

Environmental Impact Statement

Mixed-use Development and Infill Affordable Housing

Crown Street, Wollongong

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

SSD-76440958



Prepared by Ethos Urban, a Colliers Company.

24 September 2025 | 2240280



'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.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

Contact:		Ben Craig Director, Planning	bccraig@ethosurban.com 0416 917 365
This document has been prepared by:		This document has been reviewed by:	
Ella Yale / Anthony Brogan	22 September 2025	Ben Craig	22 September 2025
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D. Community Engagement Table	<i>Ethos Urban</i>
E. Consolidated Mitigation Measures	<i>Ethos Urban</i>
F. Estimated Development Cost and Employment Report	<i>Archi-QS</i>
G. Design Report	<i>DKO Architects</i>
H. Affordable Housing Provider Letter	<i>Housing Trust</i>
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N. Visual Impact Assessment (including View Loss Analysis)	<i>Urbaine</i>
O. Pedestrian Wind Comfort Report	<i>VIPAC</i>
P. Crime Prevention Through Environmental Design Report	<i>Lote Consulting</i>
Q. Ecologically Sustainable Development Report	<i>Eco Engineering Ground\p</i>
R. BASIX Report and Certificate	<i>Eco Engineering Group</i>
S. NABERS Embodied Emissions Form	<i>NABERS</i>
T. Traffic Impact Assessment	<i>Genesis Traffic</i>
U. Aboriginal Cultural Heritage Assessment Report	<i>Artefact</i>
V. Historical Archaeological Assessment	<i>Austral Archaeology</i>
W. Statement of Heritage Impact	<i>Weir Phillips Heritage</i>
X. Arboricultural Impact Assessment Report	<i>Seasoned Tree Consulting</i>
Y. Biodiversity Development Assessment Report	<i>Narla</i>
Z. Environmental and Geotechnical Conditions Review	<i>EI Australia</i>
AA. Preliminary Site Investigation	<i>Douglas Partners</i>
BB. Flood Desktop Review Report	<i>SGC</i>
CC. Integrated Water Management Report	<i>SGC</i>
DD. Stormwater Concept Design	<i>SGC</i>

Appendix	Author
EE. Public Domain Concept Design	SGC
FF. Operational Waste Management Plan	Elephants Foot Consulting
GG. Construction and Demolition Waste Management Plan	Elephants Foot Consulting
HH. Infrastructure Delivery, Management and Staging Plan	Neuron
II. Noise and Vibration Impact Assessment	Pulse White Noise Acoustics
JJ. BCA Assessment Report	EBS
KK. Access Assessment Report	East Coast Accessibility
LL. Social Impact Assessment	Sarah George Consulting
MM. Clause 4.6 Variation Request (Building Height)	Ethos Urban
NN. Clause 4.6 Variation Request (Building Separation)	Ethos Urban
OO. FSR Calculations	Ethos Urban
PP. Stratum Layout	Masters Surveying
QQ. Easement Plan	Masters Surveying
RR. Draft Plan of Management	Ethos Urban
SS. Fire Engineering Statement	Innova
TT. NatHERS Certificate	Energy Water and Environment

Signed Declaration

Project Details			
Project Name	Mixed use development with infill affordable housing – Crown Street, Wollongong		
Application Number	SSD-76440958		
Land to be Developed	221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong		
Legal Description	Lot 1 in DP 112417	Lot 3 in DP 17979	Lot 2 in DP 319452
	Lot 100 in DP 774957	Lot 2 in DP 17979	Lot 1 in DP 319452
	Lot 9 in DP 551157	Lot 1 in DP 17979	Lot 2 in DP 181570
	Lot 8 in DP 546125	Lot 7 in DP 878243	Lot 1 in DP 1116034
	Lot 1 in DP 88455	Lot 1 in DP 1135333	Lot 1 in DP 82673
	Lot 4 in DP 17979	Lot 1 in DP 226374	Lot 1 in DP 117019
	Lot 5 in DP 17979	Lot 1 in DP 183348	Lot 1 in DP 927806
	Lot B in DP 395330	Lot 2 in DP 226374	Lot 1 in DP 1198873
	Lot 1 in DP 220513	Lot 3 in DP 319452	Lot 1 in DP 1087986
Applicant Details			
Applicant Name	Wollongong Developments No.8 Pty Ltd		
Applicant Address	30A-44 Eva St, Riverwood NSW 2196		
Prepared by			
Name	Ella Yale	Anthony Brogan	
Qualifications	Bachelor of City Planning Honours (University of New South Wales)	Master of Science – Planning and Property Development (University of Ulster) – July 2013	
		Member of the Royal Town Planning Institute – 2016	
		Member of Planning Institute Australia - 2025	
Address	Level 4, 180 George Street, Sydney NSW 2000		
Declaration			
Name	Schandel Fortu		
Qualifications	B Env Plan, B Urb Reg Plan, M Env Mgt, Registered Planner + EIA		
Registration Number	9852		
Organisation Registered With	PIA		
The undersigned declares that this EIS:			
- has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021; - contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS 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 Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement;
 - 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 EIS;
 - contains an accurate summary of the findings of any community engagement; and
 - contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.
-

Signature

A handwritten signature in black ink, appearing to read 'G. O'Brien', is written over a horizontal line.

Date

24 September 2025

Abbreviations

Abbreviation	Meaning
ACHAR	Aboriginal Cultural Heritage Assessment Report
ADG	Apartment Design Guidelines
Applicant	Wollongong Developments No.8 Pty Ltd
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
BOCSAR	Bureau of Crime Statistics and Research
CBD	Central Business District
Council	Wollongong City Council
CPTED	Crime Prevention Through Environmental Design
CMP	Construction Management Plan
CTMP	Construction Traffic Management Plan
DA	Development Application
DPHI	NSW Department of Planning, Housing and Infrastructure
DRP	Design Review Panel
EDC	Estimated Development Cost
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPA	NSW Environmental Protection Authority
EPBC Act	Environmental Protection and Biodiversity Act 1999 Act
ESD	Ecologically Sustainable Development
FDMP	Freight & Delivery Management Plan
FOGO	Food Organics and Garden Organics
FSR	Floor Space Ratio
FTE	Full-time employment
GFA	Gross Floor Area
GTP	Green Travel Plan
Housing SEPP	State Environmental Planning Policy (Housing) 2021
HPC	Housing and Productivity Contribution
HRV	Heavy Rigid Vehicles
LALC	Local Aboriginal Land Council
LGA	Local Government Area

