

Scoping Report

WIN Grand, Wollongong

Submitted to the Department of Planning, Housing and Infrastructure
on behalf of Wollongong Developments No.8 Pty Ltd



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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2 October 2024

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2 October 2024

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A. SEARs Design Report	DKO
B. Survey Plan	LTS
C. Minutes of Wollongong DRP from Original DA	Wollongong DRP

1.0 Introduction

This Scoping Report has been prepared by Ethos Urban on behalf of Wollongong Developments No.8 Pty Ltd ('the Applicant') in support of the proposed mixed use development comprising three residential towers, ranging from 8 to 40 storeys, an 11-storey commercial office building, a part 12-storey part 15-storey, 204 room hotel and ground floor and podium retail on land at 216-222, 226-238 Keira Street, 86 Burelli Street, Lot B Burelli Street, Lot 1 and Lot 2 Burelli Street, 221-261, 269-291 Crown Street, Wollongong. It seeks to inform the Department of Planning, Housing and Infrastructure (DPHI) to enable the issuing of industry-specific Secretary's Environmental Assessment Requirements (SEARs) and schedule a preliminary scoping meeting to discuss the proposed development. This in turn will enable the preparation of an Environmental Impact Statement (EIS) that will accompany a future State Significant Development Application (SSDA).

Development for the purposes of in-fill affordable housing with an estimated development cost of more than \$30 million located outside of Greater Sydney is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). The proposed development is therefore declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

This Scoping Report has been prepared in accordance with the DPHI's *State Significant Development Guidelines* (2022) and the *Guide to the Faster Assessment Program for Affordable Housing* (2023). It supported by a preliminary architectural pack (**Appendix A**).

1.1 Applicant Details

The Applicant's details are presented in **Table 1** below.

Table 1 *Applicant Details*

Applicant:	Wollongong Developments No.8 Pty Ltd
Address:	30A-44 Eva St, Riverwood NSW 2196
ABN:	73 675 184 531

1.2 Guide to the Faster Assessment Program for Affordable Housing (2023)

This Scoping Report has been prepared in accordance with the Department of Planning, Housing and Infrastructure's (DPHI) *Guide to the Faster Assessment Program for Affordable Housing* (2023) and the list of scoping meeting requirements for Applicants. **Table 2** below indicates where in this report or its attachments these requirements have been met.

Table 2 *Faster Assessment Program for Affordable Housing Scoping Meeting Requirements*

Scoping Meeting Requirement	Addressed
Summary of development application This should be a short document showing the following: • what the development seeks to achieve • high-level compliance with SEPPs and local environmental planning instruments • if design excellence requirements apply to the development, in line with the environmental planning instrument • if a community housing provider has been identified • suitability of the site for the proposed development: - strategic alignment - permissibility - capacity to accommodate height and FSR bonuses • the impacts of bonuses on the site and surrounding area.	Addressed in Scoping Report.
Survey plan A registered surveyor with the NSW Board of Surveying and Spatial Information must prepare the survey plan. The plan should not be more than 12 months old at the time of meeting.	Provided in Appendix B .
Architectural drawings The drawings must include the following: • site plan, elevations and sections • boundary dimensions and site area	Provided in Appendix A .

Scoping Meeting Requirement	Addressed
• show new work, easements, right-of-way and existing structures • fully dimensioned setbacks to front, side and rear boundaries • any significant cut or fill proposed within and outside of building envelope • significant trees the development proposes to remove • location of pedestrian and vehicle access points • where manoeuvrability is likely to be an issue, driveways and parking areas must indicate turning circles to the Australian standard - for more information, please see the RTA Guide to Traffic Generating Development • buildings on adjoining sites including the location of windows (with top and bottom sill heights relative levels to Australian Height Datum) • a ground floor plan indicating entry, services, parking, delivery access and communal open space • typical floor plans indicating location of core, vertical transport, arrangement, communal open spaces, and number of apartments • elevations indicating overall height comparison with and without the bonus, streetscape context illustrating height and typology of existing and future adjacent buildings.	
Apartment Design Guide A brief review against the non-discretionary standards in Chapter 2 of the Housing SEPP and the Apartment Design Guide with a focus on: • site area • landscaping and deep soil zones • solar access • parking • building separation.	Addressed in Scoping Report.
Shadow diagrams Shadow diagrams must show the effect, in plan form, of any existing shadows and any additional shadows cast by the development, comparing maximum building height to maximum building height + bonus. This is particularly relevant for the development's overshadowing effect on: • public open space • any surrounding private open space • residential properties windows • communal and private yard spaces • clothes drying areas • any solar hot water or similar systems.	Provided in Appendix A .

This Report introduces the proponent and the Proposal, outlines the key issues to be considered in the Proposal's design, assessment and operation, provides the Proposal's strategic and statutory context and proposes an approach to community consultation.

Upon receipt of the SEARs, the information contained in this report will form the basis of a comprehensive EIS prepared in accordance with the requirements of Part 4 of the EP&A Act, Part 8 Division 2 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the *State Significant Development Guidelines* (2021).

1.3 Background

An existing consent approved on 12 December 2022 (DA-2021/957) applies to the site. The consent was granted for Demolition of existing structures, retention of heritage facades, tree removal, excavation for basement car parking and construction of a mixed-use development at the street block bound by Crown, Keira, Burelli and Atchison Streets, comprising three (3) residential towers (shop top housing), one (1) commercial building, retail shops, entertainment facilities (cinema, exhibition/performance space) and a wellness centre (pool, gym, and health services). A photomontage of the approved development is shown in **Figure 1**.

The approved development includes a central plaza that forms a through site link with connections to Crown and Burelli Streets. Concern was noted about the plaza drawing activation off Crown Street during the original review of the scheme by Wollongong DRP. Specifically, the DRP feedback (**Attachment C**) from the 15 October states the following:

Site permeability

The proposed concept to provide a cross site link that runs from the corner of Crown and Keira Streets to the corner of Atchison and Burelli Streets, is a reasonable strategy that appears to relate well to the broader context/pedestrian desire lines of this site. However, will the internal east-west street undermine the WCC UDF 2020 Strategy of Crown & Burrelli Streets as primary CBD east-west pedestrian links? All design strategies must be considered and justified within the broader context of the city centre.

Notwithstanding, the layout was ultimately supported in the original assessment report as follows:

'...the site also presents an opportunity to improve linkages between Wollongong railway station and the city centre. The pedestrian through links and internal plaza provides opportunities for an alternative accessible path through the site from Burelli Street noting the site's sloping topography'.

Since approval, the site has been acquired by Level 33 who have appointed a new design team to review the existing development consent and take a fresh approach to the site. This fresh approach seeks to refine what has been approved and identify opportunities for additional market and affordable housing using the infill affordable bonus, and in doing so maximising the sites highly accessible location in Wollongong.

The development details of the existing consent are further summarised in **Attachment A**.



