



Your ref: SSD-122745741
Our ref: DOC26/348649

Maddy Gunethilake
Project Officer
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Level 32, 4 Parramatta Square
Parramatta NSW 2124

By email: maddy.gunethilake@dphi.nsw.gov.au

Dear Maddy,

Subject: 120-122 Smith Street, Wollongong (SSD-122745741)

Thank you for your email dated 12 June 2026 seeking advice from the Marine Coast Estuary and Flood (MCEF) Branch in DCCEEW-CPHR on 120-122 Smith Street Wollongong (SSD-122745741). MCEF previously provided advice for the eastern portion of the site i.e. Stage 1 development under SSD-67895459 (DOC24/182380 dated 7 March 2024 & DOC24/1021837 dated 12 December 2024) and was granted consent on 4 April 2025. MCEF has reviewed the documentation relating to this proposed application (Stage 2) and provides the following advice.

As the proposal seeks to amend the provisions of the Wollongong LEP 2009 and relates to flood prone land, it understood that *Section 9.1 (2) of the Local Planning Direction 4.1 Flooding* applies and the direction should therefore be addressed as part of the flood risk assessment for the proposal.

The Flood Impact Risk Assessment (FIRA) by Stantec (20 May 2026) presented in Appendix Y of the Environmental Impact Assessment (EIS) and Rezoning Report (Beam Planning, 21 May 2026) assessed the development against the flood requirements of the Wollongong LEP (2009) and the Wollongong DCP (2009). The assessment however did not address the requirements of the local planning direction.

The FIRA states that the building is proposed to be elevated with a *“void beneath the Stage 2 ground floor to preserve overland flow through the property”*. The structural components in the void that supports the entire Stage 2 development including the residential towers will therefore be in the Flood Planning Area (FPA) and Probable Maximum Flood (PMF) high hazard floodway area. This would require an assessment of structural integrity on flood behaviour. If the intention is for the building to be placed on suspended slabs to convey floodwaters under the building, this presents a range of design issues including but not limited to consistency with the local planning direction.

The FIRA does not include clear diagrams of the proposed development or the intended use of the floodplain including known floodway areas, which may result in increased risks and impacts in the event of a flood including contributions to flood debris. It is recommended that the FIRA is updated to better reflect the development as proposed, confirm that there are no adverse off-site flood impacts over the full range of flood events including frequent events, and that the intended use of the high hazard areas are suitable, including any measures to manage risks and prevent impacts such as floating vehicles and debris.

In terms of the local planning direction, the public safety risks associated with the development should clearly provide sufficient information to establish consistency with the Planning Direction 4.1 including but not limited to (3)(a)(c)(d)(e) and (4)(a)(c)(d)(e). The FIRA concluded that safe occupation is achieved by locating habitable floors above the PMF. It is however unclear how public safety risks have been considered and there is limited reference in the FIRA to all elements of the Local Planning Direction 4.1. It is therefore recommended that the FIRA is updated to address all the requirements of the planning direction to support the planning authority in its assessment of the proposal being consistent with relevant legislative requirements that manage flood risk.

Given the short warning time for flood evacuation, the FIRA proposes vertical evacuation via shelter-in-place (SIP) for the development. As there are flood emergency management related risks associated with safe occupation and flood isolation, it is recommended the planning authority consult with the NSW SES. The planning authority should also consult with DPHI flood policy team on the consistency of the proposed SIP and the local planning direction.

In providing this advice, DCCEEW has not assessed compliance with the flood provisions in the Wollongong LEP and Council's Development Control Plan (DCP) on flood risk management and stormwater quality and quantity assessment. It is possible the development will cause adverse offsite impacts on stormwater quality and quantity. As Wollongong City Council holds the best available local flood information and responsible for stormwater management, it is also recommended that DPHI consult with Council on the adequacy of the proposed development meeting local flood and stormwater management controls.

DCCEEW-MCEF role in this matter is advisory and as such does not require consent conditions but trusts that the issues identified above will need to be addressed prior to approval. If you require further advice on this matter, please refer it to the Marine, Coast, Estuary and Flood (MCEF) team at mcef.planning@dcceew.nsw.gov.au.

Yours Sincerely



Sally Whitelaw
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Conservation Programs, Heritage & Regulation Group (CPHR)
6 July 2026