm
- Saturdays: 8:00am to 3:00pm
- No work on Sunday and Public Holidays

3.15 Affordable Housing

The proposal provides the equivalent of 15% of the residential floor space, which equates to 190 apartments, as affordable housing apartments as defined under *State Environmental Planning Policy (Housing) 2021*, with this housing stock to be managed by a Registered Community Housing Provider for a minimum of 15 years from the date of occupation.

Housing Trust is a Registered Community Housing Provider.

The following distribution of the affordable housing units in the development is proposed as follows:

Table 6: Affordable housing apartments

Apartments	Number
1 bed	42
2 bed	129
3 bed	19
Total	190 (15%)

It is anticipated that conditions will be imposed by the consent authority to the effect that:

- for 15 years from the date of the issue of the occupation certificate:
 - the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and
 - all accommodation that is used for affordable housing will be managed by a registered community housing provider, and

a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.

3.16 Staging and Timing

The application proposes the staged construction of the buildings. The proposed staging is shown on the staging plan prepared by DKO, which is also illustrated in Figure 27 below. The stages are as follows:

- Stage 1 – Buildings 1 and 2 and associated north-south access road and public plaza
- Stage 2 – Buildings 3 and 4
- Stage 3 – Building 5

The anticipated construction timing for Stage 1 is below:

- Demolition commencement – Late 2027
- Basement bulk excavation – Early 2028
- Superstructure commencement – Mid 2028
- Anticipated project completion – Late 2029

The proposed staging of the proposal prioritised the provision of the public benefit in the early stages, as well as ensuring sufficient numbers of residents and businesses to ensure the newly created publically accessible space is activated as soon as possible.

STAGE 1 OVERVIEW

- 405 apartments including 53 affordable dwellings,
- Approx. 3400m² retail/non-residential,
- Central shared zone including stormwater culvert,
- Public plaza space off Flinders St,
- 2 levels of basement

STAGE 2 OVERVIEW

- 451 apartments including 80 affordable dwellings,
- Approx. 580m² retail,
- Western lane
- 2 levels of basement

STAGE 3 OVERVIEW

- 404 apartments including 47 affordable dwellings,
- Approx. 150m² retail
- Western lane,
- 2 levels of basement,
- Ecological zone

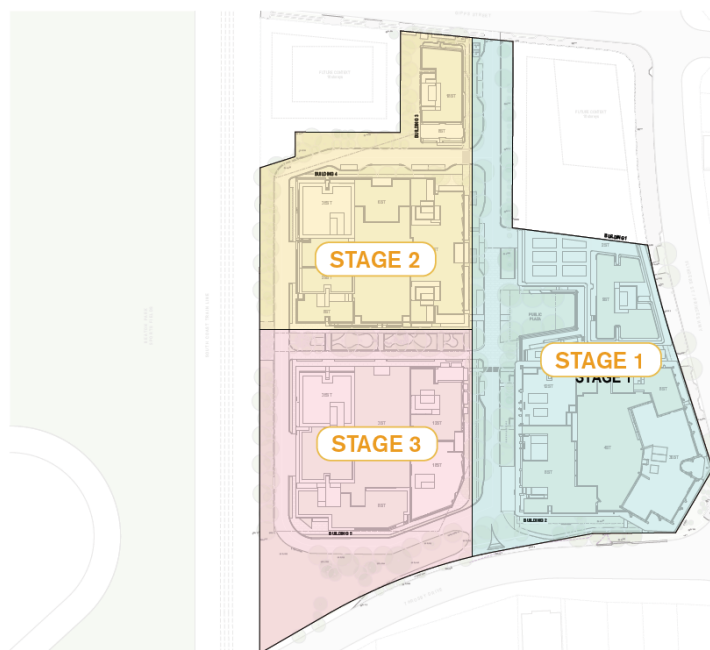


Figure 27:

Staging plan (Source: Design Report)

4.0 PROPOSED REZONING AMENDMENTS

4.1 Proposed Amendments to the WLEP

To facilitate the proposed built form sought under SSD-100626709, 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' and 'residential flat building' for the site in Schedule 1 of the WLEP
- an increase of the maximum permissible FSR for the site to 4.1:1
- amend clause 4.4A to exclude the clause from SSD-100626709
- an increase of the maximum permissible height to 125m

4.1.1 Additional Permitted Use

Commercial Premises

The proposed development provides commercial tenancies at ground level that are intended to be used for retail premises to support the incoming population within the subject and surrounding sites. This includes a tenancy specifically designed for a supermarket, with the remaining tenancies capable of being occupied for convenience retailing and business premises.

An Economic Impact Statement prepared by Hill PDA accompanies this submission at **Appendix 24** which considers whether the proposed on-site retail component is appropriate having regard to the surrounding retail hierarchy, existing supply and forecast demand in the locality, and the potential impacts on the Wollongong CBD. The Economic Impact Statement demonstrates that:

- North Wollongong currently contains a limited retail offer, largely represented by Dan Murphy's and Officeworks (around 8,500 sqm of retail goods, food and beverage and bulky goods floorspace), with very limited convenience-based grocery provision and no supermarket.
- The main trade area (MTA) is forecast to grow from approximately 12,000 residents in 2025 to around 19,200 residents by 2041 and currently contains approximately 8,400 sqm of convenience-based retail goods floorspace (excluding bulky goods retailing) and no supermarket, requiring residents to travel to Wollongong CBD and Fairy Meadow to undertake their primary grocery shopping.
- This demonstrates an existing deficiency in local convenience retail provision.
- After accounting for the existing and committed retail goods floorspace within the MTA, there remains capacity for approximately 9,800 sqm of additional retail goods floorspace. The proposed development, comprising an supermarket (approximately 1,062 sqm of trading floorspace) together with approximately 2,368 sqm of specialty retail, directly addresses the existing deficiency in supermarket provision while responding to forecast population and employment growth.
- Even after accounting for the proposed development, the MTA would retain capacity for more than 6,000 sqm of additional retail goods floorspace, which can be progressively accommodated through future mixed-use developments within the MTA.
- Accordingly, the proposal is supported predominantly by net additional retail demand, rather than redirecting expenditure from Wollongong CBD, and will complement the existing retail hierarchy by providing convenient day-to-day shopping and services for local residents.

The site is zoned E3 Productivity Support pursuant to the Wollongong Local Environmental Plan 2009 (WLEP), and whilst a number of sub-categories within the definition of “commercial premises” (such as some forms of “retail premises”) are permissible with consent, it is proposed to introduce the parent term “commercial premises” as an additional permitted use for the site in Schedule 1 of WLEP in order to provide the greatest flexibility for future commercial and retail uses within the proposed development. Subject to this amendment, the proposed development is permissible with consent.

Residential Flat Building

The proposal includes residential apartments at the ground level in locations where the retail premises are not proposed. These are locations where retail premises would be unlikely to succeed and where there is good quality residential amenity.

The site is zoned E3 Productivity Support pursuant to the Wollongong Local Environmental Plan 2009 (WLEP), and the only form of residential development which is permitted on the land is in the form of “shop-top housing” which does not allow residential uses on the ground floor.

It is proposed to introduce the “residential flat building” as an additional permitted use for the site in Schedule 1 of WLEP in order to permit the ground floor residential apartments as proposed.

Subject to this amendment, the proposed development is permissible with consent.

4.1.2 Height of Buildings

The site is currently subject to a 24 metre maximum height, as shown in Figure 28.

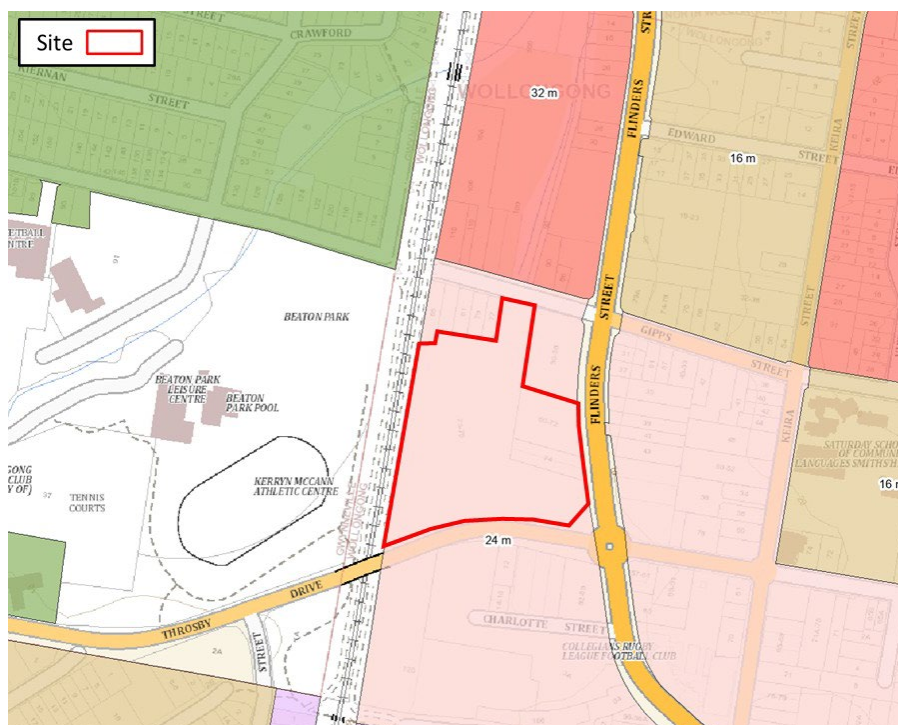


Figure 28

Extract from
the WLEP
Height of
Buildings Map

In order to facilitate the proposed development, it is proposed to amend the Height of Buildings Map under Clause 4.3 to increase the building height from 16 metres to 125 metres, as illustrated in Figure 29 below.

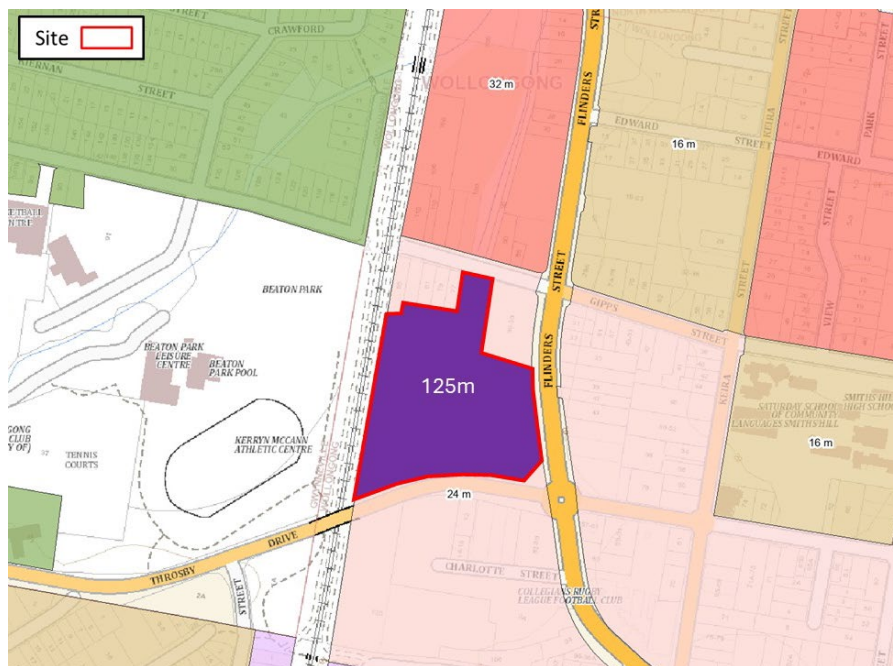


Figure 29

Proposed amendment to the WLEP Height of Buildings Map

4.1.3 Floor Space Ratio

The site is subject to a 1.5:1 FSR control as shown in Figure 30 below. Notwithstanding, the site is located within the Wollongong City Centre and so Clause 4.4A also provides an alternative FSR for the site. The site is located in the E3 Productivity Support zone and has a frontage in excess of 20 metres and therefore an FSR for residential development of 2.5:1 and an FSR for commercial development of 3:1 ordinarily applies to the site.

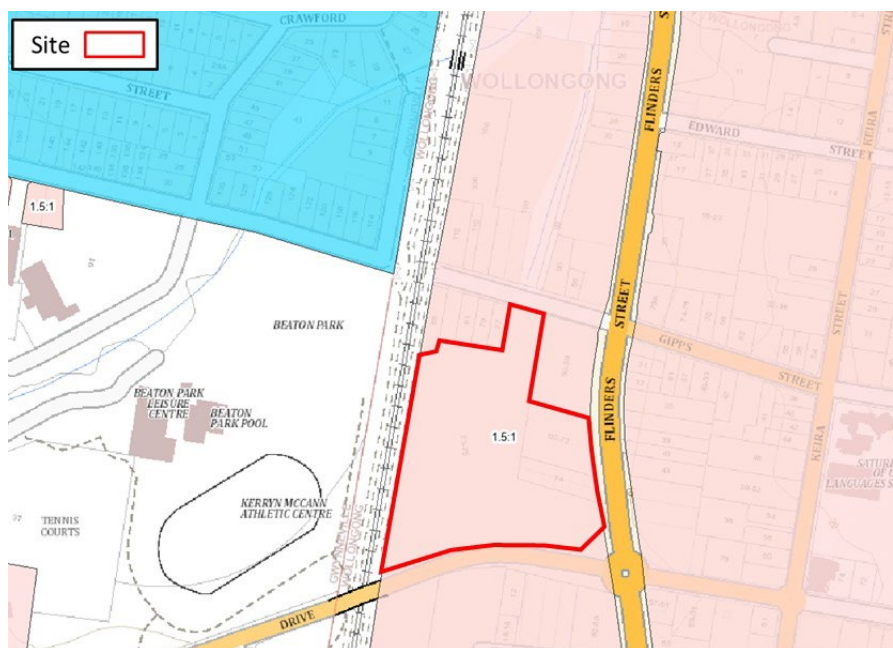


Figure 30:

Excerpt from WLEP FSR map

In order to reflect the proposed development and to simplify the application of an FSR control to the development, it is proposed to amend the FSR map to provide an FSR of 4.1:1 to the site as illustrated in Figure 31 below and also to amend clause 4.4A to exclude the clause from SSD-100626709.