Figure 1 *Photomontage of the development approved under DA-2021/957*

Source: BVN

2.0 The Site

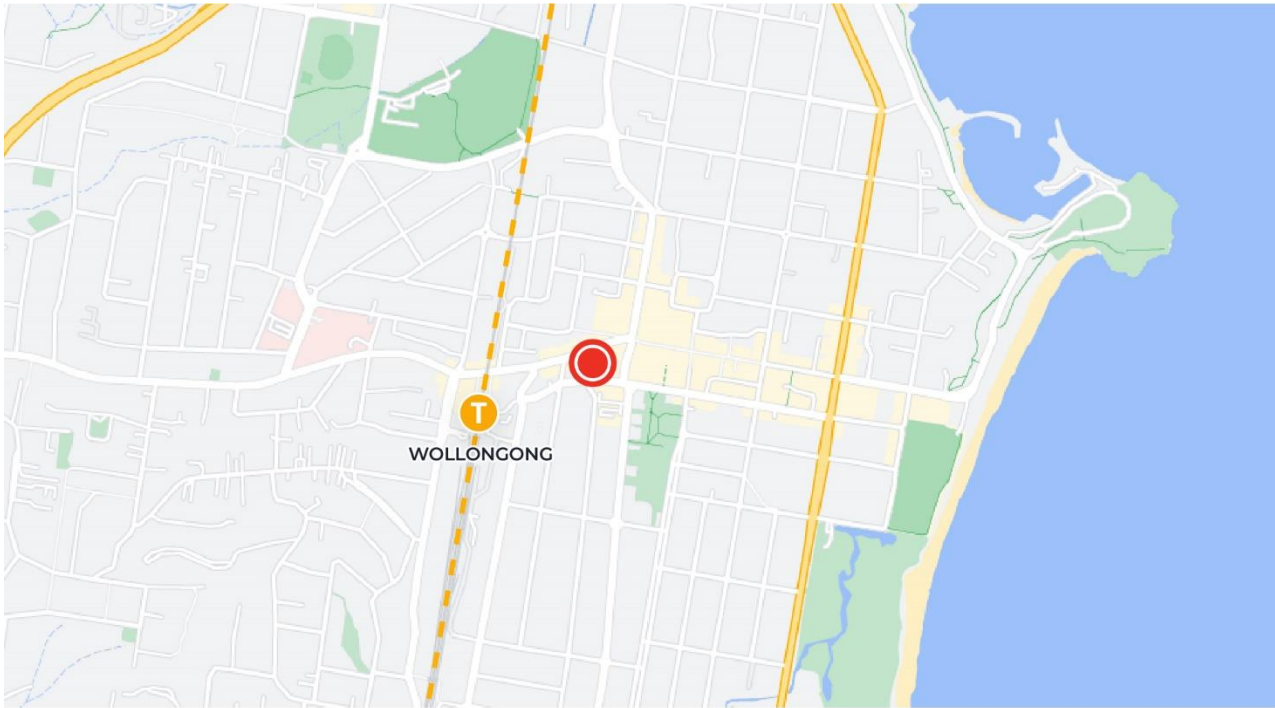
The site is situated at 216-222, 226-238 Keira Street, 86 Burelli Street, Lot B Burelli Street, Lot 1 and Lot 2 Burelli Street, 221-261, 269-291 Crown Street, Wollongong, within the Wollongong Local Government Area (LGA). It is well located, being approximately 280m from Wollongong Train Station which provides services within Wollongong and to the Sydney CBD. It is adjacent to Wollongong Central shopping centre, a major regional retail hub. The site has ready access to public open space being less than 50m from MacCabe Park. Existing development on the site consists of two detached residential dwellings and landscaping. The site context and aerial are shown in **Figure 2** and **Figure 3** respectively.

The site area and legal description is recorded in **Table 3**.

Table 3 Site Description

Legal Description	Address	Area (sqm)
Lot 1 in DP 112417	216-222 Keira Street	352.72
Lot 100 in DP 774957	226-230 Keira Street	133.06
Lot 9 in DP 551157	232-234 Keira Street	167.73
Lot 8 in DP 546125	236-238 Keira Street	142.59
Lot 1 in DP 88455	86 Burelli Street	526.16
Lot 4 in DP 17979		328.84
Lot 5 in DP 17979		400.73
Lot B in DP 395330	90 Burelli Street	781.28
Lot 1 in DP 220513	221-229 Crown Street	689.69
Lot 3 in DP 17979	231 Crown Street	268.53
Lot 2 in DP 17979	233-235 Crown Street	257.55
Lot 1 in DP 17979		266.86
Lot 7 in DP 878243	237-241 Crown Street	721.98
Lot 1 in DP 1135333	243-251 Crown Street	1666.17
Lot 1 in DP 226374	253-259 Crown Street	373.74
Lot 1 in DP 183348		720.06
Lot 2 in DP 226374		386.3
Lot 3 in DP 319452	261 Crown Street	260.06
Lot 2 in DP 319452	269-271 Crown Street	248.39
Lot 1 in DP 319452		275.5
Lot 2 in DP 181570	273-279 Crown Street	1025.12
Lot 1 in DP 1116034		13.16
Lot 1 in DP 82673	281-291 Crown Street	1198.22
Lot 1 in DP 117019		111.96
Lot 1 in DP 927806	281-291 Burelli Street	883.67
Lot 1 in DP 1198873		12.73

Legal Description	Address	Area (sqm)
Lot 1 in DP 1087986		316.67
Total Area		12143.17



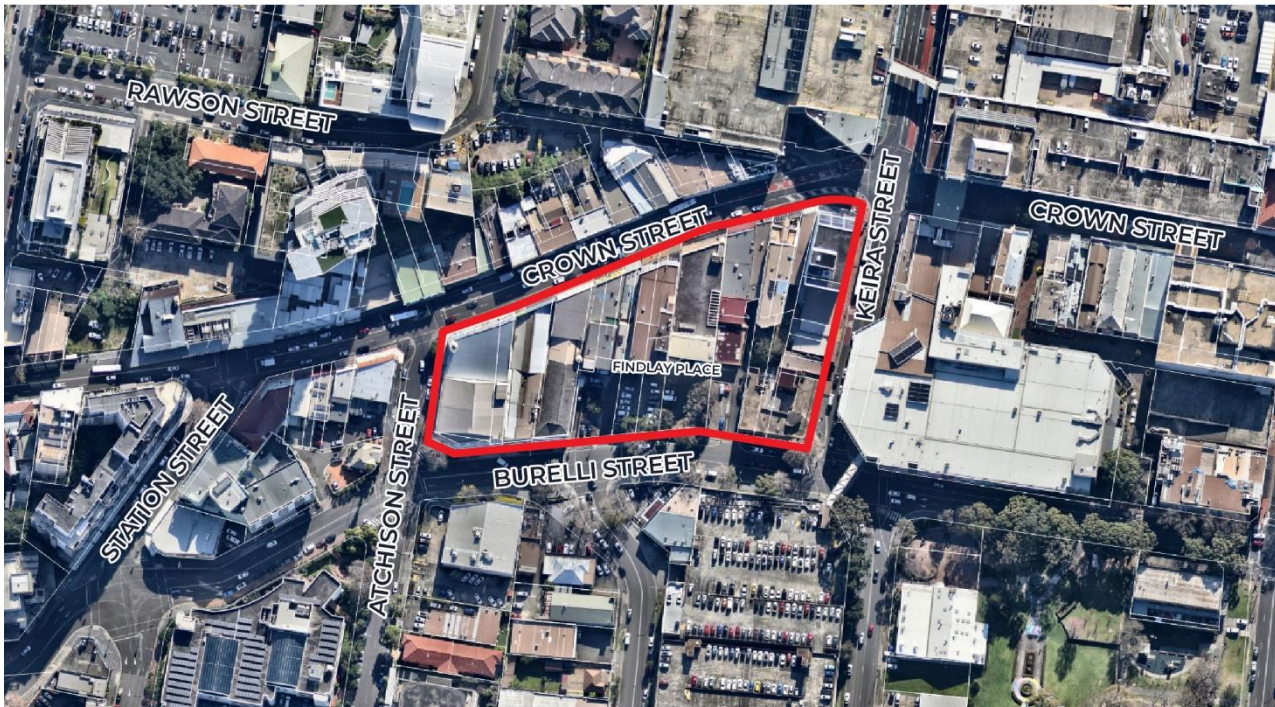
The Site



NOT TO SCALE

Figure 2 Site context map

Source: Nearmap / Ethos Urban



The Site



NOT TO SCALE

Figure 3 Site aerial map

Source: Nearmap / Ethos Urban

2.1 Site Context

The site is located within the Wollongong City Centre and is predominantly surrounded by retail development. Specifically, the surrounding context includes the following:

North: The site is bounded by Crown Street. Beyond this, the area is characterised by other commercial and retail development, with Wollongong Central shopping mall being located across Crown Street towards the North and Northwest.