Abbreviation	Meaning
LSPS	Local Strategic Planning Statement
NDIS	National Disability Insurance Scheme
NSW	New South Wales
OSD	On-Site Detention
PCT	Plant Community Types
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
RAP	Registration of Aboriginal Parties
RMS	Roads and Maritime Services
RoW	Rights of Way
SDRP	State Design Review Panel
SEARs	Secretary's Environmental Assessment Requirements
SIA	Social Impact Assessment
SWMP	Soil and Water Management Plan
SSD	State Significant Development
SSDA	State Significant Development Application
Sustainable Buildings SEPP	State Environmental Planning Policy (Sustainable Buildings) 2022
TfNSW	Transport for New South Wales
The site	221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong
Transport and Infrastructure SEPP	State Environmental Planning Policy (Transport and Infrastructure) 2021
VIA	Visual Impact Assessment
Wollongong DCP 2009	Wollongong Development Control Plan 2009
Wollongong LEP 2009	Wollongong Local Environmental Plan 2009

1 Executive Summary

1.1 Overview

This Environmental Impact Statement (EIS) has been prepared on behalf of Wollongong Developments No.8 Pty Ltd (Applicant) in support of a State Significant Development Application (SSDA) identified as SSD-76440958. The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for an infill affordable housing development including proposed shop top housing, a hotel, commercial and retail development on land at 221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong (the site).

Development for the purposes of 'In-fill affordable housing' where the residential component has an Estimated Development Cost (EDC) of more than \$30 million (\$75m in Eastern Harbour City, Central River City or Western Parkland City) is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and is therefore declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed development is for the purposes of shop-top housing, including an affordable housing component, meeting the criteria in Schedule 1 in the Planning Systems SEPP. As such, the development is classified as SSD and will be assessed by the DPHI and determined by the Minister for Planning.

DPHI issued project-specific Secretary's Environmental Assessment Requirements (SEARs) for the proposal on 8 October 2024. This EIS is prepared in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act, and addresses the issues raised in the SEARs. It provides an analysis of the project site, the strategic context (including consistency with the relevant planning guidelines and strategies), the relevant statutory context, as well as anticipated environmental impacts and mitigation measures, as well as the community and stakeholder engagement undertaken to date.

In doing so, this EIS confirms that the proposed development will not give rise to unacceptable environmental impacts and is supportable from a planning perspective. It finds that the proposed development:

- is consistent with the relevant strategic planning framework and guidelines;
- is consistent with the relevant statutory legislation and requirements;
- will not generate unreasonable environmental impacts; and
- is suitable for the site, and in the public interest.

1.1.1 Analysis of Alternatives

During the design process of the proposed development, feasible alternative options for the site were explored (refer to **Section 3.5** and the Urban Design Report at **Appendix G**). This included the following:

- **Do Nothing** – maintain the existing land use on the site.
- **Use of the site for an Alternative Purpose** – develop a commercial precinct on the site.
- **Alternative Design** – develop the site based on the existing consent.

As such, it was determined that the feasible alternative options for the site do not represent the highest and best use nor the best overall outcome when compared against the proposed development, which is detail in the following section.

1.1.2 The Proposal

This SSDA seeks consent for the design, construction and operation of the proposed mixed use shop top housing, hotel and commercial development.

Specifically, this SSDA seeks approval for:

- Demolition of existing structures on the site, retention of heritage facades, tree removal and site excavation for new basement.
- Construction of a new mixed-use development consisting of:
 - Four residential towers, ranging from 16 to 38 storeys and comprising 546 apartments including:
 - Approx. 414 market apartments.
 - Approx. 132 affordable apartments.
 - Residential lobbies and podium.

- Communal open space.
- A 10-storey commercial office building, an 8-storey hotel comprising 166 rooms, and numerous retail tenancies (including a supermarket) consisting of:
 - 10,009 sqm of commercial GFA.
 - 8,793 sqm of hotel GFA.
 - 3,781 sqm of retail GFA.
 - 1,510 sqm of retail supermarket GFA.
- Car, motorcycle and bicycle parking for residents, workers and visitors across two basement levels, mezzanine, lower ground and levels 1 and 2 including:
 - 774 car parking spaces, including:
 - 547 residential spaces (including accessible spaces).
 - 49 residential visitor spaces.
 - 63 commercial/retail/residential visitor spaces.
 - 25 commercial/retail (staff) spaces.
 - 10 hotel (staff only) spaces.
 - 80 retail (supermarket) spaces.
 - Five (5) loading bays.
 - 320 bicycle parking spaces.
 - 47 motorcycle parking spaces.
- New public open space including a new public plaza.
- Associated landscaping and public domain works.

The proposal will be undertaken in accordance with the Architectural Drawings prepared by DKO Architects at **Appendix B**. A rendered image is provided in **Figure 1** below.



Figure 1 Render of the proposed development, from Wollongong Train Station

Source: DKO Architects

1.1.3 Engagement

Engagement activities undertaken prior to submitting the SSDA focussed on the following groups:

- Wollongong City Council (Council);
- Government Agencies, including DPHI and Government Architect NSW (GANSW);
- Illawarra Local Aboriginal Land Council;
- Heritage NSW; and
- Surrounding community, including neighbouring residents and businesses.

The community and stakeholder engagement activities that helped inform the proposed development are discussed in further detail in **Section 6**.

This EIS will be subject to formal public exhibition of the Major Projects NSW Website prior to determination.

1.1.4 Environmental Impacts and Mitigation Measures

This EIS provides an assessment of the environmental impacts of the proposal in accordance with the issued Secretary's Environmental Assessment Requirements (SEARs) (refer to **Appendix A**) and sets out the undertakings made by the Applicant to manage and minimise potential impacts arising from the development. Key potential environmental impacts of the proposal include:

- Public Interest
- Built Form and Urban Design;
- Visual and View Impacts;
- Overshadowing and Solar Impacts;
- Building Heights and Building Separation Distance;
- Traffic, Parking and Access;
- Public Domain and Landscaping;
- Pedestrian Wind Environment;
- Aboriginal Cultural Heritage; and
- Social and Economic Impacts.

The proposed development has been assessed in each of these instances by technical experts across a range of disciplines as guided by the SEARs and industry best practice. These assessments confirm that while there may be potential impacts resulting from the change of the existing site conditions, and the impacts can be appropriately managed and mitigated.