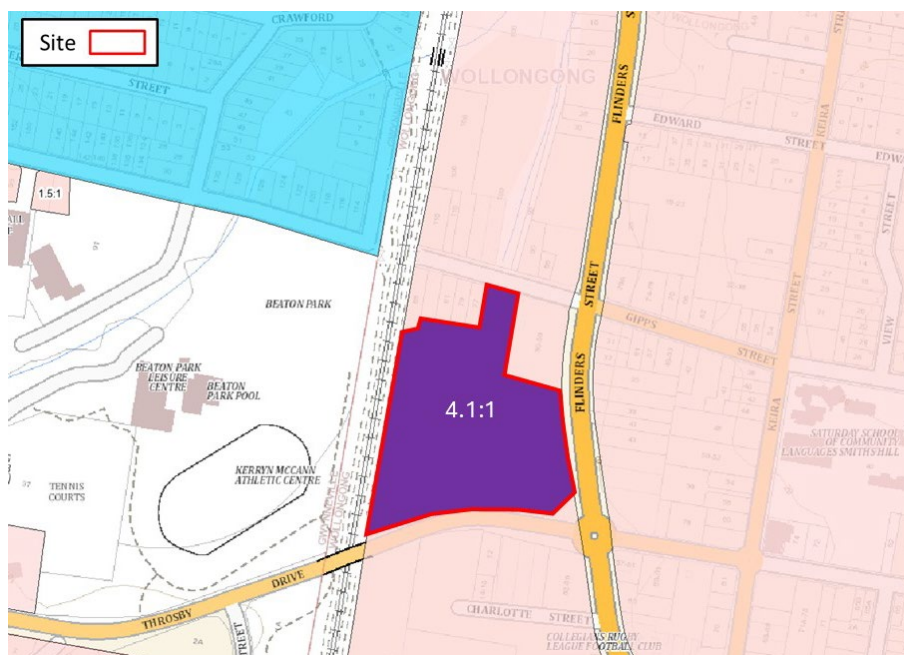


Figure 31:

Proposed amendment to the WLEP FSR map

4.2 Justification of Strategic Merit

This section outlines the strategic justification for the proposed amendments to the WLEP 2009 in accordance with the relevant matters for consideration within the 'Local Environmental Plan Making Guideline' prepared by DPHI.

4.2.1 Question 1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The proposed amendments are a direct response to the designation of the project as SSD under the HDA, specifically pursuant to *State Significant Declaration Order (No 11) 2025* (Order) issued on 23 July 2025. It directly responds to the objectives of the Housing Delivery Authority and National Housing Accord to build new well-located homes to alleviate the housing crisis.

4.2.2 Question 2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proposal is the best means of achieving the objectives and intended outcomes for the site in a manner which will provide for the maximum provision of housing within the demonstrated environmental capacity of the site. The proposal has been prepared in response to the key criteria prescribed under the HDA process, including the delivery of a greater quantum of housing in highly accessible locations.

The consequence of the proposal not proceeding is that the site will fail to fulfil its potential for contributing to housing and affordable housing.

4.2.3 Question 3 - Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

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 which set out the aspirations for the region. The following table summarises the proposals consistency with relevant objectives of the Plan:

Table 7: Consistency with objectives of Illawarra Shoalhaven Regional Plan

Objective	Comment	Consistent
Objective 1: Strengthen Metro Wollongong as a connected, innovative and progressive City.	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 2). 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.	Yes
Objective 7: Respond to the changing nature of retail	The Plan notes that proposals for new retail centres should demonstrate how they: • respond to retail supply and demand, innovation and digital trends in the retail sector • maximise the use of existing infrastructure (including public transport and community facilities) commensurate with the scale of the proposal • enhance public areas An Economic Impact Statement prepared by Hill PDA accompanies this submission at Appendix 24 which demonstrates that the proposed retail component is necessary to respond to the required retail supply in this location. The proposed retail component is appropriately located, noting there is no other supply in walking	Yes

Objective	Comment	Consistent
	distance of the site. Finally, the proposal includes substantial public domain offering to achieve a high quality retail precinct.	
Objective 12: Building resilient places and communities.	The Plan identifies that at the heart of the Illawarra Shoalhaven's resilience is its diversity: a diverse economic ecosystem; a diversity of quality open, green and public spaces; and a range of housing options to support a diverse community at different stages of life and across the age spectrum. The proposal will contribute positively to this diversity with additional employment opportunity, retail services for the community, high quality public open space, and additional housing including affordable housing.	Yes
Objective 13: Increase urban tree canopy cover	The proposal will facilitate future redevelopment of a site which would include the provision of additional canopy trees.	Yes
Objective 15: Plan for a Net Zero region by 2050	The proposal is consistent with this objective as it will facilitate future development on the site that will deliver new homes near public transport therefore reducing the reliance on private car use and associated emissions.	Yes
Objective 18: Provide housing supply in the right location	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 and with construction already commenced on site.	Yes

Objective	Comment	Consistent
	The proposal seeks to amend the height and FSR maps to ensure that the site can realise the demonstrated environmental capacity for the site. It is critical that where the site is demonstrated as having the capacity to absorb an increase in floor space, that the realisation of this floor space is made possible to ensure housing supply on the subject site is maximised.	
Objective 19: Deliver housing that is more diverse and affordable	This objective is concerned with delivering housing affordability. The proposal is consistent with the objective to improve housing affordability because it (a) will increase housing supply and (b) proposes the provision of 15% affordable housing.	Yes
Objective 22: Embrace and respect the regional's local character	The proposal has been specifically designed with regard to the regions local character with the tower location specifically intended to retain important view corridors. The façade design and architectural expression also provides specific local responses, particularly in respect of the selected materiality as addressed in the Design Report prepared by DKO at Appendix 7 .	Yes
Objective: 23: Celebrate, conserve and reuse cultural heritage	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 is found at Appendix 23 to this EI&RS.	Yes

4.2.4 Question 4 - Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

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 provides that the State's short term housing targets for Wollongong require the LGA to provide 9,200 constructed dwellings over the five years from July 2024 to July 2029, or 1,840 per year. Just over half that number is expected to eventuate from existing approvals or rezonings that have already occurred. The remaining number are expected to be delivered through the NSW Government's housing reforms.

The LSPS identifies that the State's targets for Wollongong are ambitious and require a concerted effort from multiple levels of government and private industry. The subject proposal is a direct response and will assist in reaching the housing target identified by Council as being ambitious.

The development is consistent with the LSPS as it involves the amalgamation of multiple 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 Housing Trust, for a period of 15 years.

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.

Flinders Street Precinct Urban Design Framework

On 25 May 2026, Wollongong City Council adopted the Flinders Street Precinct Urban Design Framework (UDF).

The UDF was prepared in response to multiple State Significant Development applications under the Housing Delivery Authority pathway and Council's intention was to set a vision and provide a framework against which to consider uplift proposals and to also inform future updates to the Wollongong Local Environmental Plan (LEP) 2009 and Wollongong Development Control Plan (DCP) to enable the delivery of housing and supporting uses in a manner that Council believes is sustainable.

The site is located within an area nominated as the Parkside Sub-Precinct at Section 4.6 and the proposal is closely aligned with the suggested structure plan for the site as illustrated at Figure 40 of the UDF and in particular the following elements of this section of the UDF as follows:

- Enable additional commercial uses at ground to support the potential large residential population of this sub precinct
- Identify a key site (former Bunnings site) within the sub-precinct that can support high quality built form and streetscape outcomes, including the provision of through site links and publicly accessible open space
- Locate taller development along the railway corridor where it overlooks Beaton Park
- Preserve the Flinders and Gipps Street view corridors to Mount Keira
- Ensure that development is well-separated and varies in height to maintain views towards the escarpment

- Encourage well-considered design in flood-prone areas to ensure appropriate access and building interfaces are provided, particularly where there are freeboard requirements for land within the flood planning area
- Extend the landscape edge along Throsby Drive and setback development from the busy road. The UDF suggests 9 metre, but without basis, and the proposal provides a variable setback which is much greater than 9 metres at the western end, and less than 9 metres at the eastern end of the Thorsby Road frontage where an active edge is proposed.
- Provide a landscape buffer along the railway corridor with trees and vegetation. The UDF suggests 9 metre, but without basis, and the proposal provides 6 metres which is the recognised dimension in the Apartment Design Guide to support mature vegetation.
- Investigate opportunity to provide a publicly accessible open space centrally located within the block.
- Extend the landscape character created by Beaton Park and the escarpment and provide increased tree canopy and landscaping.
- Prioritise vehicle access on Gipps Street and Throsby Drive.
- Provide pedestrian through site links between Throsby Drive, Flinders Street and Gipps Street.

4.2.5 Question 5 - Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

[National Housing Accord \(2022\)](#)

The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1.2 million houses in well-located areas in 5 years starting from July 2024. The Housing Accord lays the groundwork to improving affordability by addressing Australia's housing supply challenges and enabling the delivery of more social and affordable housing. The Housing Accord includes:

- an initial, aspirational national target of delivering a total of one million new, well located homes over 5 years from 2024, and
- immediate and longer-term actions for all parties to support the delivery of more affordable homes.

The proposed development is aligned with the National Housing Accord as it seeks to deliver additional housing in a well-serviced location within the next 5 years. As a HDA application, the proposal will quickly facilitate housing development with construction already commenced on site.

[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 1,260 apartments, including 190 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, 3 and 4-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.

Future Transport Strategy

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 high density residential use with public domain benefits 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 providing some non-residential uses and also 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).

NSW Planning Guidelines for Walking and Cycling

These guidelines function to improve the consideration of walking and cycling and their role in the creation of sustainable neighbourhoods and cities. The proposed development aligns with these guidelines by providing an attractive and interesting pedestrian environment that is highly connected to the surrounding public domain. The design of the pathways surrounding the site will allow for the development to connect with future public domain works.

The proposal provides a high density mixed use and residential development near the Wollongong central business district, which means that residents will be able to walk to a broad range of services, facilities, shops, and employment. Wollongong is also well served by public transport services which provides connectivity to the Illawarra region and greater Sydney including a train station. In addition, the development is in close proximity to a range of recreational opportunities. The location and nearby facilities are such that the proposal will encourage walking and cycling as a viable transportation method.

State Infrastructure Strategy 2018-2038

The NSW State Infrastructure Strategy 2018–2038 sets out the Government's priorities for the next 20 years, and combined with the Future Transport Strategy 2056, the Greater Sydney Region Plan and the Regional Development Framework, brings together infrastructure investment and land-use planning for our cities and regions.

The proposal is consistent with the State Infrastructure Strategy 2018-2038 by encouraging the use of public transport by placing housing close to existing public transport service.

Better Placed – An Integrated Design Policy for the Built Environment of NSW

Better Placed is an integrated design policy for the built environment, prepared by the Government Architect of NSW, to create a transparent approach to ensure good design outcomes are achieved to deliver desired architecture, public places and environments throughout NSW (September 2017). The policy includes seven applicable objectives:

- Objective 1 - Better fit
- Objective 2 - Better performance - sustainable, adaptable and durable
- Objective 3 - Better for the community - inclusive, connected and diverse
- Objective 4 - Better for people
- Objective 5 - Better working - functional, efficient and fit for purpose
- Objective 6 - Better value - creating and adding value
- Objective 7 - Better performance - engaging, inviting and attractive

An assessment of the proposal in relation to the Better Placed objectives is provided in Section 2.15 above.

4.2.6 Question 6 - Is the planning proposal consistent with applicable SEPPs?

The Planning Proposal is consistent with all relevant State Environmental Planning Policies as summarised in the following table:

Table 8: Consistency with SEPPs

SEPP	Comment	Consistent
State Environmental Planning Policy – (Transport and Infrastructure) 2021	The aim of SEPP Transport and Infrastructure is to facilitate the effective delivery of infrastructure across the State. Detailed compliance with SEPP Transport and Infrastructure is detailed in Section 7.9 and Appendix 11 which contains a TIA.	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 4 Remediation of Land under State Environmental Planning Policy (Resilience and Hazards) 2021 is relevant to the proposal and requires the consent authority to consider whether land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the application. However, Clause 4.6(2) only requires the consent authority to consider a report specifying the findings of a preliminary investigation of the land concerned, if the development would involve a change of use. The application is accompanied by a Detailed Site Investigation at Appendix 9 prepared by EI Australia which identifies that the soil sampling from 50 bore holes has revealed concentrations of contaminants above the adopted limits, and that remediation works will be required on the site. Importantly, EI Australia conclude that the site can be suitable for the proposed	Yes

SEPP	Comment	Consistent
	development subject to the implementation of the recommendations of the report, including the need for a Remediation Act Plan. Based on the above, it is considered that the consent authority can therefore be satisfied that the site can be made suitable for the proposed development subject to appropriate conditions of consent which reflect the recommendations	
State Environmental Planning Policy (Sustainable Buildings) 2022	The aim of SEPP (Sustainable Buildings) is to encourage sustainable residential development. The proposal is accompanied by a BASIX Certificate.	Yes
State Environmental Planning Policy (Housing) 2021 – Chapter 4	Chapter 4 of SEPP Housing aims to improve the design quality of residential flat developments, provide sustainable housing in social and environmental terms that is a long-term asset to the community and delivers better built form outcomes. The proposal is consistent with Chapter 4 of SEPP Housing and detailed compliance is demonstrated at Appendix 4.	Yes
State Environmental Planning Policy (Primary Production) 2021	SEPP Primary Production aims to facilitate the orderly economic use and development of lands for primary production. The site does not currently comprise agricultural land, nor will the subject rezoning application make it possible to be used for primary production and so the Planning Proposal is of no consequence in relation to this SEPP.	N/A
State Environmental Planning Policy (Biodiversity and Conservation) 2021	SEPP Biodiversity and Conservation aims to protect the biodiversity values of trees and other vegetation and includes provisions in relation to vegetation clearing and is predominantly aimed at providing controls in relation to vegetation in rural settings. The non-rural controls apply to the subject site irrespective of the subject Planning Proposal, which is of no consequence in relation to this SEPP.	N/A
State Environmental Planning Policy (Industry and Employment) 2021	SEPP Industry and Employment includes provisions in relation to the western Sydney employment area, as well as controls relating to signage.	N/A
State Environmental Planning Policy (Planning Systems) 2021	SEPP Planning Systems comprises provisions which identify state and regional development, development on Aboriginal land, and concurrences required. These provisions are not of direct relevance to the subject proposal.	Yes
State Environmental Planning Policy (Exempt and Development Codes) 2008	SEPP Codes provides a range of exempt and complying development.	N/A

SEPP	Comment	Consistent
State Environmental Planning Policy (Resources and Energy) 2021	This SEPP relates to mining and other extractive industries.	N/A

4.2.7 Question 7 - Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The following table summarises the Planning Proposal's consistency with applicable Ministerial Directions:

Table 9: Consistency with Ministerial Directions

S.9.1 Direction No. and Title	Comment	Consistent
Priority 1: Aboriginal Outcomes		
P1.1 – Aboriginal Land Planning	This direction applies to a planning proposal authority when preparing a planning proposal that affects land owned or managed by Aboriginal Land Councils (ALCs).	N/A
P1.2 – Cultural Guidance	This direction applies to a planning proposal authority when preparing a planning proposal that has identified cultural representation, presence of Aboriginal cultural heritage, or strong community association within the site context, except minor or administrative amendments that do not materially change planning intent or result in significant environmental or land-use impacts.	N/A
Priority 2: Housed		
P2.1 – Housing	This direction applies to a planning proposal authority when preparing a planning proposal that affects land within an existing or proposed residential zone (including changes to residential zone boundaries), or any other zone where residential development, caravan parks, or manufactured home estates is or is proposed to be permitted. The proposal is consistent with the direction principles because it demonstrates a contribution to meeting the housing targets identified by the Department of Planning, Housing and Infrastructure in relevant regional and local strategies.	Yes
Priority 3: Prosperous		
P3.1 – Employment	This direction applies to a planning proposal authority when preparing a planning proposal that affects land within an existing or proposed employment zone (including changes to employment zone, and includes land zoned E3 Productivity Support.	Yes

S.9.1 Direction No. and Title	Comment	Consistent
	The proposal is consistent with the direction principles because it will encourage employment growth by expanding the nature of permissible employment generating uses on the land.	
P3.2 – Rural	This direction applies to a planning proposal authority when preparing a planning proposal that affects land within an existing or proposed rural or conservation zone (including changes to rural and conservation zone boundaries), except for land identified as an urban growth area within the relevant Regional Strategy, Regional Plan or District Plan prepared by the Planning Secretary.	N/A
P3.3 – Airport Safeguarding	This direction applies to a planning proposal authority when preparing a planning proposal that creates, alters or removes a zone or a provision relating to land located near an airport transport facility or within a defence aviation area.	N/A
P3.4 – Mining and Petroleum Production	This direction applies to a planning proposal authority when preparing a planning proposal that would have the effect of: - prohibiting the mining of coal or other minerals, or production of petroleum, or - restricting the potential development of resources of coal, other minerals, or petroleum by permitting a land use that is likely to be incompatible with such development.	N/A
P3.5 – Oyster Aquaculture	This direction applies to a planning proposal authority when preparing a planning proposal that would have adverse impacts or result in land use incompatibility within a 'Priority Oyster Aquaculture Area' and land used for oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (the Strategy), as published by the NSW Department of Primary Industries on August 2021, or a 'current oyster aquaculture lease in the national parks estate'.	N/A
P3.6 – Mine Subsidence and Unstable Land	This direction applies to a planning proposal authority when preparing a planning proposal that affects land that is within a declared mine subsidence district in the <i>Coal Mine Subsidence Compensation Regulation 2017</i> pursuant to section 20 of the <i>Coal Mine Subsidence Compensation Act 2017</i> , or land that has been identified as unstable in a study, strategy or other assessment identified by or provided to the Planning Proposal Authority	N/A
Priority 4: Connected		
P4.1 – Integrating Land Use and Infrastructure	This direction applies to a planning proposal authority when preparing a planning proposal that would affect land to alter, enlarge, or create a zone or a provision relating to urban land, including land zoned for residential, employment, village, or tourist purposes.	Yes

S.9.1 Direction No. and Title	Comment	Consistent
	The proposal does not seek to alter the existing zone on the site. Nonetheless, it is consistent the direction principle to make efficient use of existing infrastructure and services to the optimal site location with respect to existing transport facilities.	
Priority 5: Resilient		
P5.1 – Strategic Conservation Planning	This direction applies to a planning proposal authority when preparing a planning proposal that affects land identified as avoided land, strategic conservation area or certified urban capable land under and as defined by the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .	N/A
P5.2 – Conservation	This direction applies to a planning proposal authority when preparing a planning proposal that affects land containing environmentally sensitive areas as defined by <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> or land within an existing or proposed conservation zone (including changes to conservation zone boundaries) or otherwise identified for environment conservation/protection purposes in an LEP.	N/A
P5.3 – Foreshores and Water Catchment Areas	This direction applies to a planning proposal authority when preparing a planning proposal that affects land within the Sydney drinking water catchment, the Sydney Harbour Foreshores and Waterways Area or a regulated catchment as defined in the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .	N/A
P5.4 – Contaminated Lands	This direction applies to a planning proposal authority when preparing a planning proposal that affects land identified as having contamination risks. This includes land that: • is declared as significantly contaminated land under the <i>Contaminated Land Management Act 1997</i>; or • is being used, or is known to have been used, for a purpose referred to in the Contaminated Land Planning Guidelines found in Chapter 4 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>; or • is proposed to be used for the purposes of any residential, educational, recreational, childcare, or hospital uses, unless that specific use is already permissible. The application is accompanied by a Detailed Site Investigation at Appendix 9 prepared by EI Australia which identifies that the soil sampling from 50 bore holes has revealed concentrations of contaminants above the adopted limits, and that remediation works will be required on the site. Importantly, EI Australia conclude that the site can be suitable for the proposed development subject to the implementation of the	Yes

S.9.1 Direction No. and Title	Comment	Consistent
	recommendations of the report, including the need for a Remediation Act Plan.	
P5.5 – Acid Sulfate Soils	This direction applies to a planning proposal authority when preparing a planning proposal that affects land identified as having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held within the relevant Local Environmental Plan. The site is identified as Class 4 and the development involves works more than 2 metres below natural ground surface and so the application is accompanied by an Acid Sulphate Soils Management Plan at Appendix 35.	Yes
P5.6 – Threatened species, threatened ecological communities and their habitat	This direction applies to a planning proposal authority when preparing a planning proposal that impacts on an area mapped on the Biodiversity Values Map, as published by the Department of Climate Change, Energy, the Environment and Water under Part 7 of the Biodiversity Conservation Regulation 2017 (NSW), or exceeds the area clearing threshold established for the Biodiversity Offsets Scheme under the <i>Biodiversity Conservation Act 2016</i>. A Biodiversity Development Assessment Report including an assessment of the impacts of the proposed development on Biodiversity Values identified in the BC Act and Regulation, and the Biodiversity Offset Credit Requirements accompanies this application at Appendix 27	Yes
P5.7 – Flooding	This direction applies to all planning proposal authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or provision that affects flood prone land. The site is designated as flood prone land and a detailed response to this Direction is provided within Appendix 21 Flood Impact Assessment prepared by Stellen Consulting. It is important to note that the proposal does not permit a “significant” increase in the development of the land, noting that the previous SSD application that was prepared for the land (SSD-73190458) had 902 apartments, whilst the subject proposal has 1,260 apartments, being only 28% increase in residential yield.	Yes
P5.8 – Coastal Management	This direction applies to a planning proposal authority when preparing a planning proposal that applies to land that is within the coastal zone, as defined under the <i>Coastal Management Act 2016</i> – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area - and as identified by Chapter 2 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>.	N/A

S.9.1 Direction No. and Title	Comment	Consistent
P5.9 – Planning for Bush Fire Protection	This direction applies: - to a planning proposal authority when preparing a planning proposal for land that will affect, or is in proximity to, land mapped as bush fire prone land, or - where the planning proposal authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act The site is not identified as Bushfire Prone Land nor is it located in close proximity to land mapped as bushfire prone land.	N/A
Priority 6: Liveable		
P6.1 – Reserving Land for Public Purposes	This direction applies to a planning proposal authority when preparing a planning proposal that affects land reserved for or proposed to be reserved for public purposes.	N/A
P6.2 – Willandra Lakes Region	This direction applies to a planning proposal authority when preparing a planning proposal that affects land identified as the Willandra Lakes World Heritage Property, on the World Heritage Property Map, under the <i>Balranald Local Environmental Plan 2010</i> and <i>Wentworth Local Environmental Plan 2011</i>	N/A
Priority 7: Coordinated		
P7.1 – High pressure dangerous goods pipeline	This direction applies to a planning proposal authority when preparing a planning proposal that would permit development for one or more of the specified uses in the application area of relevant pipelines	N/A

The proposal exhibits strong strategic merit and alignment with the local and strategic planning framework.

4.3 Justification of Site-Specific Merit

This section outlines the site-specific justification for the proposed amendments to the WLEP 2009 in accordance with the relevant matters for consideration within the 'Local Environmental Plan Making Guideline' prepared by DPHI.

4.3.1 Question 8 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Proposal?

The proposal will not adversely impact any critical habitat, threatened species, populations or ecological communities, or their habitats.

4.3.2 Question 9 - Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are no environmental effects envisaged as a result of the proposal.

There are no hazards that impact the site or environmental effects resulting from the future redevelopment of the site that would preclude consideration of the proposal.

4.3.3 Question 10 - Has the Planning Proposal adequately addressed any social and economic effects?

The proposal will facilitate increased residential accommodation on the site which will improve housing diversity, choice and affordability in the locality and provide housing that responds to the needs, lifestyle and values of the local community. By providing additional housing close to transport nodes within an identified centre, residents will benefit from reduced commuting times, improved access to employment opportunities and a greater range of services achieving the NSW Governments objective for a walkable and 30 minute city.

The proposal will also facilitate redevelopment of the site that will have positive social impacts in terms of urban renewal in an established area that will create a vibrant cosmopolitan culture within the centre through a broader offering of services and opportunities within the centre.

The social benefits associated with the proposal include:

- Construction of a residential development on a site earmarked and zoned for such development, in an area that has been identified as a growth area;
- The provision of more diverse housing types in the area, on a site that has easy access to public transport, and which is being developed with retail and services;
- Provision of affordable housing for those on very low, low to moderate incomes in a location that is close to public transport, shops and services;
- Employment generation in the planning, implementation, and construction of the proposed development;
- The provision of floorspace for retail premises to meet the day to day needs of the growing residential population, as well as employment for the community; and
- There is nothing about the proposed development that is likely to generate any negative impacts in terms of community cohesion.

The amendments sought under the planning proposal will have no unreasonable effects on items or places of European or Aboriginal cultural heritage. The site is not an identified heritage item, is not located within a heritage conservation area and is not known to contain any Aboriginal relics or artefacts.

In terms of economic impacts, the proposal will achieve important economic benefits including an increase in jobs during construction and at completion, and an increased residential population on the site which will contribute positively to the local economy.

4.3.4 Question 11 - Is there adequate public infrastructure for the Planning Proposal?

Required electricity, telecommunication, gas, water, sewer and drainage services are available to the site.

The site is well served by public transport infrastructure in that the site is within walking distance of the Wollongong and North Wollongong train stations and numerous bus services.

The demand for public infrastructure associated for any future development of the site will be appropriately considered during the assessment of a development application for any such proposal.

**4.3.5 Question 12 - What are the views of State and Commonwealth public authorities
consulted in accordance with the Gateway determination?**

Many authorities have already been consulted with during the Community consultation process. If any further consultation is required, this will be undertaken during the assessment process.

5.0 STATUTORY CONTEXT

5.1 Relevant Statutory Requirements

This section of the EI&RS identifies addresses the statutory requirements that are relevant to the justification and evaluation of the project.

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

The detailed assessment against the relevant statutory requirements is provided in Section 6 of the EI&RS and the Statutory Compliance Table which is included as **Appendix 2** of this report.

5.1.1 Power to grant approval

The legislative pathway under which the consent is sought, why the pathway applies, and the relevant consent authority is outlined in Table 10 below.

Table 10: Power to Grant Consent

Matter	Description
Power to grant approval	Environmental Planning and Assessment Act 1979 (EP&A Act) 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 Section 4.36(3) of the EP&A Act states that: <i>The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development.</i>

Matter	Description
	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. The Order enables SSD-100626709 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to the <i>Wollongong Local Environmental Plan 2009</i> (WLEP 2009) Therefore, the proposed development is SSD by virtue of Ministerial planning order.

5.1.1 Permissibility

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 11** below.

Table 11: Permissibility

Matter	Description
Land Zoning	Wollongong Local Environmental Plan 2009 The site is located within the E3 Productivity Support zone pursuant to the Wollongong Local Environmental Plan 2009 (WLEP).
Proposed use	The application proposes the construction of a mixed use development comprising the following uses: - Commercial premises - Residential Flat Building - Shop top housing
Permissibility	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 already permitted with consent. The proposed rezoning seeks to introduce “commercial premises” and “residential flat building” as additional permitted uses in Schedule 1 of the WLEP, and subject to this amendment, the proposed development will be permissible on the land.

5.1.2 Other approvals

There are no other approvals that are required for the carrying out of the proposed development, with the exception of approvals required from the relevant suppliers for proposed infrastructure upgrades.

5.1.3 Pre conditions

The following table identifies the pre-conditions to exercising the power to grant approval for the project. These include the mandatory conditions that must be satisfied before the consent authority may grant approval.

Table 12: Pre conditions table

Statutory reference	Pre-condition	Relevance	Section in EI&RS
Biodiversity Conservation Act 2016 – Clause 7.9	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 under the Planning Agency Head and Environment Agency Head determine that the proposed development is not likely have any significant impact on biodiversity values.	As the application is for SSD, the clause applies. The application is accompanied by a BDAR at Appendix 27 .	Section 7.10 and Appendix 27 .
State Environmental Planning Policy (Resilience and Hazards) 2001 – Clause 4.6(1) and (3)	A consent authority must not grant consent to the carrying out of development unless it has considered whether the land is contaminated. If the land is contaminated the consent authority is to be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, for the purpose for which the development is proposed to be carried out. Clause (3) provides that: The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority.	The EI&RS is accompanied by a DSI.	Section 7.15 and Appendix 9 .
State Environmental Planning Policy (Transport and Infrastructure) 2021	2.99 Excavation in, above, below or adjacent to rail corridors This section applies to the development as it is adjacent to a rail corridor and involves the penetration of ground to a depth of at least 2m below ground level.	The site is adjacent a rail corridor.	Section 7.21 and Appendix 34 .

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	The clause states that development consent must not be granted to development to which this section applies unless the consent authority has considered the Development Near Rail Corridors and Busy Roads – Interim Guideline published in December 2008 by the Department.		
	Clause 2.100 – Impact of rail noise or vibration on non-rail development Clause 2.100 applies to residential development adjacent to a rail corridor and requires a consent authority to consider the impacts of rail noise and vibration on residential development. This section specifically requires: (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 LAeq levels are not exceeded – (a) In any bedroom in the residential accommodation – 35dB(A) at any time between 10pm and 7am, (b) Anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.	The site is adjacent a rail corridor.	Section 7.11 and Appendix 12 which contains an acoustic report prepared by PWNA accompanies the application at and addresses these criteria.
	Clause 2.119 Development with frontage to classified road Under Clause 2.119(2) the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that –	The site has a frontage to Flinders Street which is a classified road.	The development does not involve vehicular access directly from Flinders.