East: Directly east of the site is Keira Street. Wollongong Central shopping mall is also located to the east of the site, which comprises of large-scale retail developments and a pedestrian walkway along Crown Street.

South: Burelli Street is located directly south of the site. Wollongong Central is also located towards the south of the site across the road. Additionally, the space also acts as a rooftop carpark. Other small scale retail development and the Illawarra Mental Health Services can also be found to the south of the site. MacCabe Park is located to the site's Southeast and acts as the main green open space within the town centre.

West: To the site's west is a small-scale retail development located on the opposite side of Atchison Street, while residential apartments are located further to the west on the opposite side of Station Street. The South Coast Private Hospital is located to the site's southwest, with the rail line and Wollongong Station situated further west of the site. The rail line transports passengers within Greater Wollongong and towards Sydney.

3.0 Proposed Development

The proposal will generally be undertaken in accordance with the architectural drawings prepared by DKO at **Attachment A**. Specifically, the proposal will seek approval for:

- Demolition of existing structures on the site.
- Construction of a new mixed use shop top housing, hotel and commercial development consisting of the following:
 - Three residential towers, ranging from 8 to 40 storeys and comprising 578 apartments and 54,521sqm of GFA, including:
 - Approx. 480 market apartments.
 - Approx. 100 affordable apartments.
 - Residential lobbies.
 - Communal open space.
- An 11-storey commercial office building, comprising 7,000sqm of GFA.
- A part 12-storey part 15-storey, 204 room hotel, comprising 11,370sqm of GFA.
- Ground floor and podium retail spaces totalling 1,540sqm of GFA.
- Car and motorcycle parking for residents, workers and visitors across five basement and podium levels including 867 parking spaces.
- Associated landscaping and public domain works.

The proposed massing and select sections and plans are shown in **Figure 4**, **Figure 5** and **Figure 6**. This massing, as shown in **Appendix A**, has been shaped with regard for minimising overshadowing to MacCabe Park. As a result, overshadowing is generally restricted to outside the critical window of 12-2pm, and there is minimal additional overshadowing when compared to the base LEP controls and existing consent.