A complete assessment of each issue identified within the issued SEARs is provided in **Section 7**. A consolidation of mitigation measures proposed is provided at **Appendix E**.

1.1.5 Conclusion and Justification

Having regard to environmental, economic, and social considerations, the carrying out of the proposal is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and the Wollongong Local Environmental Plan 2009 (Wollongong LEP 2009);
- The proposed development will not result in significant adverse environmental impacts, with appropriate mitigation measures implemented where necessary to will minimise any potential impacts;
- The proposed development exhibits a high standard of architectural, urban and landscape design, and provides a recognition and high-quality contribution to the built form of Wollongong;
- The proposal will deliver 546 new dwellings, including 132 affordable apartments, and in doing so make a much needed contribution to housing supply in the local area;
- The proposal is anticipated to generate a total of 1,213 construction jobs and 833 ongoing full-time employment (FTE) jobs which will have broader social and economic benefits to the region;
- The proposal creates an improved pedestrian environment to create a safe and welcoming public domain that exhibits Crime Prevention Through Environmental Design (CPTED) principles;
- Traffic and parking impacts associated with the proposed development can be managed in such a way that encourages active transport and alleviates any increased pressure on the local road network;
- The proposal is consistent with the principles of ecological sustainable development as defined by Section 190 of the Environmental Planning and Assessment Regulation 2021; and
- The proposed development is suitable for the site and in the public interest.

2 Introduction

This Environmental Impact Statement (EIS) has been prepared by Ethos Urban on behalf of Wollongong Developments No.8 Pty Ltd (Applicant) in support of a State Significant Development Application (SSDA). The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a mixed-use redevelopment comprising shop top housing, including infill affordable housing, a new hotel and commercial and retail floorspace on land at 221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong (the site).

Development for the purposes of ‘In-fill affordable housing’ where the residential component has an Estimated Development Cost (EDC) of more than \$30 million (\$75m in Eastern Harbour City, Central River City or Western Parkland City) is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and is therefore declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed development is for the purposes of shop-top housing, including an affordable housing component, meeting the criteria in Schedule 1 in the Planning Systems SEPP. As such, the development is classified as SSD and will be assessed by the DPHI and determined by the Minister for Planning.

Infill Affordable Housing Industry Specific Secretary’s Environmental Assessment Requirements (SEARs) were issued on 8 October 2024, following a meeting on 17 September 2024 with Department of Planning, Housing and Infrastructure officers.

This EIS is based on the Architectural Drawings prepared by DKO Architects (see **Appendix B**) and other supporting technical information appended to the report (see **Table of Contents**).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Clause 175 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), and the issued SEARs. A SEARs Compliance Table is provided at **Appendix A** which identifies where the SEARs have been addressed in this EIS. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report. The EIS intends to inform the community and stakeholders about the Proposal, including its social, economic and environmental impacts, mitigation measures and benefits, as well as providing an environmental assessment of the proposal.

2.1 The Applicant

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

2.2 Overview of Proposed Development

This SSDA seeks consent for an infill affordable housing development at 221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong.

Specifically, this SSDA seeks approval for:

- Demolition of existing structures on the site, retention of heritage facades, tree removal and site excavation for new basement.
- Construction of a new mixed-use development consisting of:
 - Four residential towers, ranging from 16 to 38 storeys and comprising 546 apartments including:
 - Approx. 414 market apartments.
 - Approx. 132 affordable apartments.
 - Residential lobbies and podium.
 - Communal open space.

- A 10-storey commercial office building, an 8-storey hotel comprising 166 rooms, and numerous retail tenancies (including a supermarket) consisting of:
 - 10,009 sqm of commercial GFA.
 - 8,793 sqm of hotel GFA.
 - 3,781 sqm of retail GFA.
 - 1,510 sqm of retail supermarket GFA.
- Car, motorcycle and bicycle parking for residents, workers and visitors across two basement levels, mezzanine, lower ground and levels 1 and 2 including:
 - 774 car parking spaces, including:
 - 547 residential spaces (including accessible spaces).
 - 49 residential visitor spaces.
 - 63 commercial/retail/residential visitor spaces.
 - 25 commercial/retail (staff) spaces.
 - 10 hotel (staff only) spaces.
 - 80 retail (supermarket) spaces.
 - Five (5) loading bays.
 - 320 bicycle parking spaces.
 - 47 motorcycle parking spaces.
- New public open space including a new public plaza.
- Associated landscaping and public domain works.

2.3 Objectives of the Development

The proposal seeks to improve the provision of diverse housing options within Wollongong City Centre, enhancing the mixed-use precinct by delivering high quality residential accommodation, whilst concurrently celebrating the site's heritage significance and contributing to Wollongong's visitor economy. The objectives of the proposed development are to:

- Facilitate the renewal of underutilised land in a highly accessible strategic location within the Wollongong City Centre.
- Retain the site's existing heritage significance and incorporate the important heritage character within the redevelopment.
- Provide high quality residential accommodation and a mix of housing choices to meet Wollongong's changing demographics and housing needs.
- Contribute to the surrounding neighbourhood by delivering a high quality, contemporary, activated mixed-use precinct that supports housing, employment, retail and new footfall.
- Significantly enhance the streetscape through improvements to the public realm including partially pedestrianising and activating the site's Burelli Street frontage, delivering an engaging new public plaza in the eastern part of the site with excellent solar access and a separate secondary through-site link connecting Burelli Street to Crown Street.
- Ensure a high level of residential amenity by providing a large quantum of high quality residential communal open space and facilities throughout the development.
- Provide a compatible and complimentary mix of commercial, retail and hotel floorspace on the site, at a scale that will be fully supported by the current and future residents and visitors to the site, and which reinforces the retail primacy of Wollongong Town Centre.
- Integrate ecologically sustainable development (ESD) principles into the proposal's future design to achieve best practice sustainable building principles and improve the site's environmental and social performance.

2.4 Background

An existing development consent approved by Wollongong City Council (Council) on 12 December 2022 (DA-2021/957) applies to the site. The consent was granted for the 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 2**.



Figure 2 Rendered image of the approved development under DA-2021/957

Source: DKO Architects

Since the approval was granted, the site has been acquired by the Proponent who appointed a new design team to review the existing development consent and undertake a fresh approach to the site seeking to refine the approved scheme and identify opportunities to optimise the provision of additional market and affordable housing, maximising the sites highly accessible location in Wollongong. While this consent is still capable of implementation, the proponent has pursued the proposed scheme as it delivers a significantly improved development outcome for the site, including additional housing, more employment floorspace and a much more considered approach to public realm and through site access.