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of— (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.		Section 7.9 and Appendix 11.

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	Clause 2.120 – Impact of road noise or vibration on non-road development 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: (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— (a) In any bedroom in the residential accommodation—35dB(A) at any time between 10pm and 7am, (b) Anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40dB(A) at any time.	The site is adjacent to Flinders Street which has a volume of more than 20,000 vehicles per day.	Section 7.11 and Appendix 12 which contains an acoustic report prepared by PWNA accompanies the application at and addresses these criteria.
	Clause 2.122 Traffic Generating Development Clause 2.122(4) provides that (4) Before determining a development application for development to which this section applies, the consent authority must— (a) give written notice of the application to TfNSW within 7 days after the application is made, and (b) take into consideration—	Clause 2.122 applies as the development has access to a road and a car park with more than 200 or more car parking spaces.	Section 7.9 and Appendix 11 which contains a TIA.

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and (ii) the accessibility of the site concerned, including – (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and (iii) any potential traffic safety, road congestion or parking implications of the development. (5) The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.		
State Environmental Planning Policy (Housing) 2021	Clause 147 Determination of development applications and modification applications for residential apartment development (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	The proposal is subject to Chapter 4 of SEPP Housing	Appendix 3.

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	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.		
Wollongong LEP 2009	Clause 5.21(2) Clause 5.21(2) of the WLEP states that: (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development – (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	The proposal includes a Flood Impact Assessment prepared by Stellen Consulting.	Section 7.1.2 and Appendix 21 .

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	Clause 7.1 Public Utility Infrastructure Clause 7.1(2) of the WLEP states that: (2) Development consent must not be granted for development on land unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.	The proposal is supported by an Infrastructure Management Plan prepared by Neuron.	Section 7.1.2 and Appendix 32.
	Clauses 7.4 – Riparian lands Clause 7.4(3) of the WLEP states that: (3) Despite any other provision of this Plan, development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the impact of the proposed development on the land and any opportunities for rehabilitation of aquatic and riparian vegetation and habitat on that land.	The site is identified as containing riparian land.	Section 7.1.2 and Appendix 27.
	Clause 7.5 – Acid Sulphate Soils Clause 7.5(3) of the WLEP states that: (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	The site is identified as Class 4 and the development involves works more than 2 metres below natural ground surface and so the application is accompanied by an Acid Sulphate Soils Management Plan.	Section 7.1.2 and Appendix 35.

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	Clause 7.18 - Design Excellence in Wollongong city Centre and at key sites Clause 7.18 (3), (4) and (5) of the WLEP provides that: (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence. (4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters— (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain, (c) whether the proposed development detrimentally impacts on view corridors, (d) whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map, (e) how the proposed development addresses the following matters— (i) the suitability of the land for development, (ii) existing and proposed uses and use mix,	The site is located within the Wollongong City Centre. The proposed development has been reviewed by the State Design Review Panel on several occasions.	Section 7.1.2 and Appendix 7.

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	(iii) heritage issues and streetscape constraints, (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, (v) bulk, massing and modulation of buildings, (vi) street frontage heights, (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity, (viii) the achievement of the principles of ecologically sustainable development, (ix) pedestrian, cycle, vehicular and service access, circulation and requirements, (x) impact on, and any proposed improvements to, the public domain. (5) Development consent must not be granted to the following development to which this clause applies unless a design review panel has reviewed the design of the proposed development – (a) development in respect of a building that is, or will be, greater than 35 metres in height, (b) development having an estimated development cost of more than \$1,000,000 on a key site, (c) development for which the applicant has chosen to have such a review.		

Statutory reference	Pre-condition	Relevance	Section in EI&RS
	Clause 8.4 -Minimum building street frontage Clause 8.4(2) of the WLEP provides that: (2) Development consent must not be granted to the erection of a building that does not have at least one street frontage of 20 metres or more on land within Zone E2 Commercial Centre, Zone E3 Productivity Support or Zone MU1 Mixed Use.	The site is located within the E3 Productivity Support zone.	Section 7.1.2

5.1.4 Mandatory Considerations table

The following table identifies the matters that the consent authority is required to consider in deciding whether to grant approval.

Table 13: Mandatory Considerations

Statutory reference	Mandatory consideration	Section in EI&RS
Considerations under the Act and Regulation		
Section 1.3	Relevant objects of the Act (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources, (b) to promote the supply, delivery and maintenance of housing, including affordable housing, (c) to promote productivity through the development and management of the State and its resources, (d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats, (e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention, (f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage, (g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,	Appendix 2

Statutory reference	Mandatory consideration	Section in EI&RS
	(h) to provide opportunities for participation in environmental planning and assessment, (i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, (j) to promote a proportionate and risk-based approach to environmental planning and assessment, (k) to promote the orderly and economic use and development of land.	
Section 4.15	Relevant environmental planning instruments • State Environmental Planning Policy (Planning Systems) 2021 • 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 (Housing) 2021 – Chapter 4– Design Quality of Residential Apartment Development and the Apartment Design Guide • State Environmental Planning Policy (Sustainable Buildings) 2022 Development control plan Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. the suitability of the site for the development the public interest	Appendix 2 and Section 7 N/A Section 7
Mandatory relevant considerations under EPIs		
State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land	Clause 4.6(2) provides: <i>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i>	Section 7.16 and Appendix 9

Statutory reference	Mandatory consideration	Section in EI&RS
State Environmental Planning Policy (Housing) 2021 – Chapter 4– Design Quality of Residential Apartment Development and the Apartment Design Guide	(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.	Section 7.3 and 7.4 and Appendix 7
State Environmental Planning Policy (Sustainable Buildings) 2022	A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.	Appendix 14
Wollongong Local Environmental Plan	Clause 2.3(2) – Zone objectives and Land uses	Appendix 2
	Clause 4.3 – Height of Buildings	Section 7.1.2 and Appendix 2
	Clause 4.4 – Floor Space Ratio	Section 7.1.2 and Appendix 2
	Clause 7.6 Earthworks	Section 7.1.2 and Appendix 2
	Clause 7.18(4) Design excellence in Wollongong city centre and at key sites	Section 7.1.2 and Appendix 2

6.0 ENGAGEMENT

Community engagement was undertaken in accordance with the engagement requirements of the SEARs and the 'Undertaking Engagement Guidelines for State Significant Projects' (The Engagement Guidelines).

The Engagement Guidelines provide the following guidance with Proponents:

- Plan early
- Engage as early as possible
- Ensure engagement is effective
- Ensure engagement is proportionate to the scale and impact of the project
- Be innovative
- Be open and transparent about what can be influenced

In accordance with the Guidelines, a community engagement program was developed and undertaken as soon as possible after commencing the project. The community engagement program undertaken by the applicant and its consultants included the following engagement activities:

- Meetings with Council
- The surrounding community including residents and businesses
- NSW Police
- Illawarra Local Aboriginal Land Council
- Department of Communities & Justice – Housing
- NSW Health
- Business Illawarra

The following sections of this EI&RS provide details of the authorities and community consultation undertaken.

6.1 Authority Consultation

6.1.1 Consultation with the Wollongong City Council

Two meetings were held with Wollongong City Council, on 28 October 2025 and 3 February 2026. The Community Engagement Report prepared by Sarah George Consulting at **Appendix 30** provides a detailed response to the minutes of those meetings and the feedback from Council. In summary, the key issues raised by Council were:

- Concern in relation to the proposed building height
- Retention of view corridors to Mt Kembla and Mt Keira
- Need for a Connecting with Country Report
- Response to Council's Flinders Street Precinct review.
- Investigation of site constraints including flooding and contamination.
- Consultation with Transport for NSW and potential for signalisation of intersection of Throsby and Flinders Street

The various matters identified by the Council are addressed on this EI&RS and the supporting documentation.

6.1.2 Consultation with GANSW

Extensive consultation has been undertaken with GANSW in accordance with the requirements of the SEARs. Two SDRP meetings have been held with the first meeting on 4 February 2026, and a subsequent meeting on 15 April 2026. The design progression with the SDRP is illustrated in Figures 32 and 33 below.



Figure 32:

Massing of proposal presented to SDRP on 4 February 2026 (Source: DKO)

SUPPORTED ELEMENTS

- Connecting with Country Design Principles of ‘rejuvenating Country’, ‘maintaining connections’, and ‘Wodi Wodi identity’
- Intent to reestablish the original creek line and riparian habitat
- Intent to provide a public plaza and publicly accessible open space and tie in with the proposed green corridor of Flinders Street
- Landscaped setback to the railway corridor
- Commitment to 15% affordable housing

ELEMENTS OF CONCERN

- Site conditions requiring discussion and addressing including scale of stormwater infrastructure and flood
- Location and scale of public plaza along Flinders Street, an interface exposed to significant noise, lack of activation and challenging level changes.
- A wider North South Street to be explored in order to create a generous public realm and riparian ecosystem.
- Configuration of vehicle entries

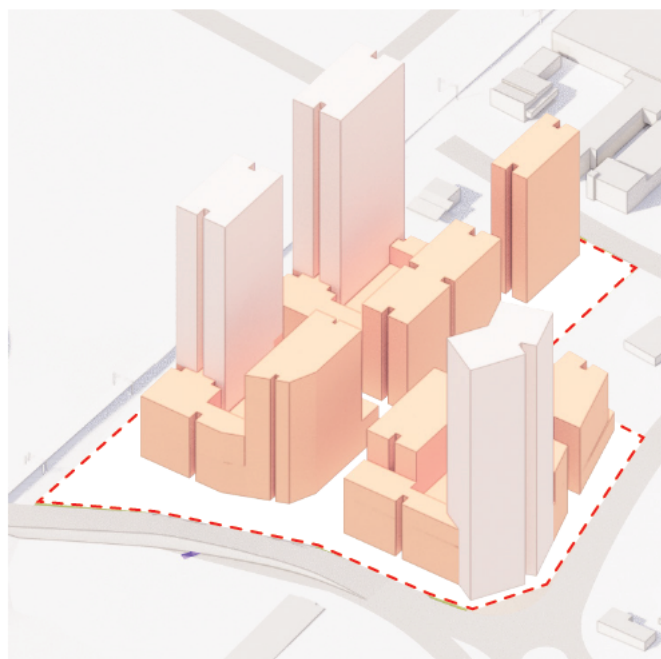


Figure 33:

Massing of proposal presented to
 SDRP on 15 April 2026 (Source:
 DKO)

SUPPORTED ELEMENTS

- Reconfiguration and revised location of the public park and associated plaza, into a more central and accessible arrangement within the site
- Reduced height of building north of the public park
- Revised vehicle circulation and access, with consolidated loading docks and reduced number of crossovers
- Increased width of the North-South street, with more space for landscape and water sensitive design features
- Strong response to Country and connection to nature and country in public spaces providing places to gather share the stories of the first nation people.

ELEMENTS OF CONCERN

- Resolution of permissibility of proposed uses
- Complexity of the site's flood conditions and inclusion of childcare centre. Further clarity on the subfloor design and items that can be positioned within the floodway
- Refinement of massing and height to reduce overall impacts and visual bulk
- Communal open space courtyards are enclosed on all four sides
- Vehicle access through East-West street

The final proposed development has been further refined in response to the second SDRP feedback with further massing refinements including built form removed from podium levels facing East-West link and public plaza to reduce visual bulk and establish visual connections from residential levels to street, and tower massing to Beaton Park revised to improve visual bulk. The ground floor residences were also elevated above the adjoining footpaths/streets, and finally street carpark spaces were removed from the East-West street with shared road incorporating speed humps for slowed traffic.

A detailed response to the SDRP meeting and the design response is provided at **Appendix 7** Design Verification Statement and Design Report.



RESPONSE TO SDRP 2 FEEDBACK

- Massing refinements - built form removed from podium levels facing East-West link and public plaza to reduce visual bulk and establish visual connections from residential levels to street. Tower massing to Beaton Park revised to improve visual bulk
- Ground floor residences elevated above the adjoining footpaths/streets
- Removal of street carpark spaces along East-West street, with shared road incorporating speed humps for slowed traffic. Bollards introduced for public safety

6.1.3 Department of Planning, Housing and Infrastructure

Consultation has been undertaken with the Department of Planning, Housing and Infrastructure as part of the SEARs process.

6.1.4 NSW Police

Consultation was undertaken with NSW Police, who provided a letter dated 4 February 2026 which requested a range of Crime Prevention Through Environmental Design inclusions and considerations be considered at the detailed design and construction phases. These are addressed in detailed in the Community Engagement Report prepared by Sarah George Consulting at **Appendix 30**.

Figure 34:

Massing of proposal in response to feedback from SDRP on 15 April 2026 (Source: DKO)

6.1.5 Department of Education

The NSW Department of Education provided high-level advice in a letter dated 16 February 2026. The Department noted that the site is located within the catchments of Keira High School and Smiths Hill High School and is adjacent to the catchment boundary of Wollongong High School of the Performing Arts. There are also approximately ten public schools located within 2km of the site. The Department works to ensure that any school-aged child in NSW seeking a public education has access to a school. As the development is located within established intake areas, it may contribute to student demand within the locality.

It was advised that the department is aware of the site's proposed development with the growth occurring in Wollongong and the Illawarra region. A range of school upgrades and new school projects have been delivered, and options continue to be investigated to ensure that the anticipated short, medium and long terms student demand will be met.

The Department further noted that the proposed development is understood to be captured within the department's current student projections and that the department will continue to monitor population and development trends in Wollongong and surrounding areas to ensure that public schools are appropriately planned and resourced to meet community needs.

Detailed comments in relation to the feedback from the Department of Education are detailed in the Community Engagement Report prepared by Sarah George Consulting at **Appendix 30**.

6.1.6 Transport for NSW

Pre-lodgement consultation with Transport for NSW (TfNSW) was held in December 2025 to discuss the proposal. Key outcomes of the consultation were as follows:

- TfNSW generally supportive of the proposed vehicle site access strategy, noting that any direct vehicle access from Flinders Street unlikely to be supported
- It would be preferable to shift the Throsby Drive access point further west (as indicated in the initial masterplan) to be further away from the Flinders Street roundabout
- Traffic analysis should consider potential implications of internal vehicle queueing, particularly from the planned access point near the Throsby Drive entry / exit
- The Flinders Street / Throsby Drive roundabout has been identified by TfNSW for improved pedestrian and cycling facilities, however no planning work nor funding has been allocated for this project
- Transport assessment should identify future desire lines to public transport, particularly bus stops along Flinders Street and North Wollongong train station
- Flinders Street has been identified as part of a strategic cycleway corridor to provide connectivity to Fairy Meadow

6.2 Community Engagement

A Community Engagement Report has been prepared by Sarah George Consulting and is included at **Appendix 30**.