Figure 4 Site Plan

Source: DKO

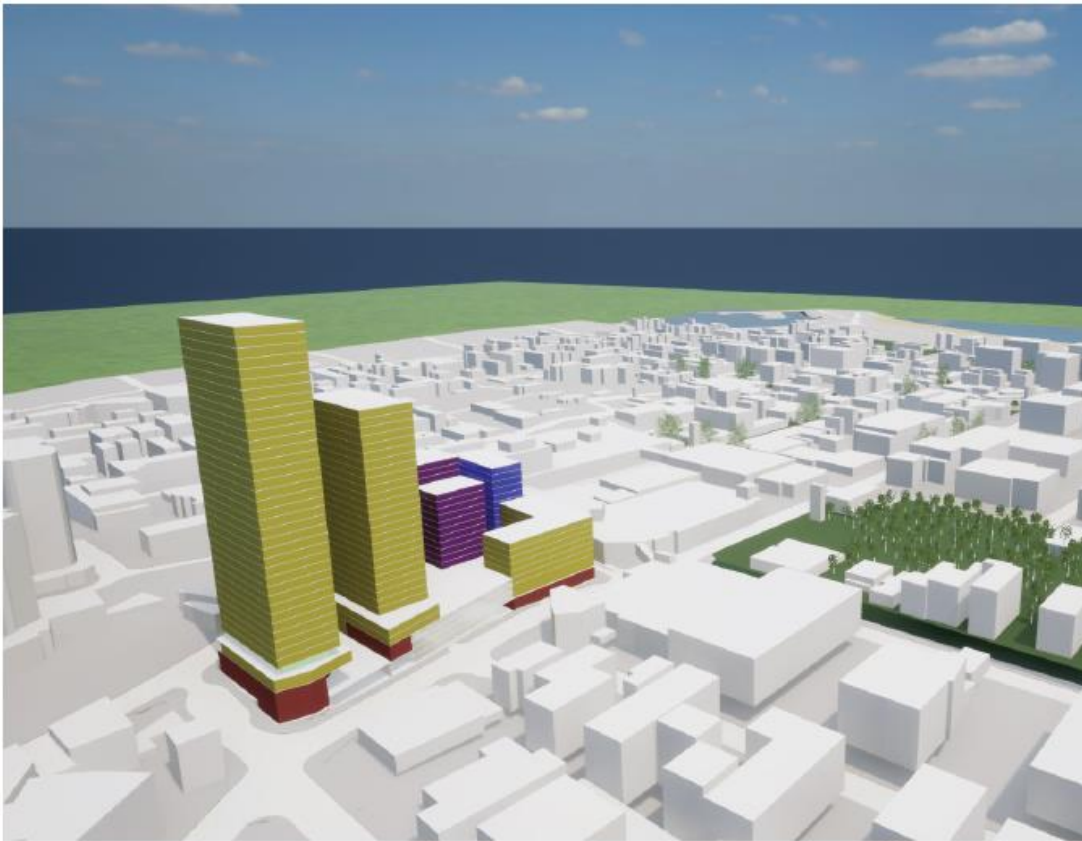


Figure 5 3D Aerial looking north east
 Source: DKO

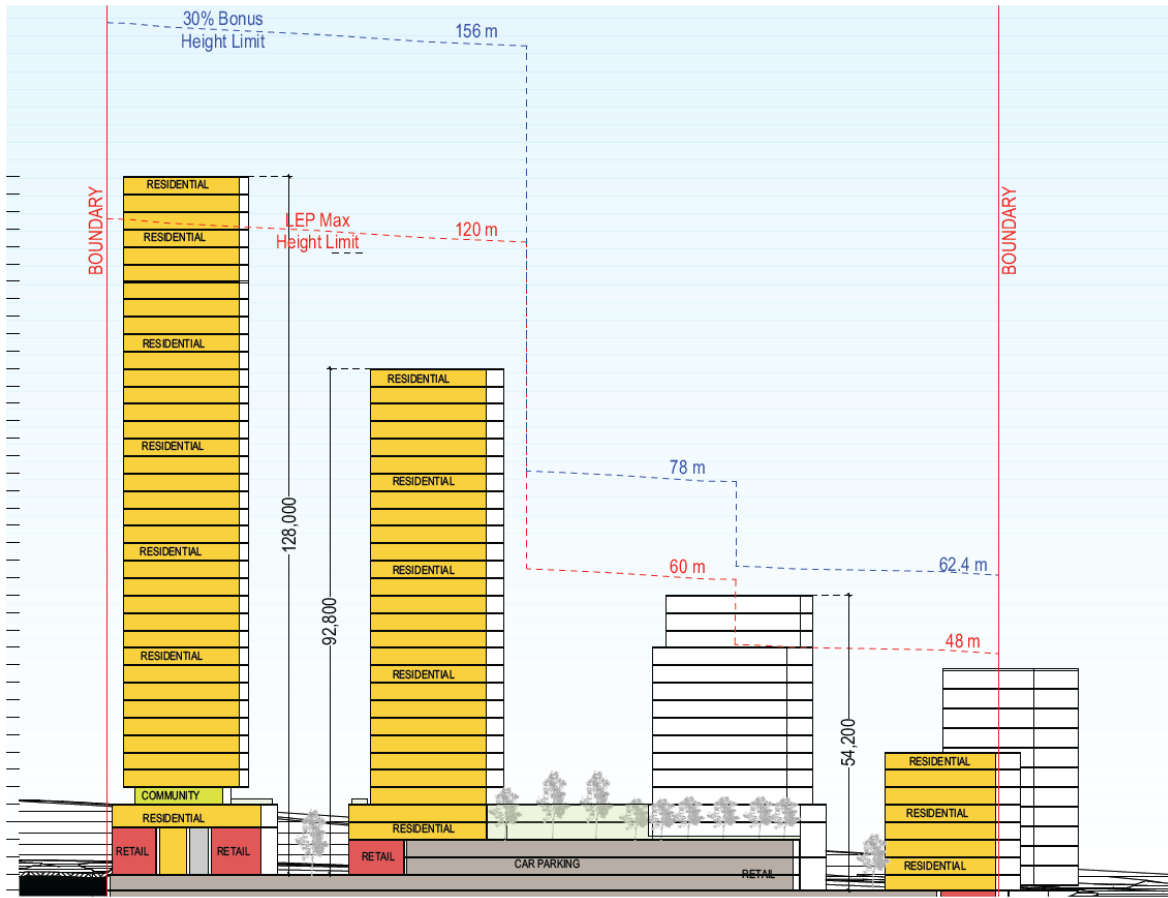


Figure 6 East-West Section
 Source: DKO

3.1 Comparison with approved development

Table 4 below outlines key metrics for comparison between the approved development and the proposed scheme.

Table 4 Comparison with approved development

	Control	Approved DA (DA-2021/957)	This proposal
Base FSR	4.38:1*	4.48:1	4.38:1
Housing SEPP Bonus FSR	1.31:1	-	1.31:1
Total FSR	5.69:1	4.48:1	5.69:1
Residential floorspace (%)	-	60%	65%
Non-residential floorspace (%)	-	40%	35%
Residential GFA	-	34,643m ²	54,521m ²
Non-residential GFA	-	24,011m ²	19,910m ²
Total GFA	-	58,654m ²	74,431m ²
Base Height of buildings	48m	57.7m, 34.9m, 16.7m	54.2m, 40.2m, 25.4m
	60m	74.8m, 57.7m, 34.9m, 16.7m	54.2m
	120m	118.5m, 74.8m, 16.7m	128m, 92.8m
Bonus Height of buildings	62.4m	-	54.2m, 40.2m, 25.4m
	78m	-	54.2m
	156m	-	128m, 92.8m
Building separation – ADG			
Between habitable rooms	Up to four storeys: 12m	12.01m	12m
	Five to eight storeys: 18m	12.01m	24m
	Nine storeys and above: 24m	24.56m	24m
Between habitable and non-habitable rooms	Up to four storeys: 9m	12.01m	12m
	Five to eight storeys: 12m	12.01m	12m
	Nine storeys and above: 18m	16.61m	24m
Between non-habitable rooms	Up to four storeys: 6m	12.01m	10.58m
	Five to eight storeys: 9m	12.01m	10.58m
	Nine storeys and above: 12m	16.61m	24m
Building separation – Clause 8.6 of the Wollongong LEP 2009			
Separation from any other building	Above the street frontage height and less than 45m: 12m	16.61m	12m
	45m or higher: 28m	24.76	24m
If a building contains a dwelling – Separation from any habitable part of a dwelling contained in any other building	20m	12.01m	24m

	Control	Approved DA (DA-2021/957)	This proposal
If a building contains a dwelling – Separation from any other part of any other building	16m	8.79m	12m

*established based on the residential / non-residential split outlined in the table above, subject to Clause 4.4A of the Wollongong LEP

4.0 Strategic Context

Key considerations of the proposed development in the context of the broader strategic planning framework are listed below.

Table 5 Strategic Alignment Table

Strategic Context
NSW Housing Strategy: Housing 2041

The Strategy supports the provision new housing stock in NSW and In-Fill Affordable Housing is identified as a housing typology to support the diversity and affordability of the rental market. This helps to meet two of the four key pillars of the NSW housing system (refer to **Figure 7**).



Figure 7 NSW Housing Strategy Key Pillars

Source: Housing 2041, NSW Government

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 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 a significant amount of additional housing in a modern and contemporary living style, in a strategic location.

NSW Housing Targets

The NSW Government has recently released 5-year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and 1 target for regional NSW. These targets replace outdated targets reflect NSW’s commitment to deliver 377,000 new homes across the state by 2029 under the National Housing Accord. A 5-year target of 9,200 new dwellings has been identified for Wollongong, the achievement of which will be assisted by this proposal.

Illawarra Shoalhaven Regional Plan 2041

The Illawarra Shoalhaven Regional Plan 2041 establishes the strategic framework for the Illawarra and Shoalhaven region, which includes Wollongong. It sets strategic objectives that relate to key areas such as housing, sustainability, transport and the economy. These objectives seek to guide development within the region.

Strategic Context

The proposal assists to satisfy key objectives under the Illawarra Shoalhaven Regional Plan. Specifically, the proposal seeks to provide much need supply of housing, including affordable housing. This supply is optimally located within walking distance to public transport including Wollongong Train Station and is located in the heart of the Wollongong CBD, with many services, amenities and recreation facilities located within the surrounds.

Additionally, the proposed development will provide opportunities for new and publicly accessible connections to be provided through the site for pedestrians and cyclists. These connections improve the permeability of the locality and provide for better linkages across the Wollongong CBD.

Future Transport Strategy

The Future Transport Strategy sets out a 40-year vision, directions and outcomes framework for customer mobility in NSW and will guide transport investment over the longer term. The refreshed Future Transport Strategy takes into account events such as the COVID-19 pandemic, drought, bushfires, floods, alongside population growth and global megatrends. It includes a new focus on the six cities region, striving to revitalise and connect communities, encourage thriving local neighbourhoods, and built on economic success.

The proposal is consistent with the Strategy by delivering increased residential accommodation within a highly accessible location within the Wollongong CBD and in close proximity of Wollongong Station, providing for enhanced access to transport, jobs, education and health services. The proposal does not prevent the objectives of the Strategy from being achieved.

Wollongong Local Strategic Planning Statement 2020

The Wollongong Local Strategic Planning Statement (LSPS) establishes a 20-year vision for land use to guide future growth within the Wollongong LGA. It also aims to align within the vision and objectives set under the Illawarra Shoalhaven Regional Plan 2041 and Wollongong Community Strategic Plan. The LSPS identifies the site within the Wollongong City Centre and marks it as a key location for higher density residential flat buildings.

The proposal will achieve the objectives of the LSPS by locating increased height and density in a strategic location within the Wollongong CBD. The siting and massing of the development seeks to capitalise on this opportunity by providing taller buildings in appropriate locations around the site that seek to add to and define the Wollongong skyline.

Draft Housing and Affordable Housing Options Paper

The Draft Housing and Affordable Housing Options Paper analyses the housing needs of the Wollongong LGA. It outlines key issues and planning priorities with respect to housing and provides recommendations to address them. It will ultimately inform the development of a new Housing Strategy for the Wollongong LGA.

The proposal supports key planning priorities and recommendations under the Draft Housing and Affordable Housing Options Paper as follows:

- The proposal as presented allows for increased levels of density on the site when compared to that permitted under the base planning controls whilst maintaining high levels of residential amenity and design. This facilitates additional dwellings of various sizes and increased provision of affordable housing in response to the needs of the LGA.
- The siting, massing and design of the proposal facilitates the provision of additional apartments, which enables greater opportunity for adaptable housing types to be provided within the scheme. Further, the additional yield facilitated by the design enables the provision of affordable housing.

5.0 Statutory Context

A summary of the relevant statutory requirements for the project are identified in **Table 6** below.