2.5 Secretary's Requirements

In accordance with Section 4.39 of the EP&A Act, the Secretary of DPHI issued requirements for the preparation of the EIS on the 8 October 2024. **Appendix A** provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

3 Strategic Context

This section identifies key strategic matters relevant to the assessment of the proposal, including the site's features, context, strategic context and other development in the surrounding area. This section also provides an analysis of feasible alternatives that were considered in light of the proposal's objectives.

3.1 Site Location and Context

The site is situated at 221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli 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 McCabe Park.

A Site Location and Context Map is provided in **Figure 3** below.

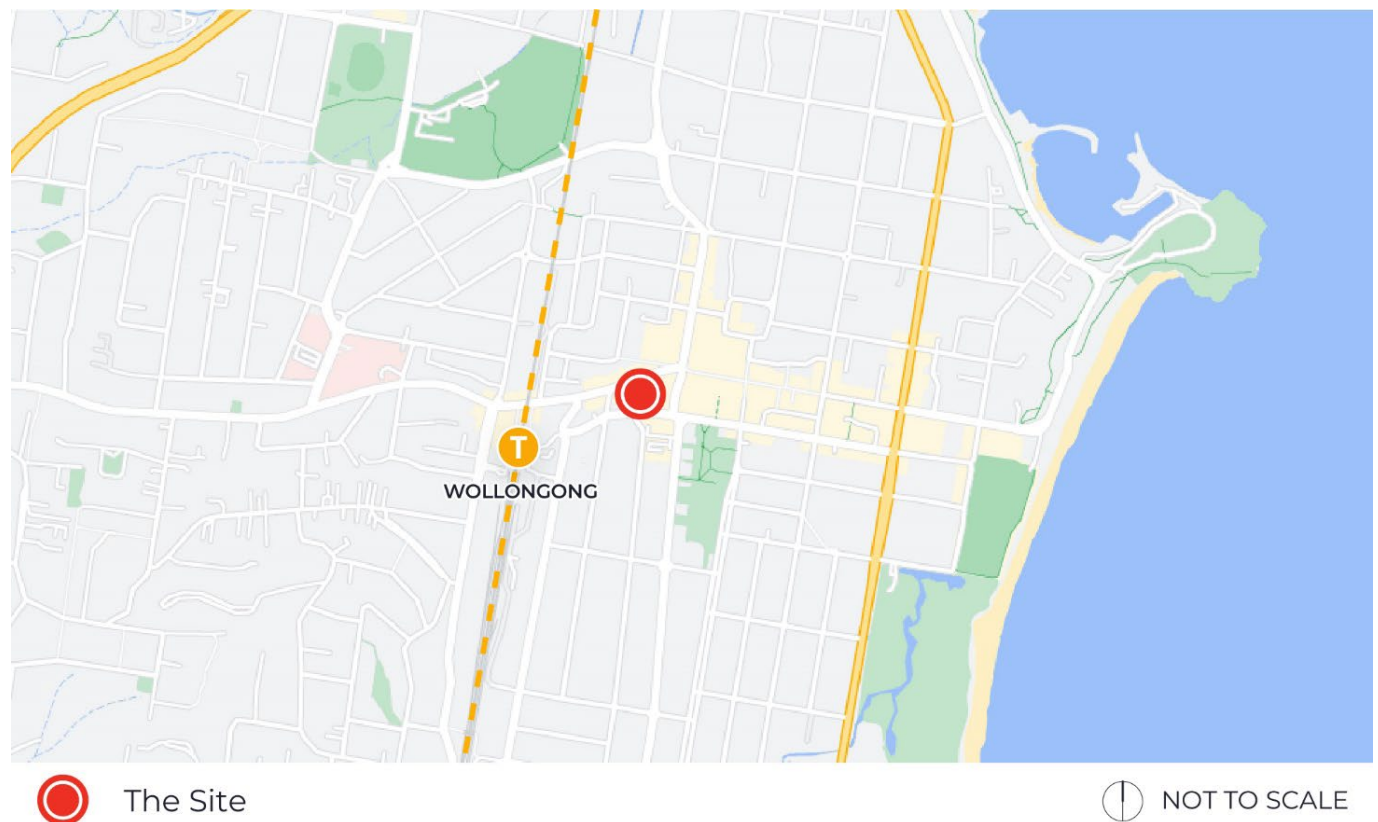


Figure 3 Site location and context

Source: Nearmap, edits by Ethos Urban

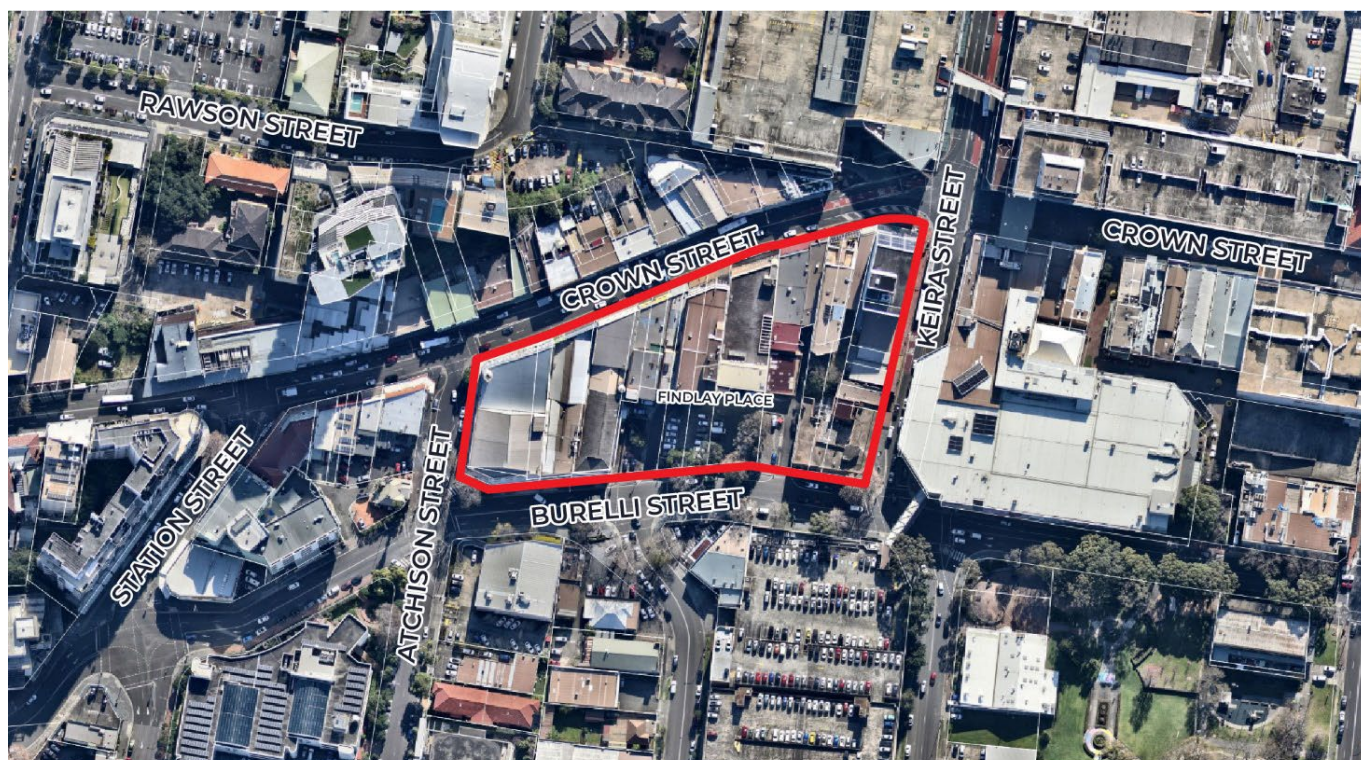
3.2 Key Features of Site and Surrounds

3.2.1 Site Description

The site is legally described in **Table 2** below. The land is wholly owned by Wollongong Developments No.8 Pty Ltd. The site's area is approximately 13,088m² and it is an irregular rectangular shape. A Survey Plan has been prepared by LTS and is provided at **Appendix K**. An aerial of the site is provided in **Figure 4** below.

Table 2 Site Legal Description

Legal Description	Address
Lot 1 in DP 112417	216-222 Keira Street
Lot 100 in DP 774957	226-230 Keira Street
Lot 9 in DP 551157	232-234 Keira Street
Lot 8 in DP 546125	236-238 Keira Street
Lot 1 in DP 88455	86 Burelli Street
Lot 4 in DP 17979	
Lot 5 in DP 17979	
Lot B in DP 395330	90 Burelli Street
Lot 1 in DP 220513	221-229 Crown Street
Lot 3 in DP 17979	231 Crown Street
Lot 2 in DP 17979	233-235 Crown Street
Lot 1 in DP 17979	
Lot 7 in DP 878243	237-241 Crown Street
Lot 1 in DP 1135333	243-251 Crown Street
Lot 1 in DP 226374	253-259 Crown Street
Lot 1 in DP 183348	
Lot 2 in DP 226374	
Lot 3 in DP 319452	261 Crown Street
Lot 2 in DP 319452	269-271 Crown Street
Lot 1 in DP 319452	
Lot 2 in DP 181570	273-279 Crown Street
Lot 1 in DP 1116034	
Lot 1 in DP 82673	281-291 Crown Street
Lot 1 in DP 117019	
Lot 1 in DP 927806	281-291 Burelli Street
Lot 1 in DP 1198873	
Lot 1 in DP 1087986	



 The Site

 NOT TO SCALE

Figure 4 Site aerial

Source: Nearmap, edits by Ethos Urban

3.2.2 Existing Development

The site contains several existing buildings that range in scale and significance. Along the Crown Street frontage of the site there are a mix of uses including, retail, shop top housing, a café and a medical centre with buildings typically extending to two (2) or three (3) storeys. Similarly, along the Kiera Street frontage the range of uses include, retail, shop top housing and a restaurant. On the corner of Crown Street and Kiera Street is an office building extending to six (6) storeys and on the corner of Kiera Street and Burelli Street is the Grand Hotel which extends to three (3) storeys. In the centre of the site, there is a car park with access from the south via Burelli Street.