The community consultation adopted for the proposed development comprised:

- Letter box drop: 200 notices were distributed to properties within close proximity to the site. The notice included an overview of the proposal, details on who to contact for more information, and noting that a webinar would be held to provide further information.
- The letter also contained a QR code linking to a SIA Survey to gather feedback on the proposal. 5 surveys were completed in the month in which the survey was live on Survey Monkey.
- Community Information Webinar: A community webinar was scheduled for 30 March 2026 with a PowerPoint presentation to present participants with information about:
 - the applicant, subject site and its context;
 - information on the broader planning context in respect of the NSW housing crisis and lack of affordable housing;
 - information on what affordable housing is and isn't and why the subject site is suitable for this type of housing;
 - an outline of the objectives of the proposal;
 - discussion on design considerations that informed the subject application;
 - question and answer session at the end of the presentation; and
 - provision of information on the next steps and avenues for the provision of feedback.

However, none of the two registered parties attended the webinar.

The feedback from the community consultation is detailed in **Appendix 30**.

7.0 ASSESSMENT OF IMPACTS

This section details how the key issues identified in the SEARs have been addressed. Many of the issues have been addressed through the preparation of specialist technical reports which are included as appendices to this EI&RS. Key issues identified in these reports are highlighted as are the recommended mitigation measures.

7.1 Statutory Context

The SEARS require the EI&RS to address all relevant legislation, Environmental Planning Instruments, plans, policies and guidelines. Section 5 of this EI&RS addresses the power to grant approval, permissibility, preconditions and mandatory considerations. Appendix 3 also contains a detailed assessment against all relevant Environmental Planning Instruments.

Notwithstanding, the assessment below specially addresses the key development standards within the Wollongong Local Environmental Plan 2009.

7.1.1 Wollongong Local Environmental Plan 2015

Zoning and Permissibility

The site is located within the E3 Productivity Support zone pursuant to Wollongong Local Environmental Plan 2009 (WLEP). An extract of the Land Zoning Map is included as Figure 35.

The proposed development provides seeks consent for a mixed use development comprising a “residential flat building”, “commercial premises” and a “residential flat building”.

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 already permitted with consent.

The proposed rezoning seeks to introduce “commercial premises” and “residential flat building” as additional permitted uses in Schedule 1 of the WLEP, and subject to this amendment, the proposed development will be permissible on the land.

Clause 2.3(2) of the WLEP provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the E3 Productivity Support zone are:

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.
- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.

- To allow some diversity of activities that will not significantly detract from the operation of existing or proposed development or the amenity enjoyed by nearby residents, or have an adverse impact on the efficient operation of the surrounding road system.

The proposed development provides a mixture of compatible uses comprising commercial and residential apartments and will contribute to the vibrancy of the area. The current site circumstance does not contribute positively to the location and the proposed development will deliver a new facility for commercial activity and employment. The additional residential density on the site will also contribute positively to patronage and success of the commercial tenancies on the subject and surrounding sites.

The proposed commercial component of the development will not adversely impact on the economic strength of the Wollongong CBD core as addressed in the Economic Impact Statement prepared by Hill PDA at **Appendix 24**. The nature of the future commercial uses on the site are unlikely to result in any adverse impact to the operation of existing surrounding uses, the amenity of nearby residents, and will not have an unacceptable impact to the performance and operation of the surrounding road network.

The architecture of the development with buildings addressing the street frontages and the internal public domain including common landscaped open space, combined with a high quality public domain outcome will result in activated and vibrant places that are used both during the day and evening, increasing safety. For the reasons given the proposal is considered to be consistent with the objectives of the E3 Productivity Support zone.



Figure 35:

Extract from the
WLEP
Land Zoning Map

Height

In accordance with clause 4.3 'Height of Buildings' 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'. The proposed maximum height for the site is compliant with the proposed 125 metre height control.

Floor Space Ratio

Clause 4.4(2) of the WLEP provides that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. A 1.5:1 FSR applies to the site.

Notwithstanding, the site is located within the Wollongong City Centre and so Clause 4.4A provides an alternative FSR for the site. The site is located in the E3 Productivity Support zone and has a frontage in excess of 20 metres and therefore an FSR for residential development of 2.5:1 and an FSR for commercial development of 3:1 applies to the proposed development.

However, the rezoning application seeks to provide a simplified FSR control of 4.1:1 for the site which reflects the subject proposal and to amend clause 4.4A to exclude the clause from SSD-100626709.

Heritage conservation

The site is not a heritage item and is not within a heritage conservation area.

Public Utility Infrastructure

Clause 7.1 of the WLEP relates to essential services and requires that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that any of the following public utility infrastructure that is essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable road access.

This application is supported by an Infrastructure Management Plan at **Appendix 32** which:

- Assesses the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.
- Identifies any infrastructure upgrades required on-site and off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained.
- Provides an infrastructure delivery staging plan, including a description of how infrastructure would be co-ordinated, funded and delivered to facilitated the development.

Flood Planning

Clause 7.3 of the WLEP applies to land identified as “Flood planning area” on the Flood Planning Map and land at or below the flood planning level and provides that development consent must not be granted to development unless the consent authority is satisfied that:

- (a) all habitable floor levels of the development will be above the flood planning level,

- (b) the development will not adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties,
- (c) the development will not significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain,
- (d) the development will not affect evacuation from the land,
- (e) the development will not significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,
- (f) the development will not result in unsustainable social and economic costs to the community as a consequence of flooding,
- (g) if located in a floodway area—the development will not be incompatible with the flow conveyance function of, or increase a flood hazard in, the floodway area.

The site is not identified as “Flood planning area” on the Flood Planning Map land.

However, Council’s records indicate that the property is coded as ‘Flood Risk Precinct Classification under Review’ and a piped watercourse passes through the site. The site is located within the floodplain of Fairy and Cabbage Tree Creeks and is affected by overland flow during major storm events.

The application is supported by a Flood Impact Assessment prepared by Stellen Consulting at **Appendix 21**. The flood assessment has been prepared in accordance with Wollongong DCP 2009 Chapter E13, WLEP 2009 clause 5.21 and the Fairy and Cabbage Tree Creeks Floodplain Risk Management Study and Plan 2024.

The flood modelling identifies an overland flow path from Throsby Drive through the site during the 1% AEP event and larger events. The flood strategy maintains this flow path by conveying floodwater below the suspended slab / undercroft arrangement associated with Building 2.

The key modelled design parameters are:

- Building 2 suspended slab, and occupied areas set at RL 9.3 m AHD, above the PMF level;
- subfloor ground level at RL 7.4 m AHD;
- clearance below the suspended slab to maintain conveyance;
- no solid walls, fencing, planters, terrace edges or landscaping that materially obstruct the modelled flow path.

The Assessment demonstrates that the proposal maintains the principal flood-conveyance corridor and does not cause a material adverse change in off-site flood behaviour for the assessed 1% AEP and Design Flood Event scenarios. The proposal includes drainage upgrades which are likely to result in reductions in peak flood depths across substantial portions of the site and upstream areas.

The Assessment notes that residential intensification is managed by locating habitable floors above the FPL, providing refuge above the PMF, maintaining flood conveyance through the site and implementing

a Flood Emergency Response Plan (FERP). Basements are not relied upon for residential occupation or refuge.

The site is affected by short-warning overland flooding. The FERP adopts a layered strategy comprising early evacuation via Throsby Drive / Flinders Street where directed and safe and shelter in place above the PMF where evacuation is not directed or flooding has commenced. Each building is required to provide accessible refuge above the modelled PMF level. The proposed design provides an acceptable level of emergency management capability including evacuation opportunities. As a result of this, the proposed development does not impose any additional risk on human life.

Acid Sulfate Soils

Clause 7.1 of the WLEP relates to acid sulfate soils. The site is identified as being affected by both Class 4 and 5 acid sulfate soils on the Acid Sulfate Soils Map. The proposed development involves excavation deeper than 2 metres and accordingly an acid sulfate soils management plan is required. An Acid Sulphate Soils Management Plan accompanies this EI&RS at **Appendix 36**.

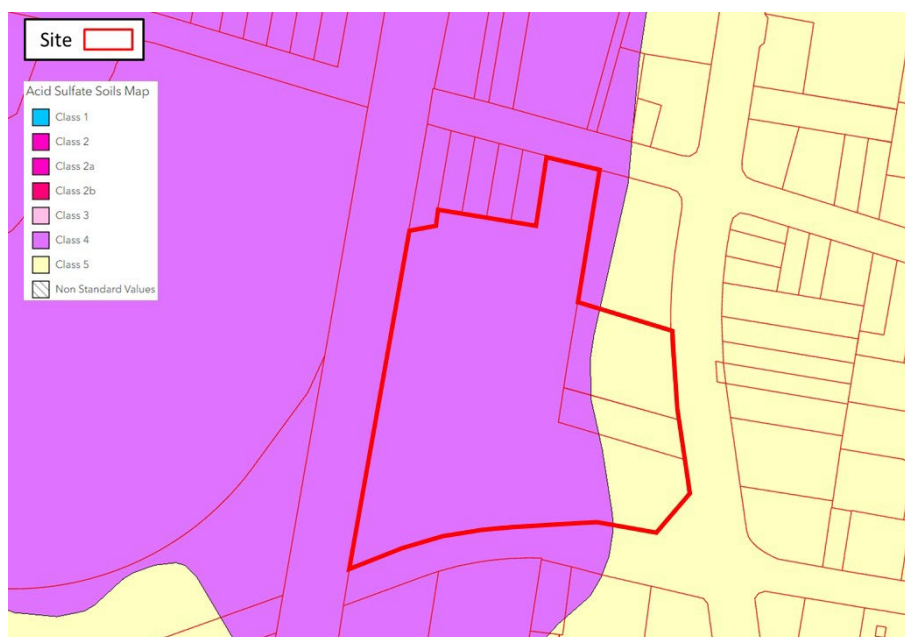


Figure 36:

Excerpt from WLEP acid sulphate soils map

Earthworks

Clause 7.6 of the WLEP relates to earthworks and requires that before granting development consent for earthworks, the consent authority must consider the following matters:

- (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,
- (f) the likelihood of disturbing Aboriginal objects or other relics,
- (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area

The proposed development involves earthworks to allow for the basement levels across the site.

The extent of proposed earthworks are unlikely to result in a significant or adverse disruption of drainage patterns at the site. A detailed stormwater management and drainage plan has been prepared and accompanies this application at **Appendix 19**.

The proposed earthworks will achieve a positive outcome for the area because they will result in basement levels with minimal protrusion above existing ground level, serving to reduce the apparent mass and scale of the development and provide an improved relationship between the buildings and surrounding public domain.

Waste from the site will be disposed of appropriately. It is not expected that relics will be unearthed given the site has previously been developed. The site is not significant in terms of its contribution to habitat nor is it environmentally sensitive. All reasonable measures will be taken to avoid, minimise or mitigate the impacts of the development.

It is noted that this level of excavation is representative of other development recently approved by Council.

Design excellence in Wollongong city centre and at key sites

Clause 7.18 of the WLEP relates to design excellence and provides that development consent must not be granted to development to the construction of a new building within the Wollongong city centre unless, in the opinion of the consent authority, the proposed development exhibits design excellence.

The proposed development has been considered by the State Design Review Panel on two occasions. The Panel commended the design team for a considered response to the previous advice and identified the following elements of the proposal which were supported and identified as contributing to the achievement of design excellence:

- Reconfiguration and revised location of the public park and associated plaza, into a more central and accessible arrangement within the site.
- Reduced height of building north of the public park.
- Revised vehicle circulation and access, with consolidated loading docks and reduced number of crossovers.
- Increased width of the north-south street, with more space for landscape and water sensitive design features.
- Commitment to 15% affordable housing that is distributed in equal proportion across the three stages of the project.

The design excellence regime provided by Clause 7.18 of WLEP 2009 is specifically addressed as follows:

Table 14: Clause 7.18 of WLEP

Clause	Response
(3) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that the development exhibits design excellence.	For the reasons identified in this report, the consent authority can be satisfied that the proposal achieves design excellence.
(4) In deciding whether the development exhibits design excellence, the consent authority must have regard to the following matters—	
(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,	The Applicant has engaged an industry-leading and award winning architectural design firm. The proposal demonstrates a particularly high standard of architectural design, materials and detailing as demonstrated in the architectural package and design report which support this application.
(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,	The form and external appearance of the lower levels of the buildings and their interface with the public domain is deeply considered. The proposal has created a human scale podium language for the buildings with a higher level of architectural detail at the bottom of the buildings where they interfaces with the street. The ground floor plane has minimised the servicing areas for the buildings, and sought to provide engaged street edges within the development and to the external interfaces. The proposal provides generous residential lobbies, which combined with the landscape treatments in the front setbacks creates warm and inviting entries to the buildings. The proposal will achieve a highly engaged street interface.
(c) whether the proposed development detrimentally impacts on view corridors,	Impacts to view corridors has been a fundamental consideration in the exploration of the massing and scale for the site and has been one of the key factors for the location, orientation and height of the proposed towers addressed in the Design Report at Appendix 7.
(d) whether the proposed development detrimentally overshadows the following— (i) an area shown distinctively coloured and numbered on the <u>Sun Plane Protection Map</u>, (ii) a site identified on the <u>Overshadowing Map</u>,	The development does not affect any land protected by solar access controls
(e) how the proposed development addresses the following matters— (i) the suitability of the land for development,	The land is highly suitable for the proposed high density mixed use development as demonstrated in this application and supporting documentation.
(ii) the existing and proposed uses and use mix,	The proposed land uses are compatible with the site location and context.