Table 6 Relevant Statutory Requirements

Matter	Consideration
Power to Grant Consent	Development consent will be sought under ‘Division 4.7 - Stage Significant Development’ of the EP&A Act. Section 4.36(2) of the EP&A Act states that: <i>A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.</i> The proposed development is categorised as SSD under Schedule 1, section 26A(1) of the Planning Systems SEPP as it: • Relates to development to which Chapter 2, Part 2, Division 1 of the Housing SEPP applies; • The development is residential development and has an EDC of more than \$30 million in a specified location; and • The development does not involve development prohibited under an environmental planning instrument applying to the land. Section 4.5 of the EP&A Act and Section 2.7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> stipulate that the consent authority is the Minister for Planning and Public Spaces (or the DPHI as their delegate) unless the development triggers the matter set out in Section 2.7(1) in which case the consent authority will be the Independent Planning Commission. With regards to the SSD qualification, we note that while the hotel and commercial uses themselves do not trigger SSD, the fact that the proposed scheme is a single integrated development means that the entire development proposal qualifies as SSD under Section 2.6(2) of the <i>State Environmental Planning Policy (Planning Systems) 2021</i>, which states (emphasis added): 2.6 Declaration of State significant development: section 4.36 <i>(1) Development is declared to be State significant development for the purposes of the Act if—</i> <i>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</i> <i>(b) the development is specified in Schedule 1 or 2.</i> (2) If a single proposed development the subject of one development application comprises development that is only partly State significant development declared under subsection (1), the remainder of the development is also declared to be State significant development, except for— <i>(a) so much of the remainder of the development as the Director-General determines is not sufficiently related to the State significant development, and</i> <i>(b) coal seam gas development on or under land within a coal seam gas exclusion zone or land within a buffer zone (within the meaning of clause 9A of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007), and</i> The direct nexus between the shop top housing, hotel and commercial buildings is that the proposal is for a singular integrated mixed-use development that includes both residential and non-residential uses. All of the buildings within the proposed scheme are served by a consolidated basement and an integrated public domain, which is critical to the overall success of the development. Having separate buildings for the hotel and commercial is however considered necessary to ensure the future success of these buildings as independent components that can be owned and operated by separate entities away from the future residential strata components.

Importantly, while the hotel and commercial towers are included in the proposed scheme, they do not seek to rely on the infill affordable housing bonus provisions to achieve bonus floorspace or building height. They do however count towards FSR/GFA and therefore generate the need

Matter	Consideration
	for more affordable housing to be provided on site to unlock the infill affordable housing bonuses. Inclusion of the hotel and commercial components also ensures that the proposed development positively responds and contributes to the overarching aspirations for the Wollongong Commercial Centre, as reflected in the objectives of the E2 Zone, which are (emphasis added): • To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity. • To encourage investment in commercial development that generates employment opportunities and economic growth. • <i>To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.</i> • <i>To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.</i> • To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. • To encourage development that is consistent with the centre's position in the centres hierarchy. • To strengthen the role of the Wollongong city centre as the business, retail and cultural centre of the Illawarra region.
Permissibility	The site is zoned E2 Commercial Centre under the Wollongong Local Environmental Plan 2009. Shop top housing is permitted with consent in the E2 zone. In accordance with the provisions of Chapter 2, Part 2, Division 1, section 16 of the Housing SEPP, the proposed development for in-fill affordable housing applies for the following reasons: • The residential development (shop top housing) is permitted with consent in the E2 Zone under the Wollongong LEP 2009. • At least 10% of the GFA will be used for the purposes of affordable housing, not including affordable housing required to be delivered under another provision of another EPI or under the executed VPA. • All or part of the development is within an accessible area as it is within 800m walking distance of a public entrance to Wollongong railway station.
Key considerations under Environmental Planning Instruments	State Environmental Planning Policy (Housing) 2021 Part 2 Division 1 of the Housing SEPP applies to development for the purpose of in-fill affordable housing. A complete assessment of the proposal's consistency with the relevant provision of the Housing SEPP will be provided in the EIS for the proposed development. Chapter 4 of the Housing SEPP sets out nine design principles, all of which the project complies with. A design verification statement and a complete assessment of compliance against the relevant provisions of Chapter 4 and the Apartment Design Guide (ADG) will be provided with the EIS. The non-discretionary standards in Chapter 2 of the Housing SEPP have been considered throughout the design and will be fully assessed in the EIS. A preliminary assessment of the proposal's consistency is included at Table 7. Wollongong LEP 2009 The proposal is consistent with the objectives and development standards of the Wollongong LEP 2009. A complete assessment of these standards will be provided to accompany the EIS for the proposed development, including the following considerations: • Clause 2.1 & 2.3 – Land Use Zone & Zone Objectives • Clause 2.7 – Demolition • Clause 4.3 – Height of Buildings • Clause 4.4 – Floor space ratio • Clause 4.4A – Floor space ratio—Wollongong city centre • Clause 4.6 – Exceptions to development standards • Clause 5.10 – Heritage Conservation • Clause 5.21 – Flood Planning

Matter	Consideration
	• Clause 7.1 – Public utility infrastructure • Clause 7.5 – Acid Sulfate Soils • Clause 7.6 – Earthworks • Clause 7.13 – Certain land within employment or mixed use zones • Clause 7.18 – Design excellence in Wollongong city centre and at key sites • Clause 7.22 – Development in local centres • Clause 8.1 – Objectives for development in Wollongong city centre • Clause 8.2 – Wollongong city centre—land to which Part applies • Clause 8.3 – Sun plane protection • Clause 8.4 – Minimum building street frontage • Clause 8.6 – Building separation within Zone E2 Commercial Centre or Zone MU1 Mixed Use Preliminary consistency with the above clauses is demonstrated in Table 9.
Other Approvals	Approvals not required for SSD, otherwise required • Fisheries Management Act 1994 – No • Heritage Act 1977 – No • National Parks and Wildlife Act 1974 – No • Rural Fires Act 1997 – No • Water Management Act 2000 – No EPBC Act Approval • The Project is not likely to impact a matter of National Environmental Significance. Therefore, the Project is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies.
Mandatory Matters for Consideration	The following mandatory matters for consideration are expected to be relevant to the assessment of the EIS: • <i>Environmental Planning & Assessment Act 1979</i> – Section 1.3, Section 4.15 • <i>Biodiversity Conservation Act 2016</i> – Section 7.9; • <i>State Environmental Planning Policy (Housing) 2021</i> – Chapter 2; • <i>State Environmental Planning Policy (Housing) 2021</i> – Chapter 4; • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> – Chapter 4; • <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>; • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> – Section 2.119, Section 2.122.

5.1 State Environmental Planning Policy (Housing) 2021

A preliminary assessment of consistency with the key provisions of Chapter 2 of the Housing SEPP is provided in **Table 7** below.

Table 7 Relevant provisions of Chapter 2 of the Housing SEPP

Clause	Control	Compliance assessment
Chapter 2 Affordable Housing		
Part 1 Preliminary		
Clause 15 Requirement for imposition of conditions—the Act, s 7.32(3)(a)	Before imposing a condition under the Act, section 7.32, the consent authority must consider the following— (a) affordable housing must aim to create mixed and balanced communities, (b) affordable housing must be created and managed so that a socially diverse residential population, representative of all income groups, is developed and maintained in a locality, (c) affordable housing must be made available to very low, low and moderate income households, or a combination of the households,	Complies.