The western part of the site contains a heritage listed item of local significance, the former Marcus Clark Building which is occupied by Spotlight for retail use. It is noted that the Grand Hotel is not a heritage item.

3.2.3 Surrounding Development

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. The row of shops immediately north of the site on the opposite side of Crown Street are a listed heritage item, Nos. 230-264 Crown Street and the Caldwell's building at 280-282 Crown Street.

East

Directly east of the site is Keira Street with Wollongong Central shopping mall located on the opposite side of Keira Street, a large-scale retail development that includes an elevated pedestrian walkway over Burelli Street to the south.

South

Burelli Street is located directly south of the site with part of Wollongong Central and a multi-storey car park on the opposite side of the road, connected to the main shopping mall. Other retail, leisure and healthcare uses lie to the south including the Illawarra Mental Health Services. McCabe Park is located to the site's southeast and acts

as the main green open space within the town centre. It is located approximately 50m southeast of the existing Grand Hotel on the site.

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 CBD. Images of the site and its surrounds are provided within the Design Report at **Appendix G**.

3.2.4 Topography

The site's topography is varied with its highest point at the corner of Atchison Street and Crown Street in the northwest corner of the site (RL 24.5). It slopes downwards towards the southeast approximately 11m, with the lowest point being on the corner of Keira Street and Burelli Street in the southeast corner of the site (RL 117).

3.2.5 Vegetation

There are 17 trees located within the site, primarily located along Burelli Street and within the central part of the site at Findlay Place. There are also existing trees at the southeast boundary opposite the Grand Hotel and northwest and southwest boundaries.

There are an additional six (6) street trees located along Atchinson and Burelli Streets, all of which are proposed to be retained.

It is noted that removal of 14 trees was approved under the consented scheme (Reference DA-2021/957).

A Tree Location Plan is provided within the Arboricultural Impact Assessment prepared by Seasoned Tree Consulting at **Appendix X**.

3.2.6 Contamination

The previous contamination investigation of the site undertaken as part of the consented scheme which included soil sampling and groundwater level surveys identified three potential sources of contamination on the site which included fill of an unknown quality, hazardous building materials associated with current and former structures on the eastern part of the site and asphaltic concrete pavement materials.

No acid sulfate soil risk has been identified at the site.

A Preliminary Environmental and Geotechnical Conditions Review has been prepared by EI Australia and is provided as part of **Appendix Z**. Contamination is discussed further within **Section 7.11**.

3.2.7 Transport and Access

The site is located in proximity to a number of transport services, comprising options for active transport, public transport and private vehicle transport.