Clause	Response
(iii) heritage issues and streetscape constraints,	The streetscape interface is discussed above. There are no nearby heritage items and the proposal does not result in any heritage impacts.
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,	The proposed relationship of the proposed towers with one another and potential other development (existing or proposed) on the adjacent sites in terms of separation, setbacks, amenity and urban form has directly informed the proposed design as addressed in the Design Report at Appendix 7 .
(v) bulk, massing and modulation of buildings,	The bulk, massing and modulation of the proposed buildings has been the subject of extensive design refinement in collaboration with the State Design Review Panel and also with per review from Matthew Pullinger. The proposed distribution of heights is demonstrated to achieve an appropriate transition in scale within the emerging context of the site. In particular, the proposed heights of the towers matches the emerging heights within the broader Wollongong CBD context and preserves an appropriate hierarchy of scale. The sculpting of the facades provides visual interest, references the vernacular of the former low density scale of the context, mitigates wind impacts, and achieves vertical articulation.
(vi) street frontage heights,	The proposal provides a variety of street walls acknowledging the typical heights of apartment and townhouse developments found in the residential precincts around the site, particularly to the east and north of the site.
(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,	The shadow diagrams prepared by DKO architects demonstrates that overshadowing resulting from the proposal does not result in any unacceptable impacts due to the orientation of the site and surrounding context with surrounding properties still capable of receiving an acceptable amount of solar access. The proposal achieves a high level of solar access performance in excess of the guidance in the ADG. The proposal provides for separation in excess or compliant with the design guidance in the ADG and along with thoughtful apartment design achieves a high level of visual privacy. The potential impacts associated with impacts on the façades caused by the wind and wind impacts on the surrounding public domain has been considered by

Clause	Response
	VIPAC in the Wind Report at Appendix 31. VIPAC have confirmed that due to the arrangement of the public domain area around the site, the building designs and the prevailing wind direction there is not a significant risk of wind impacting the public domain areas of the project. In relation to reflectivity, the most reflective surface on the façades of the proposed building is the glazing and reflected solar glare from brickwork is negligible at less than 1% normal specular reflectance. All glazing and materials used on the external façade of the development will have a maximum normal specular reflectance of visible light of 20%, and subject to this the proposed building materials will not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.
(viii) the achievement of the principles of ecologically sustainable development,	The proposal is highly sustainable as addressed in the ESD report at Appendix 28. In particular, the proposal provides in excess of the minimum solar access and natural cross ventilation performance requirements. The proposal also utilises upgrading insulation and glazing, and utilises energy-efficient appliances, building services, efficient lighting and control systems.
(ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,	Pedestrian access is provided via multiple lobbies which serve to activate the street edges. Vehicular and service access is provided appropriately within the development in locations away from primary pedestrian nodes and frees the other street frontages for maximum activation and engagement.
(x) the impact on, and any proposed improvements to, the public domain,	There is no adverse effect on pedestrian movement and experience. The proposal will achieve a significantly improved pedestrian experience when compared with the existing situation.
(xi) achieving appropriate interfaces at ground level between buildings and the public domain,	The proposal has prioritised a very high quality public domain outcome with engaged street edges throughout the development.
(xii) excellence and integration of landscape design.	The landscape design is an integral and fundamental aspect of the project which organises the spaces throughout the site. The landscape design is addressed in detailed in the Landscape Design Report at Appendix 8 prepared by Land + Form.

Objectives for development in Wollongong city centre

Clause 8.1 of the WLEP provides the following objectives for development in the Wollongong city centre:

- (a) to promote the economic revitalisation of the Wollongong city centre,
- (b) to strengthen the regional position of the Wollongong city centre as a multifunctional and innovative centre that encourages employment and economic growth,
- (c) to protect and enhance the vitality, identity and diversity of the Wollongong city centre,
- (d) to promote employment, residential, recreational and tourism opportunities within the Wollongong city centre,
- (e) to facilitate the development of building design excellence appropriate to a regional city,
- (f) to promote housing choice and housing affordability,
- (g) to encourage responsible management, development and conservation of natural and man-made resources and to ensure that the Wollongong city centre achieves sustainable social, economic and environmental outcomes,
- (h) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of the Wollongong city centre for the benefit of present and future generations.

The site is located along an important corridor which feeds into the Wollongong central business district. This corridor has suffered from a lack of investment over recent years and the subject site does not currently positively contribute to the locality, being vacant. The proposed development represents much needed investment in the enterprise corridor and will serve to enliven and activate this corridor with new and vibrant commercial uses as well as residential accommodation which will contribute to the economic success and revitalisation of the Wollongong city centre. The proposal will promote employment generation as well as housing affordability with 15% of the residential floor space provided as affordable housing. The proposed development is of a high quality architectural expression and is consistent with these objectives for the Wollongong city centre.

Minimum building street frontage

Clause 8.4 of the WLEP provides development consent must not be granted to the erection of a building that does not have at least one street frontage of 20 metres or more on land within Zone B6 Enterprise Corridor. The property frontage to Flinders Street is well in excess of 20 metres in length which satisfies this requirement.

7.2 Design Quality

The proposed development is considered to exhibit design excellence for the following reasons:

- The site layout is deeply considered and has had regard to the natural features of the site including the water course through the site and vegetation along the southern boundary, as well as other elements where mitigation is required including the hostile interface with the adjacent railway line and the busy roads. These features have shaped the distribution of the building elements across the site, which define the internal road and public domain network.
- The internal planning of the proposed development is well resolved and a particularly high standard of architectural design is proposed as detailed in the architectural plans prepared by DKO architects.
- The design, materials and detailing proposed are of high quality and are appropriate to the building type and location.
- The proposal will positively contribute to the public domain through an appropriate architectural expression, appropriate bulk, scale and form, appropriate street setbacks, and activation of the street frontages.
- There is no impact to significant view corridors as a result of the proposal which retains the identified view corridors through the site.
- The site is not identified as being affected by the sun plane controls and will not overshadow an area identified on the Sun Plane Protection Map.
- The development is consistent with the desired future development in the locality.
- The development has been appropriately designed with regard to streetscape constraints and the bulk and scale of the development is considered to be acceptable when measured in terms of building height, floor space ratio and setbacks.
- The proposal will not have an adverse impact on the heritage significance of any nearby heritage items.
- The proposal will not give rise to unreasonable overshadowing impacts in the locality and is not expected to result in uncomfortable wind conditions for pedestrians. Furthermore, the proposal is satisfactory with regard to objectives of ESD as the site is well placed with regard to access to key transport nodes, within ready walking distance of bus stops and Wollongong and North Wollongong train stations and the Wollongong central business district. Finally, the development has been designed to achieve good internal amenity with appropriate provision for energy and water efficiency and thermal comfort as evidenced by the BASIX certificate which accompanies the application.
- The proposal provides the necessary car parking, motorcycle and bicycle parking and suitable manoeuvring areas. Compliant waste servicing arrangements have been provided, with all waste to be managed from within the site. Provision has also been made for loading facilities within each stage along with adequate vehicular manoeuvring areas.
- The proposal provides safe, direct, practical and equitable pedestrian access to and throughout the development and along the pedestrian footpaths adjacent to the site. Footpath upgrades will be undertaken to all street frontages in compliance with the requirements of Council's Public Domain Technical Manual.

7.3 Built Form and Urban Design

7.3.1 Layout, Bulk and Scale

The evolution of the design is addressed in detailed in the Design Report at **Appendix 7** prepared by DKO Architects.

The proposed distribution of built form and massing across the site is the result of a considered analysis of the constraints of the site combined with context of the site and the desire to deliver a positive urban design outcome.

In particular, the proposed design has developed from an evolution which firstly recognises the site topography, overland flow, and existing ecological values to define the appropriate locations for buildings. Having established the footprints for buildings, several key design moves have informed the building layouts. This includes the desire for a centrally located public plaza, the sculpting of each tower for wind, vertical articulation, height articulation, and a hierarchy of communal spaces.

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.

Finally, the proposal seeks some relief to the height control to modulate the skyline of the development and to facilitate a diversity in scale, as well as facilitating affordable housing.

The Design Report by DKO Architects at **Appendix 7** demonstrates that the proposal achieves a high level of amenity and compatibility with the meeting site context.

The proposal is a high quality transit orientated development that will provide both housing choice and employment floor space in a location that enjoys exceptional access to the Wollongong central business district and other amenities within the wider Wollongong area.

7.3.2 Separation

The separation distances within the site and from the site boundaries are generally consistent or exceed those suggested in the Apartment Design Guide.

The layout of apartments throughout the development also ensure that there are acceptable privacy outcomes between various apartments within the development with the use of angled louvres and façade treatments to maximise privacy.

Overall the design of the development ensures a high level of privacy for the residents within the proposal and for the northern adjacent building.

7.3.3 Setbacks

The proposal provides a variety of setbacks in response to the varied site frontages as illustrated in Figure 37 below.

The proposal provides a 4 metre setback from Flinders Street which is consistent with the provisions of Chapter D13 of the Wollongong Development Control Plan 2009.

The proposal provides for a greater setback from Throsby Drive of between 4 metres at the south-eastern corner of the site and up to 32 metres at the western end of this frontage in order to retain the vegetation along the southern boundary.

The buildings are setback 16 metre from the western boundary to the railway corridor, whilst a 6 metre deep soil zone is also provided directly along this boundary.

A 6 metre setback is provided from Gipps Street.



Figure 37:

Setback strategy
(Source: DKO Design Report)

7.3.4 Façades

Each building is provided with a unique and differing architectural language and façade in order to deliver architectural diversity throughout this large site. The façades will be viewed from both at a distance and close up and therefore needs to be legible and interesting at both a micro and macro scale.

The façade designs have been strongly guided by the principles of sustainability, relationship to context, scale and character as detailed in the Design Verification Statement and Design Report at **Appendix 7**.

7.3.5 Materials

The materials incorporated into the building design for the building have been selected based on the environmental performance and sustainability requirements for the materials and the building, and the durability of the materials and ability to withstand the conditions.

Materials Schedules has been included in the architectural package at **Appendix 6**.

7.3.6 Accessibility

An Access Review Report has been prepared by Nest Consulting at **Appendix 18**, which provides advice and strategies to maximise reasonable provisions for people with disabilities. The design of the proposed development has been assessed under relevant provisions of the Disability Discrimination Act, BCA, Australian Standards and Disability (Access to Premises-Building) Standards 2010. Consideration has also been given to the relevant accessibility provisions contained in WDCP, as well as other additional advisory standards and relevant guidelines such the universal design principles.

The proposed development achieves the required accessible outcomes in relation to ingress and egress, paths of travel and facilities and amenities, subject to the recommendations of this report being implemented into the design at a later stage. Nest Consulting will work with the project team as the development progresses to ensure that appropriate outcomes are achieved both in terms of building design and external public domain. Compliance with the relevant provisions for access can also be conditioned as part of any consent.

10% adaptable apartments have been provided. Each of these adaptable apartments has been allocated an accessible car parking space in the basement. 20% apartments have been designed as silver level liveable units in accordance with the objectives and design guidance for universal design that is contained within the ADG.

7.4 Environmental Amenity

7.4.1 Solar Access

The internal planning of the development has been designed to maximise solar access for apartments and to minimise no-sun apartments.

The ADG requires that living rooms and private open spaces of at least 70% of apartments in a building receive at least 2 hours direct sunlight between 9am and 3pm at mid-winter in the Sydney Metropolitan Regional. The ADG also requires no more than 15% of apartments receive no direct sunlight in this time.

The solar access diagrams and sun eye views prepared by DKO architects at **Appendix 6** of this EI&RS demonstrate that 71.5% of all apartments receive adequate solar access, whilst only 14.9% of total apartments do not receive any direct sunlight. The proposal development complies with the solar access requirements contained within the ADG.

The ADG also requires that developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm at mid-winter. Usable communal open space shadow diagrams have been prepared by DKO architects at **Appendix 6**, which demonstrate that the principal useable parts of the proposed communal open space areas receive well in excess of the of the minimum 50% solar access that is required by the ADG.

7.4.2 Natural Ventilation

The ADG requires that at least 60% of apartments are naturally cross ventilated in the first nine storeys. Apartments that are ten storeys above are deemed to be naturally cross ventilated.

The solar access diagrams prepared by DKO architects at **Appendix 6** of this EI&RS demonstrate that the development exceeds the 60% requirement and satisfies the ADG requirements for natural cross-ventilation through locating openings in significantly different pressure regions.

7.4.3 Visual Privacy

The proposed development seeks to maximise visual privacy within the site and to future neighbouring developments. This has been achieved through the provision of setbacks and building separation distances that comply with the ADG requirements.

7.4.4 Common Open Space

The proposed development provides a variety of common open space areas for the residents, comprised of both ground level spaces and also roof top common open space.

The proposed development provides 10,376.5 square metres of common open space distributed throughout the development which is the equivalent of 31% of site area and compliant with the minimum requirement under the Apartment Design Guide.

The communal open space areas will be used for a range of activities and will include barbeques, playground, soft landscaping and outdoor seating.

7.4.5 Views

The proposed development will not result in any unreasonable impacts on scenic views available from the surrounding public domain or significant properties. The impact on views is addressed in the Visual Impact Assessment which forms part of the Design Report prepared by DKO Architects at **Appendix 7**.

The proposed development will provide an enhanced setting comparatively and aims to activate the site via the provision of a new internal public domain network through the site which will enable a visual connection through the site from Throsby Drive to Gipps Street, and also from Flinders Street west through to Beaton Park.

7.4.6 Shadow Impacts

Shadow diagrams have been prepared and are included by DKO architects at **Appendix 6**.

Due to the orientation of the site, the proposed development results in minimal shadow to surrounding sites. The proposal only overshadows the western adjacent Beaton Park early in the morning with the shadow removed from the Park by approximately 10am. The proposal also results in minimal shadow to the sites opposite to the south across Thorsby Drive.

The vast majority of the shadow cast by the proposal falls within the Throsby Drive and Flinders Street road reserve.

7.4.7 Wind Impacts

The potential impacts associated with impacts on the façade caused by the wind and wind impacts on the surrounding public domain has been considered by Vipac in the Environmental Wind Impact Study at **Appendix 31**.

Vipac have confirmed that due to the arrangement of the public domain areas around the site, the building designs and the prevailing wind direction there is not a significant risk of wind impacting the public domain areas of the project. The results of the study indicate that wind conditions for all trafficable outdoor locations within and around the development will be suitable for their intended uses, subject to incorporation of the suggested recommendations.

7.4.8 Reflectivity

The proposed development does not include any significant areas of glazing, noting that reflected solar glare from concrete, brickwork, timber, etc. is negligible at less than 1% normal specular reflectance, whilst solar glare from any painted or powder-coated metallic surfaces on the exterior façade of the development is also acceptable with a normal specular reflectance of visible light in the range of 1% to 5%.

To avoid any adverse glare to motorists and pedestrians on the surrounding streets, occupants of neighbouring buildings, it is recommended that all glazing and materials used on the external façade of the development should have a maximum normal specular reflectance of visible light of 20% and subject to the glazing not exceeded the recommended maximum normal specular reflectance of visible light of 20%, the proposed building materials will not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.

7.4.9 Acoustic Privacy

The potential acoustic impacts to the future residents have been considered in the Noise Impact Assessment prepared by PWNA which is located at **Appendix 12**.

The report has identified the relevant noise criteria and includes recommendation measures to be incorporated into the construction of the development in order to meet the internal noise criteria.

7.5 Visual Impact

A Visual Impact Assessment has been prepared by Colliers at **Appendix 38**. This report assessed the visual impacts on the site and its surrounds when viewed from 6 key vantage points.