Clause	Control	Compliance assessment
	(d) affordable housing must be rented to appropriately qualified tenants and at an appropriate rate of gross household income, (e) land provided for affordable housing must be used for the purposes of the provision of affordable housing, (f) buildings provided for affordable housing must be managed to maintain their continued use for affordable housing, (g) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the area.	
Part 2 Development for affordable housing		
Clause 15 Development to which Division applies	The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low-, low- and moderate-income households. (1) This division applies to development that includes residential development if— (a) the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and (b) the affordable housing component is at least 10%, and (c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone. (2) Affordable housing provided as part of development because of a requirement under another environmental planning instrument or a planning agreement within the meaning of the Act, Division 7.1 is not counted towards the affordable housing component under this division. (3) In this section— relevant zone means the following— (a) Zone E1 Local Centre, (b) Zone MU1 Mixed Use, (c) Zone B1 Neighbourhood Centre, (d) Zone B2 Local Centre, (e) Zone B4 Mixed Use.	Complies. This division applies to the proposed development as it: - Is permitted within the E2 Commercial Centre zone under the Wollongong LEP 15% of the FSR of the building resulting from the development will be used for the purposes of affordable housing. - The site is located in the Illawarra-Shoalhaven City within the Six Cities Region, being in the Wollongong LGA - The site is located within an accessible area as it is located within 800m walking distance of Wollongong Train Station.
Clause 16 Floor Space Ratio	(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2). (2) The minimum affordable housing component, which must be at least 10%, is calculated as follows— (3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1). <i>Example—</i> <i>Development that is eligible for 20% additional floor space ratio because the development includes a 10% affordable housing component, as calculated under subsection (2), is also eligible for 20% additional building height if the development involves residential flat buildings or shop top housing.</i> (4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.	The site, subject to Clause 4.4A of the Wollongong LEP, has a maximum permissible FSR of 4.38:1. The proposed development seeks to provide greater than the minimum of 10% affordable housing across the site, in accordance with Clause 15 (15% proposed). Therefore, the proposal is afforded an additional 30% FSR for the development, as the maximum bonus, equating to 5.69:1. A total FSR of 5.69:1 is proposed, thus the proposal complies with the maximum permissible FSR. Additionally, in accordance with subclause (3), a maximum height of

Clause	Control	Compliance assessment
		between 62.4m and 156m applies, with which the proposal complies.
Clause 19 Non-discretionary development standards	(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. <i>Note—</i> See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with. (2) The following are non-discretionary development standards in relation to the residential development to which this division applies— (a) a minimum site area of 450m², (b) a minimum landscaped area that is the lesser of— (i) 35m² per dwelling, or (ii) 30% of the site area, (c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site, (d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter, (e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms—at least 1 parking space, (f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces, (g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development, (h) for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide, (i) if paragraphs (g) and (h) do not apply, the following minimum floor areas— (i) for each dwelling containing 1 bedroom—65m², (ii) for each dwelling containing 2 bedrooms—90m², (iii) for each dwelling containing at least 3 bedrooms—115m² plus 12m² for each bedroom in addition to 3 bedrooms. (3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	These non-discretionary standards set minimum controls that the consent authority cannot use to refuse consent. The proposed development will demonstrate consistency with these standards, or where more appropriate, LEP, DCP and ADG standards.
Clause 20 Design Requirements	(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.	Complies. Chapter 4 is applicable to the proposed site. The proposed development is in keeping with the desired future and emerging

Clause	Control	Compliance assessment
	(2) Subsection (1) does not apply to development to which Chapter 4 applies. (3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with— (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.	character of the Wollongong CBD identified in the strategic and statutory framework as a high density high-amenity centre.
Clause 21 Must be used for affordable housing for at least 15 years	(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development— (a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and (b) the affordable housing component will be managed by a registered community housing provider. (2) This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.	Complies. The proposed 15% affordable housing will be provided for a period of 15 years commencing on the day an occupation certificate is issued for the development. Additionally, the affordable housing component will be managed by a registered community housing provider.
Clause 22 Subdivision permitted with consent	Land on which development has been carried out under this division may be subdivided with development consent.	No subdivision is proposed.

5.1.1 Apartment Design Guide

A preliminary assessment against the key provisions of the Apartment Design Guide (ADG) is provided in **Table 8** below.

Table 8 *Assessment against the Apartment Design Guide*

Objectives and Design Criteria			Complies?
Communal open space has a minimum area equal to 25% of the site.			Capable of compliance. Subject to further design development.
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 9 am and 3 pm on 21 June (mid winter).			Capable of compliance. Subject to further design development.
Deep soil zones are to meet the following minimum requirements:			No deep soil is proposed on account of the CBD context.
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)	
Less than 650m ²	-	7%	
650m ² – 1,500m ²	3m		
Greater than 1,500m ²	6m		
Greater than 1,500m ² with significant existing tree cover	6m		

Objectives and Design Criteria			Complies?
Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:			✓ Yes – refer to Appendix A
Building Height	Habitable rooms and balconies	Non-habitable rooms	
Up to 12m (4 storeys)	6m	3m	
Up to 25m (5-8 storeys)	9m	4.5m	
Over 25m (9+ storeys)	12m	6m	
For development on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre, the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.			Capable of compliance. Subject to further design development.
Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.			Capable of compliance. Subject to further design development.
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.			Capable of compliance. Subject to further design development.
At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.			Capable of compliance. Subject to further design development.
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.			Capable of compliance. Subject to further design development.
Measured from finished floor level to finished ceiling level, minimum ceiling heights are:			Capable of compliance. Subject to further design development.
Minimum ceiling height			
Habitable rooms	2.7m		
Non-habitable	2.4m		
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area		
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope		
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use		
These minimums do not preclude higher ceilings if desired.			

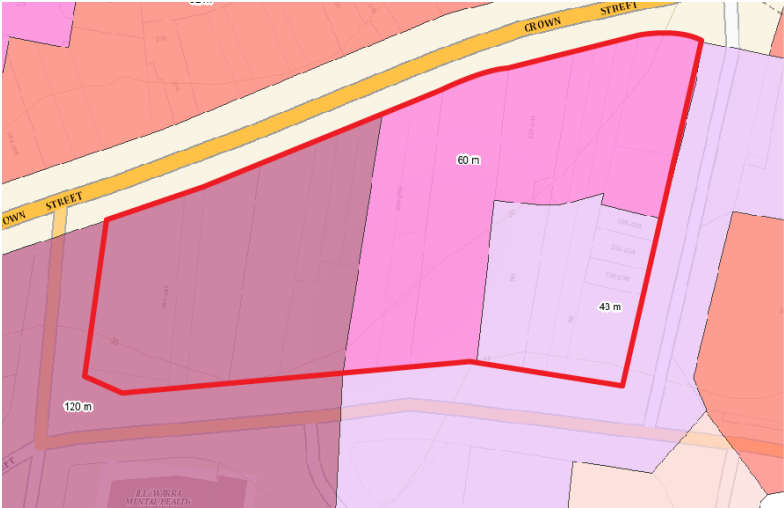
Objectives and Design Criteria		Complies?															
Apartments are required to have the following minimum internal areas:		Capable of compliance. Subject to further design development.															
<table><tr><th>Apartment Type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table>			Apartment Type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²					
Apartment Type	Minimum internal area																
Studio	35m ²																
1 bedroom	50m ²																
2 bedroom	70m ²																
3 bedroom	90m ²																
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m ² each.																	
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m ² each.																	
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.		Capable of compliance. Subject to further design development.															
Habitable room depths are limited to a maximum of 2.5 x the ceiling height.		Capable of compliance. Subject to further design development.															
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.		Capable of compliance. Subject to further design development.															
Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).		Capable of compliance. Subject to further design development.															
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).		Capable of compliance. Subject to further design development.															
Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments.		Capable of compliance. Subject to further design development.															
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.		Capable of compliance. Subject to further design development.															
All apartments are required to have primary balconies as follows:		Capable of compliance. Subject to further design development.															
<table><tr><th>Dwelling Type</th><th>Minimum Area</th><th>Minimum depth</th></tr><tr><td>Studio apartment</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartment</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartment</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartment</td><td>12m²</td><td>2.4m</td></tr></table>			Dwelling Type	Minimum Area	Minimum depth	Studio apartment	4m ²	-	1 bedroom apartment	8m ²	2m	2 bedroom apartment	10m ²	2m	3+ bedroom apartment	12m ²	2.4m
Dwelling Type	Minimum Area		Minimum depth														
Studio apartment	4m ²		-														
1 bedroom apartment	8m ²		2m														
2 bedroom apartment	10m ²	2m															
3+ bedroom apartment	12m ²	2.4m															
The minimum balcony depth to be counted as contributing to the balcony area is 1m.																	
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.																	
The maximum number of apartments off a circulation core on a single level is eight.		Capable of compliance. Subject to further design development.															
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.		Capable of compliance. Subject to further design development.															