Pedestrian Access

The site and surrounding context are well designed for pedestrian movement around the entirety of the site, with formal pedestrian footpaths and appropriate pedestrian crossings. However, there is currently no through site pedestrian access on the site.

Cycling Access

There are limited cycling amenities at the site as existing, however Burelli Street currently has shared cycling and pedestrian pathways.

Vehicle Access

One of the site's boundaries is to Crown Street (also identified as Princes Highway) is classified as a State Road under Section 47 of the *Roads Act 1993*. Crown Street is an arterial road through the centre of Wollongong providing a direct connection from the M1 to the coastline, via the CBD.

Vehicle access is provided to the site via an ingress point off Burelli Street to Findlay Place, which is a one-way laneway within the site boundary that provides access to the existing onsite parking.

Rail

The site is located approximately 260m northeast of the Wollongong Train Station. The Wollongong train line is serviced by NSW TrainLink South Coastline services travelling between Sydney Central, Bondi Junction and Kiama, as well as local services from Waterfall and Thirroul to Port Kembla. Trains run every 30 minutes between Sydney Central and Wollongong.

Bus

The site is connected to a range of bus services and is located near three bus stops that provide services to Campbelltown, North Wollongong, Figtree, Unanderra, Dapto and Port Kembla.

3.2.8 Heritage

The site contains one locally listed heritage item identified as, 'former Marcus Clark Building' at 281-291 Crown Street (Item 6474). This heritage item located across the western portion of the site is currently occupied by Spotlight for retail use.

A number of heritage listed items are found within the vicinity of the site. Of particular note are the two located immediately north of the site across Crown Street, 'row of shops' at 230-264 Crown Street (6240) and 'Caldwell's building' at 280-282 Crown Street (61100).

Whilst the Grand Hotel located in the southeastern corner of the site is not a listed heritage item, it has been identified as a place of local significance. The Marcus Clark Building and Grand Hotel facades are to be retained as part of the redevelopment.

A map of the heritage listed item on the site and those within the surrounding context is shown in **Figure 5**.

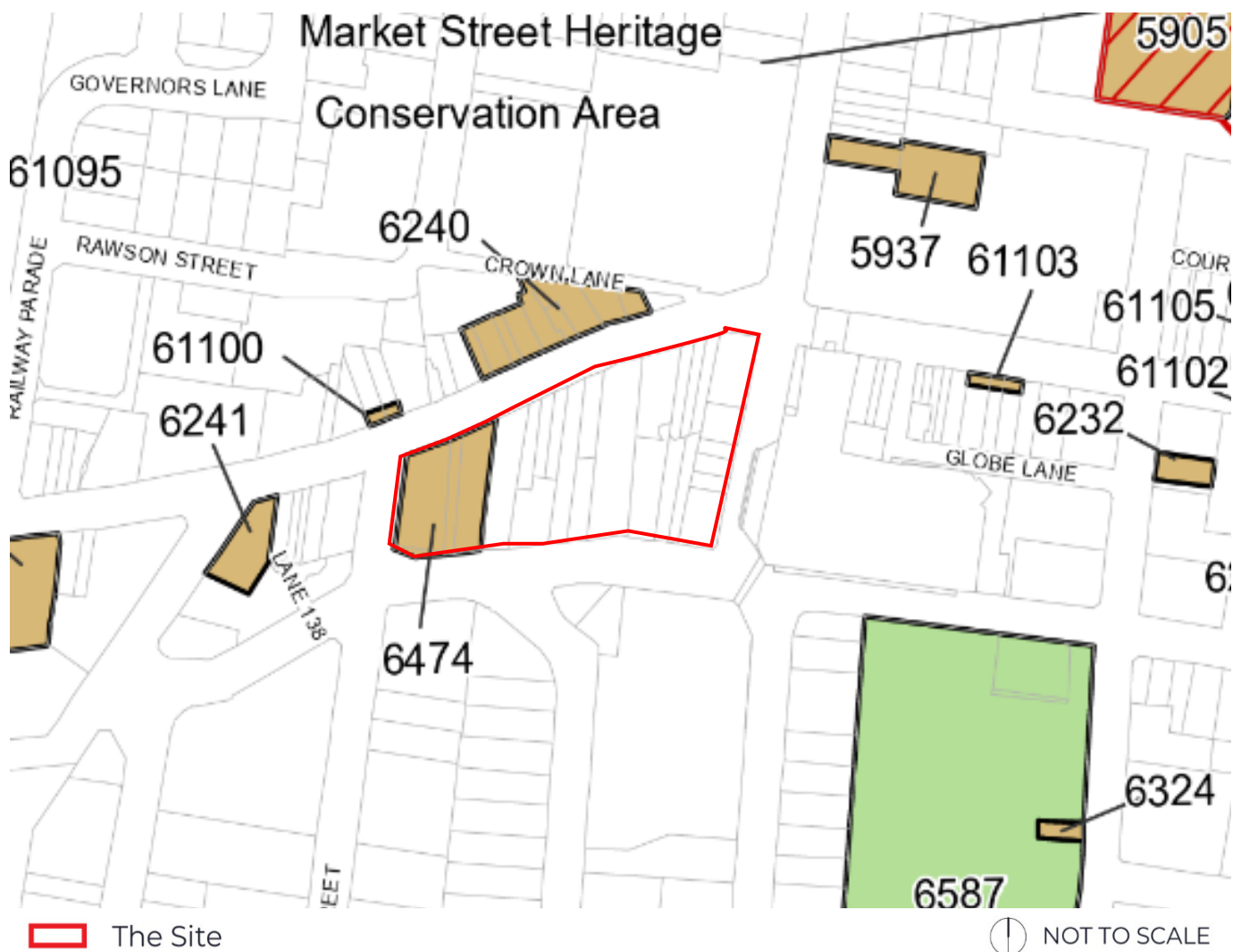


Figure 5 Location of heritage items

Source: Wollongong Local Environmental Plan 2009

3.2.9 Flooding and Drainage

As identified in the Wollongong City Flood Study 2019, the site is subject to potential minor flooding on the northern, eastern and western frontages as shown in **Figure 6**. Flooding, drainage and stormwater considerations for the proposed scheme are discussed in **Section 7.13**.