The Visual Impact Assessment concludes the following:

It is acknowledged that the proposal will have a visual impact, in particular through introducing a greater scale of built form. However, overall and on the balance of relevant considerations the proposal has been assessed as having an acceptable visual impact on the following grounds:

- Is consistent with the National Housing Accord and current government planning priorities, it delivers a greater amount and choice of new homes

- As the concurrent rezoning seeks to amend the existing planning controls, they have less relevance and weight that would otherwise be the case instead, merit assessment should be undertaken guided by the strategic planning framework with regard given as appropriate to the aims and objective of the WLEP 2009, Flinders Street Precinct Urban Design Framework and other planning guidance
- The proposed development aligns with planning priorities, specifically it is consistent with key parts of the strategic planning framework, in particular reinforcing Flinders Street as a mixed-use corridor with a variety of businesses and residential uses
- Is responsive to its strategic context, including being consistent with the Illawarra Shoalhaven Regional Plan and Wollongong LSPS
- The proposed development aligns with planning priorities, specifically it is consistent with key parts of the strategic planning framework, in particular delivery of a greater amount and choice of new homes in a highly accessible locations well serviced by public transport
- Being for a high-density mixed use, higher rise development, it is consistent with the key character intent of the surrounding precinct
- Retains views towards Mount Keira and Illawarra Escarpment towards the west from localised viewpoints of Gipps Street and Smith Street
- It will not unduly obstruct significant views or views from the Flagstaff Hill lighthouse towards the escarpment and Mount Keira
- Does not interrupt the existing view to the peak of Mount Keira from the key approach along Princes Highway or west along Gipps Street
- the proposal has been designed to mitigate public realm impacts through podium articulation, landscaped setbacks, and active ground-floor frontages that enhance street-level experience
- Enhances the public realm interface through vertical façade articulation, landscaped terraces, and active ground floor frontages including a large communal open space at ground floor adjacent to north-south pedestrian link.

In conclusion of this VIA, the proposal has acceptable visual impact when considered on the balance of relevant planning considerations including the strategic intent to support the area's future growth. As such, it can be supported on visual impact grounds.

The visual impact assessment demonstrates that a favourable visual impact is achieved. Overall, the proposed scale and configuration of buildings ensures a harmonious integration into the evolving context of the site. Moreover, it's anticipated to foster a more cohesive relationship with the neighbouring building to the north compared to the current situation.

7.6 Public Space

7.6.1 Integration with the Public Domain

The design of the proposed buildings properly defines the public domain of the road frontages of the site and significantly enhances the activation and engagement with the existing public domain with direct street entries to the residential lobbies as well as commercial tenancies which address Flinders Street in particular. The east-west pedestrian plaza also activates and engages with the street edge and is

designed to invite pedestrians into the site. In an effort to optimise the pedestrian priority of the public domain, the vehicular entries have been rationalised and retained essentially as existing, which limits interruption of the footpath and the built form by vehicle crossings.

The landscape design (**Appendix 8**) incorporates a Connecting with Country strategy and also maximises the landscape quality of the setback areas to positively contribute to the quality of the public domain.

7.6.2 Crime Prevention Through Environmental Design Principles

Crime prevention through environmental design (CPTED) seeks to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'
- removing conditions that create confusion about required norms of behaviour

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime:

- Surveillance
- Access Control
- Territorial Reinforcement
- Space Management.

The proposal will achieve a significant improvement in relation to crime prevention by introducing active edges to both the Thorsby Drive, Flinders Street and Gipps Street. In addition, the proposal introduces apartments which face the adjacent Beaton Park which substantially improves passive surveillance over this space.

The proposal incorporates:

- Architecturally designed common areas that promote resident interaction and a responsibility of users for the area;
- Entrance design to residential pathways and buildings which provide a clear demarcation between public and semi-private space;
- Clear design cues associated which delineate spaces and identify who they are to be used by; and
- A high level of passive surveillance of the public and private domain.

7.7 Trees and Landscaping

7.7.1 Impacts on existing trees

There are a range of trees on and around the site which are identified in the Arboricultural Impact Assessment (AIA) prepared by Creative Planning Solutions (**Appendix 17**). The proposed development requires extensive excavation which will necessitate the removal of 93 of 147 trees within and around the

site. However, only 26 of these trees are identified as being of high retention value. Notwithstanding, the most significant trees are retained along the southern end of the site.

Whilst the trees proposed to be removed provide some amenity for the site, the reasonable development of the site in accordance with the new vision for the area is not possible with the retention of these trees, particularly having regard to the required excavation. Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with more suitable tree species which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Land and Form landscape architects which accompany this application.

7.7.2 Proposed Landscaping

Landscape Plans and a Landscape Report have been prepared by Land and Form and are included at **Appendix 8**.

A planting schedule for the proposed landscaping for the project is included within the Landscape Report. This schedule details the size, species and spacing of plantings proposed in each landscaped area. The planting palette has been carefully selected in response to the site conditions and design principles. In particular, the plant species selection is a fundamental element in the Connecting with Country strategy and to connect with the local environment. As such the landscape plan incorporates all indigenous species. Due to the variety of the buildings within the overall development, there will be differing micro climates occurring around the site allowing a variety to the species list in response to this micro-climate.

The urban setting of the site and its surrounds has also been considered in the proposed landscaping through the integration of the development with the existing landscaping in the public domain.

7.8 Ecologically Sustainable Development

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design and technology and use of renewable energy. An ESD report prepared by Green Perch accompanies the subject application which details how ESD principles have been incorporated in the design and construction of the project and are intended to be incorporated in the ongoing operation of the development.

The *Environmental Planning & Assessment Act 1979* adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The 4 principles are addressed below:

Precautionary principle

The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment. The proposed development is

accompanied by multiple environmental studies and technical reports which conclude that there are no environmental constraints that preclude the development of the site in accordance with the proposal, subject to appropriate management in construction and operational strategies. The mitigation measures outlined in this Statement detail the methods by which environmental impacts will be managed on the site.

Inter-generational equity

The proposal will ensure that the health, diversity and productivity of the environment is enhanced for the benefit of future generations as it represents a sustainable use of the site which will take advantage of the existing infrastructure and make more efficient use of the site. The re-development of this site will also have positive social, economic and environmental impacts. The location of new residential and commercial uses on a site with excellent access to public transport and other facilities and employment will enable residents to make sustainable travel choices which will protect the environment for future generations.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The proposed development will not have any significant effect on the biological diversity and ecological integrity of the site and in fact provides the opportunity to introduce planting and landscaping to provide for habitat and to assist in rain water absorption.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. The development of the site will not produce excessive waste or result in pollution emanating from the site. All efforts will be made to ensure that materials are reused, recycled or disposed of in a sensitive manner. The life cycle of products and their robustness has been considered in the process of material and finish selection.

7.9 Traffic, Transport and Accessibility

A Transport and Accessibility Impact Assessment prepared by JMT Consulting accompanies the application at **Appendix 11** to address the potential impacts of the development on transport infrastructure and to address the accessibility of the site.

7.9.1 Traffic

Based on the size of the Bunnings store on the subject site, and the outcomes of the TfNSW surveys, it is estimated that 240 and 290 peak hour trips would have been generated during the morning and afternoon peak hours respectively. The subject proposal will generate a total of 372 and 493 peak hour trips during the morning and afternoon peak hours respectively.

The SIDRA results show that the proposal is not anticipated to significantly impact the surrounding road network. Intersection level of service remains unchanged for all sites when compared to the 'future base' scenario which considers both background traffic growth as well as traffic associated with the proposed development. The modelling indicates that most intersections would operate at a strong Level of Service A or B which is acceptable in urban environments. The quantum of traffic added by the proposal does not adversely impact the operation of the surrounding intersections.

In the above context the traffic impacts of the proposal are considered acceptable with no further mitigation measures required.

7.9.2 Car Parking

Residential

Whilst the proposal is not technically lodged pursuant to Chapter 2 of SEPP Housing, the car parking rates in Chapter 2 of SEPP Housing are considered appropriate benchmark for the residential component.

Table 15: Car parking rates

Use	SEPP Housing
Residential dwellings	0.5 car space per 1 bedroom 1 car space per 2 bedroom 1.5 car space per 3 bedroom
Affordable Housing	0.4 car space per 1 bedroom 0.5 car space per 2 bedroom 1 car space per 3 bedroom
Residential visitor	Not specified
Commercial	N/A

It should be noted that the Chapter 2 of SEPP Housing does not require off-street parking to be provided for visitors.

Application of these minimum residential rates are presented in Table 16 below.

Table 16: Residential car parking compliance

Use	Units/GFA	Rate	Min spaces	Proposed
Residential dwellings	204 x 1 bedroom	0.5 space	1,038 spaces	1,128 spaces
	778 x 2 bedroom	1 car space		
	98 x 3 bedroom	1.5 car space		
Affordable Housing	43 x 1 bedroom	0.4 space		
	118 x 2 bedroom	0.5 car space		
	19 x 3 bedroom	1 car space		

The development provides 1,128 residential spaces and the residential parking provision is compliant with the Housing SEPP.

Retail

Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development, and so the car parking controls within the Wollongong DCP do not technically apply.

The proposal provides for 120 parking spaces for the retail component of the development, which can also be shared with visitors to the residential apartments.

Based on the 3,430m² of retail GFA to be provided this equates to a parking rate of approximately 1 space per 28m² – closely aligning with Council's recommended rate of 1 space per 25m². Once consideration is given to the sharing of parking 20 spaces for the childcare centre in the evenings and on weekends the effective parking rate is approximately 1 space per 24m² – exceeding Council's minimum requirement.

The Transport and Accessibility Impact Assessment at **Appendix 11** provides the following justification in relation to the sharing of the retail parking with visitors to the residential component of the development:

It is considered suitable to share the parking for the retail and visitor uses. The parking rates outlined in Council's DCP are based on standalone uses rather than a mix of uses within a single development like the subject site. Contemporary transport planning recognises that shared car parking between different land uses would have different times of peak parking demand, and as such the patterns of demand for retail and residential visitor components need to be recognised so that a sustainable level of parking is provided on the site. The parking demand for the retail component of the site would typically peak in the middle of the day and reduce after 3pm/4pm, while the residential visitor demand slowly rises through the later afternoon and peaks mid-evening. As a result, it is anticipated that parking (when taking into consideration the residential visitor and retail parking) would be available to meet demand during all key periods of the day and evening.

Childcare

Section 2.10 of the Planning Systems SEPP provides that development control plans do not apply to state significant development, and so the car parking controls within the Wollongong DCP do not technically apply.

Nonetheless, 20 parking spaces for the 80 place childcare component of the development are provided which aligns with the recommended parking rate of 1 space per 4 children as outlined in the Wollongong DCP. These parking spaces will have the ability to be shared with the retail component of the development outside of standard operating hours of the childcare centre (indicated through line-marking and signage). This is a common approach taken for mixed use developments to efficiently allocate parking across different uses where peak periods of demand do not coincide.

7.9.3 Access

Pedestrian access is provided to the residential apartment lobbies via multiple entries throughout the site, either from the adjacent streets, the primary north-south road through the site, or the east-west elevated pedestrian plaza.

The development rationalises the number of existing vehicular crossings and improves pedestrian and traffic safety, by replacing the three existing vehicular crossings which currently serve the site, with only two vehicular crossings, one being from Throsby Drive and the other from Gipps Street, in similar locations to the existing crossings.

The Transport and Accessibility Impact Assessment at **Appendix 11** confirms that the access driveway has been designed in accordance with Australian Standards AS2890.1 with respect to widths and gradients.

7.9.4 Service vehicle movements and access arrangements

Each of the separate stages has its own loading dock arrangement for on-site garbage collection as well as loading for the site. The loading bay designs are capable of accommodating Council's waste collection trucks and enabling them to manoeuvre on site to collect waste.

Vehicle swept paths have been undertaken to confirm the suitability of the loading docks from a manoeuvrability perspective.

7.10 Biodiversity

A Biodiversity Development Assessment Report including an assessment of the impacts of the proposed development on Biodiversity Values identified in the BC Act and Regulation, and the BAM Credit Summary Report accompanies this application at **Appendix 27**.

7.11 Noise and Vibration

7.11.1 Noise Attenuation for Future Residents

The potential acoustic impacts to the future residents have been considered in the Noise Impact Assessment prepared by PWNA which is located at **Appendix 12**.

The report has identified the relevant noise criteria and includes recommendation measures to be incorporated into the construction of the development in order to meet the internal noise criteria.

7.11.2 Noise Emissions from Development

The Noise and Vibration Impact Assessment prepared by PWNA at **Appendix 12** identifies the following noise sources generated by the proposed development:

- Mechanical Plant
- Communal Spaces
- Loading Dock

In order to address noise impacts from these sources, the report includes a number of recommendations, including that noise emissions from all mechanical services to the closest residential and industrial receivers should comply with the identified noise criteria of the report, with detailed acoustic review to be undertaken at CC stage to determine acoustic treatments to control noise emissions to satisfactory levels.

7.11.3 Construction Noise and Vibration

Construction noise and vibration will be addressed as part of a Construction Management Plan to be prepared prior to the commencement of works on site.

The following table summarises the recommended mitigation measures to address adverse impacts associated with construction noise.

Table 17: Mitigation measures to address construction noise

Measure	Recommended Mitigation Measures
Construction Hours	High noise emission The operation of high noise emission appliances, plant, machinery and high noise power tools shall be restricted to the hours of: Monday to Friday: 09:00 –17:00 With a respite period of one (1) hour at midday each day. All other activities Monday to Friday: 07:00 – 18:00 Saturday: 08:00 – 13:00
Selection of Alternate Appliance or Process	Where a particular activity or plant and equipment is found to generate noise levels that exceed the management levels, it may be possible to select an alternative approach or plant and equipment. For example; the use of excavator mounted hydraulic hammers of the site may potentially generate high levels of noise. By carrying this activity by using concrete saws or smaller plant here practical, construction noise levels and/or length of exposure to construction noise levels may be reduced
Acoustic Screens	The placement of barriers at the source is generally only effective for static plant. Placing barriers at the source cannot effectively attenuate equipment which is on the move or working in rough or undulating terrain. The degree of noise reduction provided by barriers is dependent on the amount by which the line of sight can be blocked by the barrier. If the receiver is totally shielded from the noise source reductions of up to 15 dB(A) can be effected. Where only partial obstruction of line of sight occurs, noise reductions of 5 to 8 dB(A) may be achieved. Where the barrier does not obstruct line of sight, generally no noise reduction will occur. Barriers are used to provide shielding and do not act as an enclosure. The material they are constructed from should have a noise reduction performance which is approximately 10dB(A) greater than the maximum reduction provided by the barrier screening. In this case, the use of

Measure	Recommended Mitigation Measures
	a material such as 15mm plywood (or equivalent material) would be acceptable for the barriers.
Silencing Devices	Where construction methodologies or plant and equipment permit, investigate the use of silencing devices. These may take the form of engine shrouding, or special industrial silencers fitted to exhausts, for example
Treatment of specific equipment	In certain cases it may be possible to specially treat a piece of equipment to dramatically reduce the sound levels emitted
Establishment of site practices	This involves the formulation of work practices to reduce noise generation. This includes investigating the possibility of locating fixed plant items as far as possible from residents as well as rotating plant and activities to provide respite to receivers.
Notification	Notification of affected receivers of the progress of works, particularly when short-term activities likely to create higher noise levels occur, can in many cases minimise community reaction

7.12 Ground and Water Conditions

A Geotechnical Report prepared by Foundation Earth Sciences accompanies the application and is included as **Appendix 10**. Groundwater was encountered at depths of between 0.2 to 3.16 metres below ground level and so dewatering will be required as a consequence of the proposed development.