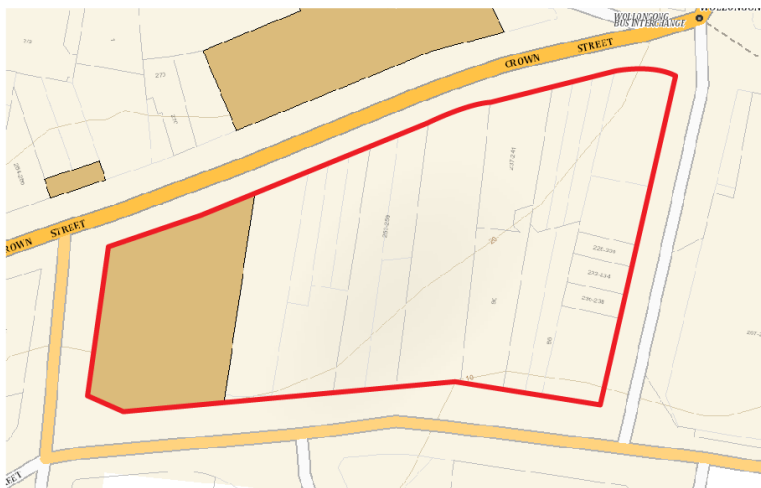
Objectives and Design Criteria		Complies?
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:		Capable of compliance. Subject to further design development.
Dwelling Type	Minimum Area	
Studio apartment	4m ³	
1 bedroom apartment	6m ³	
2 bedroom apartment	8m ³	
3+ bedroom apartment	10m ³	
At least 50% of the required storage is to be located within the apartment.		

5.2 Wollongong LEP 2009

A preliminary assessment of consistency with the relevant LEP clauses is provided in **Table 9** below.

Table 9 Wollongong LEP 2009 Assessment

Clause	Provision/standard	Proposal
Clause 2.1 land use zones	E2 Commercial Centre	Shop top housing is permitted with consent in the E2 zone.
Clause 2.7 Demolition requires development consent	Development consent for demolition is sought under this application.	
Clause 4.3 height of buildings	120m; 60m; 48m	Various height limits apply to the site ranging between 48-120m, as depicted at Figure 8 . The heights proposed under this application rely on the bonus height available under the in-fill affordable housing provisions, as outlined in Table 7 .
		
Figure 8 Height of buildings map Source: ePlanning Spatial Viewer		
Clause 4.4 Floor space ratio	Maximum of 1.5:1	For the purposes of this proposal, the base FSR is not relied upon. Refer to Clause 4.4A.

Clause	Provision/standard	Proposal
Clause 4.4A Floor space ratio—Wollongong city centre	Specified FSR for land meeting certain criteria in the Wollongong City Centre	Despite Clause 4.4, Clause 4.4A(2) outlines maximum floorspace ratios (FSRs) for land within the Wollongong City Centre for both non-residential and residential uses. The maximum permitted FSRs are as follows: - Non-Residential – 6:1 - Residential – 3.5:1 Subclause (4) states that the maximum floor space ratio for a building on land within Zone E2 Commercial Centre that is to be used for a mixture of residential purposes and other purposes (as is the case with this application), is— $\frac{[Non\ Residential\ FSR \times Non\ Residential\ Component\ (\%)] + [Residential\ FSR \times Residential\ Component\ (\%)]}{1}$ The subject application proposes a floorspace split of 35% non-residential and 65% residential floorspace. Therefore, the maximum permissible FSR under Clause 4.4A applying to the subject site is 4.38:1. Compliance is assessed with the bonuses available under the Housing SEPP included in Table 7.
Clause 5.10 Heritage conservation	The site contains the Marcus Clark façade and clock tower local heritage item identified as Item 6474 (refer to Figure 9). The site is also in the vicinity of a number of heritage items, including the 'Row of Shops' at 230-264 Crown Street (I6240) which is opposite the site. The treatment of these items and potential impacts will be fully assessed in the EIS.	 Figure 9 Heritage map Source: ePlanning Spatial Viewer
Clause 5.21 Flood Planning	The proposed development will ensure compliance with the provisions of Clause 5.21. This will be fully assessed in the EIS.	
Clause 7.1 Public utility infrastructure	The proposal is located in the existing Wollongong City Centre. The EIS will demonstrate to the satisfaction of the consent authority 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.	
Clause 7.5 Acid Sulphate Soils	The site is partially affected by Class 5 Acid Sulfate Soils. Compliance with the relevant controls will be demonstrated in the EIS.	
Clause 7.6 Earthworks	Development consent for earthworks is sought under this application.	
Clause 7.13 Certain land within employment or mixed use zones	Complies. The proposed ground floor uses do not include residential accommodation.	

Clause	Provision/standard	Proposal
Clause 7.18 Design excellence in Wollongong city centre and at key sites	The design team leading the project have extensive experience in delivering the highest standard of architecture and urban design. The design will demonstrate consistency with the variety of matters outlined in Clause 7.18. Further assessment will be undertaken as the design is fully realised through the development of the proposal.	
Clause 7.22 Development in local centres	The matters outlined in the clause will be assessed in the EIS.	
Clause 8.1 Objectives for development in Wollongong city centre	The proposed development is consistent with the objectives for the Wollongong City Centre.	
Clause 8.2 Wollongong city centre—land to which Part applies	Part 8 of the Wollongong LEP 2009 applies to the site.	
Clause 8.3 Sun plane protection	Clause 8.3 does not apply to the subject site as it is not shown on the Sun Plane Protection Map.	
Clause 8.4 Minimum building street frontage	Complies. The proposed street frontages exceed 20m in length.	
Clause 8.6 Building separation within Zone E2 Commercial Centre or Zone M1 Mixed Use	Specified building separations for development on land zoned M1 Mixed Use and E2 Commercial Centre	The proposal is subject to the requirements set out in the clause, as follows: (2) <i>Buildings on land within Zone E2 Commercial Centre or M1 Mixed Use must be erected so that—</i> (a) <i>there is no separation between neighbouring buildings up to the street frontage height of the relevant building or up to 24 metres above ground level whichever is the lesser, and</i> (b) <i>there is a distance of at least 12 metres from any other building above the street frontage height and less than 45 metres above ground level, and</i> (c) <i>there is a distance of at least 28 metres from any other building at 45 metres or higher above ground level.</i> (3) <i>Despite subclause (2), if a building contains a dwelling, all habitable parts of the dwelling including any balcony must not be less than—</i> (a) <i>20 metres from any habitable part of a dwelling contained in any other building, and</i> (b) <i>16 metres from any other part of any other building.</i> The proposal as presently designed will seek minor variations to these standards by way of a Clause 4.6 variation request, which will be included with the EIS. An equivalent Clause 4.6 variation was assessed and approved under the existing consent.

5.3 Suitability of the Site for the Proposed Development

The site is located in the heart of the Wollongong City Centre which possesses an emerging high-density built form and character that will continue to evolve over time as renewal occurs across Wollongong. The site is located in the immediate proximity of multiple local bus routes, Wollongong Train Station and is adjacent to substantial local and regional amenities concentrated within the CBD.

The proposed development is suitable for the site as shop top housing is permitted with consent in the E2 Commercial Centre Zone under the Wollongong LEP 2009. The proposed development's bulk and scale is suitable for the size and dimensions of the site, particularly given the core city centre context. Being within the established city centre, the site will have all the necessary utility services readily accessible for the proposal and the site is capable of accommodating any additional demand that may be associated with growth in the future.