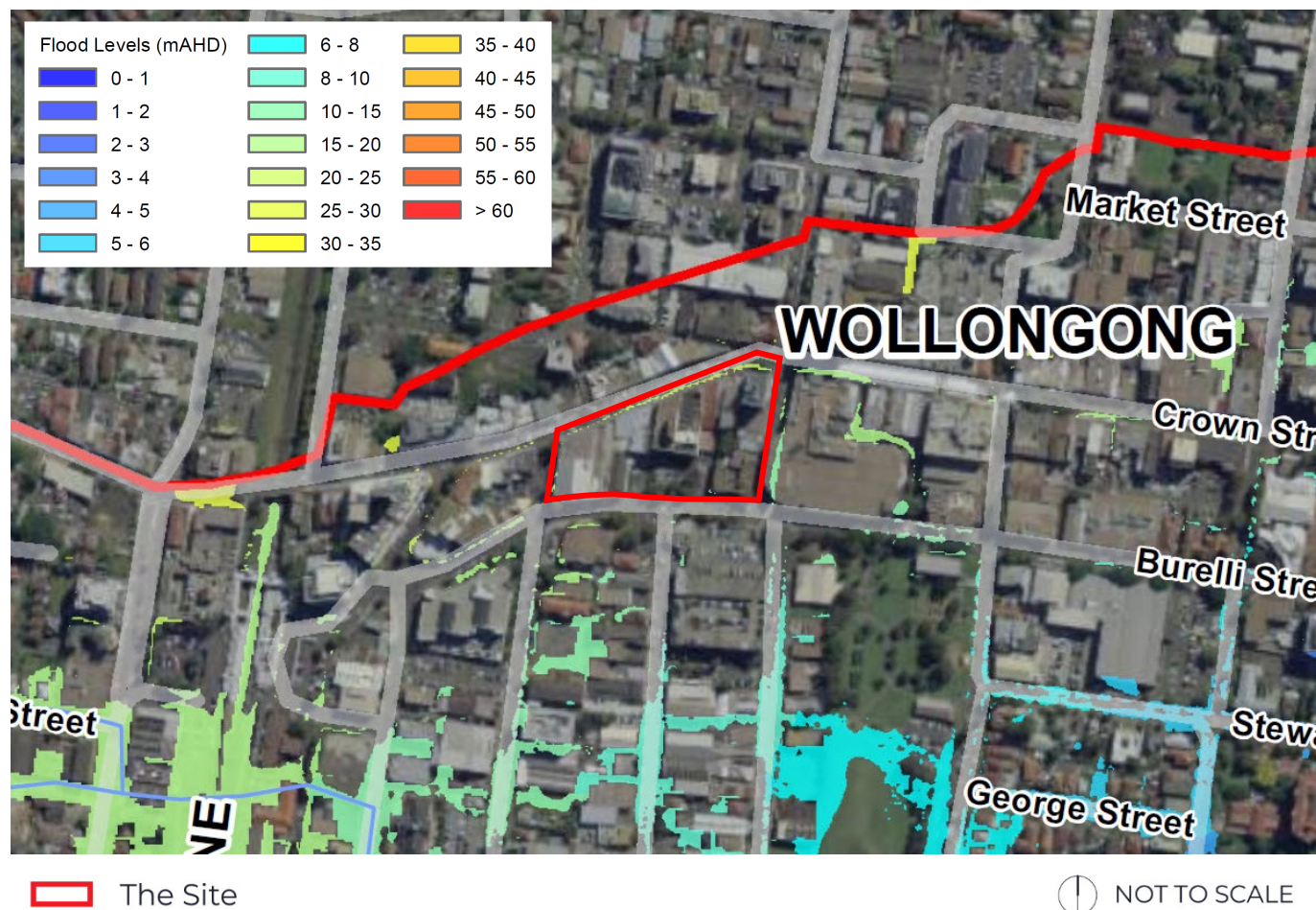


Figure 6 Peak flood level - 1% AEP event

Source: Wollongong City Flood Study 2019

3.2.10 Easements

We understand that there are several existing easements within the site, including:

- An easement / Right of Carriageway known as Findlay Place (DP 603753);
- Various Rights of Way (RoW) connecting to Findlay Place (DP 878243 and DP 17979);
- An easement for electricity purposes/substation (DP 1163904); and
- An easement for RoW between 232-234 Keira Street and 236-238 Keira St (DP 551157 and DP 546125); and
- A cross easements affecting the party walls (DP 17979).

For more detail, refer to the Survey Plan prepared by LTS and provided at **Appendix K**. Additionally, refer to **Section 7.1.10**.

3.3 Strategic Planning Context

The proposal is consistent with the relevant Government plans, policies and guidelines applying to the site as summarised below within **Appendix C**. A summary of the strategic planning context with which the proposal is consistent includes:

- National Housing Accord 2022;
- NSW State and Premier's Priorities;
- NSW Housing Strategy: Housing 2041;

- NSW Housing Targets;
- Future Transport Strategy;
- Illawarra Shoalhaven Region Plan 2041;
- Wollongong Local Strategic Planning Statement 2020;
- Our Wollongong Our Future 2032 Community Strategic Plan;
- Draft Housing and Affordable Housing Options Paper;
- A City for People - Wollongong City Centre & Planning Review;
- Wollongong City Centre Urban Design Framework;
- Better Placed; and
- Connecting with Country Framework.

3.4 Cumulative Impacts

The site is located within the Wollongong Town Centre, which in its context is a highly urbanised area containing higher density development within a growing and evolving mixed use centre. The project is not expected to give rise to any unacceptable environmental impacts that cannot be appropriately managed or mitigated.

The nearby relevant future proposals that have the potential to result in cumulative impacts are identified in **Table 3** below.

Table 3 Surrounding Future Development

Development	Description	Location	Status
DA-2016/1061 28-32 Young Street and 29-31 Belmore Street	Proposed demolition of all structures and construction of an eighteen (18) level mixed use development containing three (3) basement parking levels	Approx. 325m from the site.	Approved – 21/10/2022
DA-2019/1290 16-20 Belmore Street	Demolition of existing structures and the construction of a shop top housing development comprising three (3) commercial tenancies, 100 place childcare centre, 50 residential units with two (2) levels of basement car parking	Approx. 380m from the site.	Approved – 10/03/2022
DA-2022/1278 29-31 Denison Street Wollongong	Demolition of existing buildings, removal of vegetation and construction of a mixed-use development	Approx. 320m from the site.	Approved – 16/01/2024
SSD-67895459 106, 120-122 Smith St and 3A Charlotte St, Wollongong	The proposal seeks approval for; mixed use development comprising four buildings; 145 apartments over eight residential storeys; three retail/commercial tenancies; communal open space; two levels parking; landscaping and public domain works.	Approx. 515m from the site.	Approved – 04/04/2025

An assessment of the cumulative impacts associated with these proposals are considered under the relevant issue in **Section 7**.