A Hydrogeological Assessment has been prepared by Foundation Earth Services at **Appendix 37** which concludes that the proposed development, incorporating a drained-basement design, is feasible at the site using industry-standard design and construction methodologies.

Erosion and Sediment Control measures are identified in the Civil Plans prepared by Stellen Consulting that supports this report at **Appendix 19** to minimise land disturbance and sediment pollution control of downstream waterways. The erosion and sediment control measures that are proposed for the construction phase include:

- Sediment and security fencing around the perimeter of the site;
- Stabilised site entrance and wash down location;
- Installation of mesh filters for pits within dish drains; and
- Installation of mesh and gravel inlet filters on nearest downstream pits.

7.13 Water Management

The following documentation supports the proposed development and addresses water management at **Appendix 19 and 20**:

- Civil and Stormwater Plans by Stellen Consulting
- Civil Engineering Report by Stellen Consulting

The stormwater management system has been designed in accordance with Council's requirements. The stormwater system comprises water collection via the internal building drainage system and transportation to rainwater tanks located within the basements of the proposed development. These rainwater tanks will provide re-use for irrigation and landscaped areas.

The stormwater system incorporates a Water Sensitive Urban Design (WSUD) strategy to support the proposed development and ensure it complies with Council's pollution reduction targets.

7.14 Flooding Risk

The application is supported by a Flood Impact Assessment prepared by Stellen Consulting at **Appendix 21**. The flood assessment has been prepared in accordance with Wollongong DCP 2009 Chapter E13, WLEP 2009 clause 5.21 and the Fairy and Cabbage Tree Creeks Floodplain Risk Management Study and Plan 2024.

The flood modelling identifies an overland flow path from Throsby Drive through the site during the 1% AEP event and larger events. The flood strategy maintains this flow path by conveying floodwater below the suspended slab / undercroft arrangement associated with Building 2.

The key modelled design parameters are:

- Building 2 suspended slab, and occupied areas set at RL 9.3 m AHD, above the PMF level;
- subfloor ground level at RL 7.4 m AHD;
- clearance below the suspended slab to maintain conveyance;
- no solid walls, fencing, planters, terrace edges or landscaping that materially obstruct the modelled flow path.

The Assessment demonstrates that the proposal maintains the principal flood-conveyance corridor and does not cause a material adverse change in off-site flood behaviour for the assessed 1% AEP and Design Flood Event scenarios. The proposal includes drainage upgrades which are likely to result in reductions in peak flood depths across substantial portions of the site and upstream areas.

The Assessment notes that residential intensification is managed by locating habitable floors above the FPL, providing refuge above the PMF, maintaining flood conveyance through the site and implementing a Flood Emergency Response Plan (FERP). Basements are not relied upon for residential occupation or refuge.

The site is affected by short-warning overland flooding. The FERP adopts a layered strategy comprising early evacuation via Throsby Drive / Flinders Street where directed and safe and shelter in place above the PMF where evacuation is not directed or flooding has commenced. Each building is required to provide accessible refuge above the modelled PMF level. The proposed design provides an acceptable level of emergency management capability including evacuation opportunities. As a result of this, the proposed development does not impose any additional risk on human life..

7.15 Contamination

The application is accompanied by a Detailed Site Investigation at **Appendix 9** prepared by EI Australia which identifies that the soil sampling from 50 bore holes has revealed concentrations of contaminants above the adopted limits, and that remediation works will be required on the site. Importantly, EI Australia conclude that the site can be suitable for the proposed development subject to the implementation of the recommendations of the report, including the need for a Remediation Act Plan.

Based on the above, it is considered that the consent authority can therefore be satisfied that the site can be made suitable for the proposed development subject to appropriate conditions of consent which reflect the recommendations.

7.16 Waste Management

7.16.1 Construction Waste

A Construction and Demolition Waste Management Plan prepared by Elephants Foot accompanies the application **Appendix 16**. The Waste Management Plan addresses Construction Waste.

7.16.2 Operational Waste

An Operational Waste Management Plan prepared by Elephants Foot accompanies the application **Appendix 15**. The Waste Management Plan addresses the provisions of the SEARs and the WDCP.

Waste and recyclables generation estimates for the proposed development are detailed within the appended OWMP and have informed the design of the various waste holding areas throughout the development.

A detailed discussion in relation to the waste disposal and collection procedures for the proposed development are included within the WMP prepared by Elephants Foot.

The waste management procedures for the future operation of the proposed development are based on basic waste principles that include waste avoidance, recovery and the reuse of discarded materials. The OWMP identifies targets to quantify and measure this sustainable approach to waste management, including maximising diversion of residential municipal solid waste from landfill.

7.17 Environmental Heritage

The subject site is not listed as an individual heritage item, nor is it located within a heritage conservation area, or nearby any heritage items. No further heritage assessments are required.

7.18 Social Impact Assessment

A Social Impact Assessment has been prepared by Sarah George Consulting at **Appendix 29** which has been prepared in accordance with the NSW Department of Planning's Social Impact Assessment Guidelines for State Significant Projects (February 2023) and the supporting Technical Supplement.

The assessment considers the potential impacts to people's way of life, community, accessibility, culture, health and wellbeing, livelihoods, surroundings, and the extent to which people have had a say in the decision-making process for the project. For the purposes of the assessment, 'people' refers to individuals, households, groups, communities, organisations and other stakeholders.

The assessment also includes data on the existing social baseline of the community in which the site is located, and of potentially affected communities and groups in the projects identified social locality and assesses the potential social impacts and benefits of constructing and operating the proposed development, and includes recommended measures to enhance, mitigate and manage the identified social impacts.

Based on the assessment in this report, the key social impacts of the proposal are:

- Way of life, wellbeing, accessibility, community, health and well being in respect of the provision of a range of dwelling sizes, types and costs; employment generation during construction in addition to ongoing employment for maintenance of the premises, and management of the affordable housing units;

accessibility to public transport and services; opportunities for community participation and cohesion; health and wellbeing benefits to existing and future residents through the provision of open spaces.

- Way of life impacts for existing residents during construction and on completion in respect of noise and vibration, dust and traffic related to construction; increased population on the site, and increased traffic on local roads on completion; and changes to the visual presentation of the site and character of the area.

The SIA concludes there is likely to be the following positive impacts associated with the proposal:

- Construction of a mixed use development on a site earmarked and zoned for such development, in an area that has been identified as a growth area;
- The provision of more diverse housing types in the area, on a site that has easy access to public transport, and which is being developed with retail and services nearby;
- Provision of affordable housing for those on very low, low to moderate incomes in a location that is close to public transport, shops and services;
- Employment generation in the planning, implementation, and construction of the proposed development, and in the operation of the retail and commercial spaces; and
- There is nothing about the proposed development that is likely to generate any negative impacts in terms of community cohesion.

There is the potential for construction impacts to temporarily negatively affect the health and wellbeing of more vulnerable persons living, working, and interacting with the area immediately surrounding the site, due to noise, dust, and vibrations. This can be mitigated through a Construction Management Plan.

The SIA concludes that based on its assessment, it is anticipated that the proposed development will have an overall positive impact on the local community.

7.19 Utilities

All required services will be available for the development as set out in the Infrastructure Management Plan prepared by Neuron at **Appendix 32** which includes recommendations and requirements for infrastructure services for the development including electricity, water, gas, telecommunication and sewer connections, that will be implemented to ensure the development has adequate access to services.

7.20 Contributions

7.20.1 Section 7.11 Contributions

Wollongong City-Wide Development Contributions Plan applies to the subject property. This Plan levies a contribution based on the estimated cost of development. Contributions are applied for development exceeding \$100,000. A 1% levy is payable.

7.20.2 Housing and Productivity Contribution

The Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 came into effect on 1 October 2023 and a contribution will apply to the development application as it is lodged after 1 October 2023.

7.21 Rail Corridor

The application is supported by a Rail Impact Assessment prepared by Arcadis at **Appendix 34** which has been prepared to assist TfNSW in supporting the application, noting that the site is within 15 metres of the South Coast Railway Line. The proposed excavation extends about 7 metres below existing ground level on the western side, near the South Coast Railway Line.

In relation to the rail corridor, the assessment examines potential geotechnical impacts of the proposed development on the adjacent railway asset and addresses:

- potential interaction with the existing railway line to support development application approval; and
- evidence that the proposed basement, ground anchors and support elements will not adversely affect existing South Coast Railway Line infrastructure.

The assessment concludes the following:

The numerical modelling predicts lateral movement of less than 3 mm at the South Coast Railway Line edge and less than 4 mm at the OHWS stanchion post. Predicted lateral movement at the Princes Highway road edge is less than 1 mm.

The model includes conservative assumptions for ground-structure interaction and loading. On this basis, the excavation and retaining wall system are expected to have negligible effects on TfNSW infrastructure, with predicted movements remaining within acceptable asset-protection and safety limits.

The model indicates that predicted displacements are less than the 10 mm allowable limit specified in the ASA Standard. Given the conservative modelling assumptions, impacts on the South Coast Railway Line and Princes Highway assets are expected to be negligible, and construction and operation of the proposed development are not expected to affect the stability or integrity of the railway infrastructure through development loading or ground deformation.

8.0 JUSTIFICATION OF THE PROJECT

8.1.1 Affordable Housing

The Wollongong Housing Strategy acknowledges the declining affordability of dwellings in the local government area, noting that rental stress is 36.9% which is higher than the Regional NSW average of 35.5%. 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 application is entirely aligned with the identified need for affordable housing in Wollongong and the objective of the HDA to stimulate and incentivise the delivery of additional housing and in particular affordable housing. This is a shovel ready project and will make a meaningful and timely contribution towards desperately needed housing supply in Wollongong.

8.1.2 Strategic Alignment

This EI&RS has also demonstrated the proposed development's consistency with the site's strategic context, including the Illawarra Shoalhaven Regional Plan, the Wollongong Council's LSPS, and the Wollongong Housing Strategy 2023.

In particular, the proposal is entirely aligned with the need for housing availability, affordability and diversity, and will make a significant contribution to the goals of the Housing Delivery Authority and National Housing Accord programme through providing 1,260 apartments of which 190 are also affordable housing in an ideal location.

In demonstrating consistency with these and various other government strategies, policies or plans, the proposed development seeks to reinforce the role of the Wollongong precinct as a location which is ideally positioned to provide additional housing choice.

8.1.3 Statutory Alignment

This EI&RS has demonstrated the proposed development is compliant with relevant statutory requirements. For the purpose of this EI&RS the relevant statutory requirements have been categorised by:

- Power to grant approval;
- Permissibility;
- Other approvals;
- Pre-conditions to exercising the power to grant approval; and
- Mandatory matters for consideration.

In addressing these statutory requirements this EI&RS has given consideration to the following legislation:

- 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

8.1.4 Impact Assessment

This EI&RS has addressed the potential impacts of the proposed development. The proposed development is consistent with the design principles and various controls for the site and has considered potential cumulative impacts of the proposed and surrounding development in respect to a range of matters including traffic and parking, overshadowing and the heights of buildings and how they relate to the emerging context surrounding the site. Noise impacts are to be managed through the implementation of mitigations during construction and operation.

Based on the detailed environmental impact assessment that has been undertaken as part of this EI&RS, it is considered the proposed development on its own or in conjunction with other development in the locality, does not give rise to any cumulative environmental impacts that cannot be appropriately managed through the implementation of the mitigation measures that are identified within the technical studies.

8.1.5 Evaluation

The environmental impact assessment of the proposed development has demonstrated that the development will have an overall positive impact for the area for the following reasons:

- It facilitates new housing, and a diversity of housing product, in an area that is particularly well serviced and well connected;
- It will provide 15% affordable housing which equates to 190 affordable housing apartments;
- It will provide for significant employment throughout the construction process as well as ongoing employment associated with the commercial elements of the proposal;
- It will create new jobs in the local area to service the needs of the new residents;
- It will maximise the utility of the existing infrastructure within the north Wollongong area; and
- It provides for development that maximises connectivity within the area and activates the adjacent streets.

9.0 CONCLUSION

This State Significant Development (SSD) Development Application (DA) seeks approval for the purposes of a mixed use development comprising two basement levels; retail premises on the ground floor; a child care centre on Level 1; and a total of 1,260 apartments (including 190 affordable housing apartments) at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong.

The site has been the subject of *State Significant Declaration Order (No 11) 2025* (Order) issued on 23 July 2025, which enables SSD-100626709 to be undertaken through the Housing Delivery Authority (HDA) pathway with a Concurrent Rezoning to the *Wollongong Local Environmental Plan 2009* (WLEP 2009). Accordingly, this Report sets out both the development sought under SSD-100626709 and the amendments sought to the WLEP 2009, and the relevant matters for consideration under Division 4.7 and Section 3.33 of the EP&A Act.

This EI&RS demonstrates that subject to the implementation of the identified mitigation measures, the proposed scheme will not result in any unreasonable impacts on adjoining properties, the locality or the environment. The proposal is consistent with Illawarra Shoalhaven Regional Plan, the Wollongong Council's LSPS, and the Wollongong Housing Strategy 2023 as well as the relevant key development standards, as proposed to be amended, and the specific objectives and design principles within SEPP Housing and the WLEP which applies to the site.

The proposal will provide a positive social and economic impact with regard to the development of the area, and as demonstrated within this report, the proposal does not result in any unreasonable adverse impacts upon adjoining properties.

Finally, the proposal will fulfill the objective of the HDA to increase housing supply on a well located site and in particular deliver affordable housing within NSW. The proposal fulfills the established aspirations for the site, demonstrates design excellence and is in the public interest.

For reasons outlined in this Statement the proposed development at 73-77 Gipps Street and 60-74 Flinders Street, Wollongong is recommended to be granted development consent.