5.4 Eligibility for Industry-Specific SEARs

In-fill affordable housing that is declared State Significant Development under Schedule 1, section 26A(1) of the Planning Systems SEPP is eligible for Industry-Specific SEARs provided that development is not:

- designated development but for the Act, section 4.10(2).
- partly prohibited by an environmental planning instrument.
- wholly prohibited by an EPI, to the extent permitted by the EP&A Act, section 4.38(5).
- a concept development application for SSD.

The proposal is not declared designated development under Schedule 3 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation), nor is it for a concept development application for SSD. Furthermore, the proposal is wholly permissible with consent under the Wollongong LEP 2009 and the Housing SEPP. Accordingly, the proposal is eligible for Industry-Specific SEARs for in-fill affordable housing.

5.5 Cumulative Impacts

The demand for housing close to jobs, services and infrastructure and the renewal of the Wollongong City Centre has resulted in the need for this proposal to support housing growth and demand, and provide affordable housing. Any resulting cumulative impacts will be comprehensively considered and assessed in the EIS.

5.6 Agreements with Other Parties

There are no existing or planned agreements with other parties.

6.0 Community Engagement

6.1 Overview

This section describes the proposed community engagement strategy to be undertaken during the preparation of the EIS. The Proponent's approach to community engagement is informed by DPHI's *Undertaking Engagement Guidelines for State Significant Development (2021)*. This includes adopting the following community participation objectives provided in the Guideline.

"Engagement is to be:

- *open and inclusive,*
- *easy to access,*
- *relevant,*
- *timely, and*
- *meaningful."*

6.2 Proposed Community Engagement During EIS Preparation

6.2.1 Identified Key Stakeholders

The Proponent has already begun consultation, and/or proposes to engage with the following stakeholders:

- Relevant local, State or Commonwealth Government authorities including but not limited to:
 - The relevant DPHI assessment team;
 - Wollongong City Council;
 - Transport for NSW;
- Adjoining land owners;
- First Nations stakeholders; and
- The local community.

6.2.2 Proposed Community Consultation Actions

Engagement will and has been undertaken to inform the preparation of the EIS and on an ongoing basis throughout the life of the project, and details of how issues raised have been responded to will be documented in the Consultation Outcomes Report, which will accompany the EIS.

The Proponent will continue to engage with community stakeholders following the determination of the DA to provide information and seek feedback on the design process and project delivery phases. The Outcomes Report will also include details of strategies to monitor, review and adapt engagement methodologies over the course of the project. This engagement will be complementary to and independent of Department-led consultation during their assessment of the DA.

The engagement techniques adopted during the preparation of the EIS may include letterbox drops, agency and stakeholder briefings and the maintenance of a project email and phone number.

7.0 Proposed Assessment of Impacts

This section provides an overview of the key matters requiring and not requiring further assessment in the EIS and the proposed approach to assessing each of these matters. The purpose of considering these factors at this stage is to inform the preparation of the SEARs which will guide the preparation of the EIS.

7.1 Matters Requiring Further Assessment in EIS

The following sections provide a comprehensive description of the relevant matters and impacts which will be addressed in detail within the EIS. It outlines the matters and impacts of particular concern to the community and other stakeholders.

7.1.1 Urban Design and Residential Amenity

The attached preliminary compliance assessment with regard to the ADG demonstrates (refer to **Appendix A**) that the indicative envelope and design of the proposal is capable of achieving ADG criteria such as:

- Landscaping and deep soil zones.
- Solar access.
- Parking.
- Building separation.

The potential off-site impacts of the proposal will be comprehensively considered and assessed in detail in the EIS. The key considerations will include:

- Overshadowing of MacCabe Park – demonstrating efforts to minimise impacts.
- Solar access to adjoining sites.
- View and visual impacts.

7.1.2 Affordable Housing

The project will provide 15% of total FSR as affordable housing for a period of 15 years. The specific allocation of apartments designated as affordable housing and the related management measures is subject to ongoing design development and engagement with potential future operators in Community Housing Providers (CHPs).

7.1.3 Design Excellence

The project is committed to achieving design excellence. As the project relates to a residential development seeking infill affordable housing bonuses with an EDC of greater than \$75 million, the project will be reviewed by the NSW State Design Review Panel (SDRP). A Design Review Report will be provided with the SSDA addressing the recommendations of the SDRP.

7.1.4 Visual Impact

The proposed development will be required to consider the visual impact within local and strategic viewpoint locations. The EIS will include a visual impact assessment of the proposed scheme which will provide viewpoint analysis of the development within key views, assessment of the potential impacts and identify any proposed mitigation measures.

7.1.5 Noise and Vibration

A Noise and Vibration Assessment will be undertaken to assess the main noise and vibration generating sources during construction and their impacts upon any sensitive noise receivers, particularly adjacent residential receivers. The assessment will evaluate and outline measures to minimise and mitigate the potential noise impacts from nearby arterial roads including Crown Street / Princes Highway.

7.1.6 Transport and Traffic

The proposed development will be required to consider the relationship between the proposed development and the surrounding transport infrastructure. Specifically, the capacity of the regional and local roads, and public transport to safely accommodate the new development will be considered.

The EIS will be informed by a Transport Management and Access Plan, as well as a Traffic Impact Assessment, which will be carried out to demonstrate both construction and operational traffic on the existing and future road network, as well as the functionality of the new roads in the context of the site and the surrounding development.

7.1.7 Heritage

Heritage will be managed sensitively through design development, with reference and consideration of the form of the approved scheme. Specifically, a heritage consultant will be engaged to inform process and extent of retention of the heritage asset on the site, the Marcus Clarke Building. Associated potential heritage impacts will be appropriately assessed within the EIS.

7.2 Matters not Requiring Further Assessment Beyond Industry-Specific SEARs

The following matters are considered to be addressed by Industry-Specific SEARs requirements for in-fill affordable housing, and no site-specific considerations are considered necessary:

- Statutory Context;
- Estimated Development Cost and Employment;
- Design Quality;
- Built Form and Urban Design;
- Environmental Amenity;
- Public Space;
- Trees and Landscaping;
- Ecological Sustainable Development;
- Ground and Water Conditions;
- Water Management;
- Flooding Risk;
- Contamination and Remediation;
- Waste Management;
- Aboriginal Cultural Heritage;
- Environmental Heritage;
- Social Impact;
- Infrastructure Requirements and Utilities;
- Construction, Operation and Staging;
- Contributions and Public Benefit;
- Engagement.

The following matters will not be required to be assessed:

- Bushfire risk – the site is not on bushfire prone land.
- Biodiversity – the site is situated in a CBD location. The SSDA is unlikely to have a significant impact on biodiversity values. As such, the Proponent could seek a Biodiversity Development Assessment Report waiver.

8.0 Conclusion

This Scoping Report has been prepared by Ethos Urban on behalf of Level 33 in support of the proposed mixed use development comprising three residential towers, ranging from 8 to 40 storeys, an 11-storey commercial office building, a part 12-storey part 15-storey, 204 room hotel and ground floor and podium retail on land at 216-222, 226-238 Keira Street, 86 Burelli Street, Lot B Burelli Street, Lot 1 and Lot 2 Burelli Street, 221-261, 269-291 Crown Street, Wollongong. It seeks to inform the DPHI to enable the issuing of industry-specific SEARs to enable the preparation of an EIS that will accompany a SSDA. It has outlined preliminary information regarding project including the site, the proposed development, the relevant strategic and statutory context and planned stakeholder engagement. The scoping of the proposed assessment of impacts within the EIS for the proposal will enable the DPHI with input from other government agencies to prepare and issue industry-specific SEARs for project.