3.5 Analysis of Alternatives

Alternative options have been considered by the Applicant in response to the strategic need and objectives for the development of the site. This includes not undertaking any works on the site ('do nothing'), proceeding with a different use on the site, and proceeding with the proposed redevelopment for the purposes of a mixed-use development, including affordable housing.

3.5.1 Do Nothing

The existing site is predominately occupied by low-rise shop top housing, with an office building in the northeast corner and a car park in the southern portion of the site. The site is in close proximity to the Wollongong Train Station and is located within the Wollongong City Centre, with access to employment opportunities, retail

precincts, recreation areas and other services. Moreover, the site is largely unconstrained from environmental matters such as bushfire, biodiversity, flooding and is well-positioned to extend active uses along its southern boundary. The site has also been amalgamated into single ownership under the proponent and represents a significant opportunity to make a meaningful development of a large precinct within the City Centre. Given these features, the site presents an opportunity to contribute to the growth of Wollongong.

Doing nothing would result in ongoing underperformance and depreciation in value, and would result in a missed opportunity to help deliver a vibrant mixed-use centre with new housing and supporting employment uses within the Wollongong City Centre, which is a key objective of the Local and State government strategic policies. Doing nothing is therefore not appropriate considering the current and future context of the site.

3.5.2 Use of the Site for an Alternative Purpose

The site is zoned E2 Commercial Centre, and commercial premises are permissible. A development option for the purpose of solely commercial premises was not considered viable as part of the highest and best use analysis undertaken prior to commencing the design development. This analysis determined that commercial development is economically unfeasible due to weak commercial tenancy demand. There is greater capacity for residential development, citing the broader strategic emphasis on increasing housing supply in key locations, and increasing affordable housing supply to capitalise from the site's proximity to a range of transport options including the Wollongong Train Station.

3.5.3 Alternative Designs

An existing consent approved on 12 December 2022 (DA-2021/957) applies to the site. The approved design comprises three residential towers (shop top housing), a commercial building, retail shops, entertainment facilities (cinema, exhibition/performance space) and a wellness centre (pool, gym and health services).

This scheme was not considered appropriate by the proponent for a number of reasons including:

- It would not provide any affordable housing and did not optimise the provision of market housing, a key strategic planning objective in NSW.
- The consented ground floor plan did not optimise the opportunity to enhance pedestrian permeability and space.
- The overall quantum, layout and mix of retail and leisure uses was sub-optimal and was not supported by the market.

The proponent therefore appointed the design team to undertake a fresh approach to refine and improve upon the consented scheme.

A modification application to this consent was considered as an option however, the extent of the proposed development changes sought as part of a refined scheme exceeded the scope of a modification application.

3.5.4 The Proposed Development

The above alternatives are not considered appropriate to optimise the development potential on the site. Therefore, the approved approach detailed in **Section 3.5.3** has been refined. The proposed development design process involved identification of opportunities for additional market and affordable housing utilising the infill affordable bonus. The proposed development has sought to deliver additional public benefits and upon completion will:

- a. provide ground floor street activation on all sides of the towers,
- b. promote active transportation,
- c. deliver approximately 546 apartments, including 132 affordable apartments,
- d. enhance tourist and visitor accommodation with a new 166 room hotel,
- e. deliver 4,060m² of new public open space including a new plaza, and
- f. provide a significant quantum of new commercial/retail floor space including a new commercial building, a new supermarket and multiple smaller retail occupancies to serve local occupiers.

The proposed development will maximise the sites highly accessible location in Wollongong as well as its potential to provide a large amount of diverse housing types, commercial and retail premises which will enhance residential amenity and improve visitor economy aligning with Council's objectives.

4 Project Description

4.1 Project Overview

The Applicant will seek development consent under 'Division 4.7 – Stage Significant Development' of the EP&A Act for an infill affordable housing development at 221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong.

Specifically, this SSDA seeks approval for:

- Demolition of existing structures on the site, retention of heritage facades, tree removal and site excavation for new basement.
- Construction of a new mixed-use development consisting of:
 - Four residential towers, ranging from 16 to 38 storeys and comprising 546 apartments including:
 - Approx. 414 market apartments.
 - Approx. 132 affordable apartments.
 - Residential lobbies and podium.
 - Communal open space.
 - A 10-storey commercial office building, an 8-storey hotel comprising 166 rooms, and numerous retail tenancies (including a supermarket) consisting of:
 - 10,009 sqm of commercial GFA.
 - 8,793 sqm of hotel GFA.
 - 3,781 sqm of retail GFA.
 - 1,510 sqm of retail supermarket GFA.
- Car, motorcycle and bicycle parking for residents, workers and visitors across two basement levels, mezzanine, lower ground and levels 1 and 2 including:
 - 774 car parking spaces, including:
 - 547 residential spaces (including accessible spaces).
 - 49 residential visitor spaces.
 - 63 commercial/retail/residential visitor spaces.
 - 25 commercial/retail (staff) spaces.
 - 10 hotel (staff only) spaces.
 - 80 retail (supermarket) spaces.
 - Five (5) loading bays.
 - 320 bicycle parking spaces.
 - 47 motorcycle parking spaces.
- New public open space including a new public plaza.
- Associated landscaping and public domain works.

The proposed development is discussed further in the following subsections and detailed in the Architectural Drawings and the Design Report prepared by DKO Architects at **Appendix B** and **Appendix G**, respectively as well as the Landscape Plan prepared by Land and Form at **Appendix I**.

Photomontages of the proposed development are provided in **Figure 7**, **Figure 8** and **Figure 9** below.



Figure 7 Render of the proposed development, from the corner of Crown and Atchison Street

Source: DKO Architects



Figure 8 Render of the proposed development, from corner of Crown Street and Keira Street

Source: DKO Architects



Figure 9 Render of the proposed new public plaza

Source: DKO Architects

4.3 Key Project Information

The key project details regard the proposal are outlined in **Table 4** below.

Table 4 Key Project Details

Component	Description		
Proposed Land Uses	Residential (shop-top housing), retail, commercial and hotel uses		
Legal Description	Lot 1 in DP 112417	Lot 3 in DP 17979	Lot 2 in DP 319452
	Lot 100 in DP 774957	Lot 2 in DP 17979	Lot 1 in DP 319452
	Lot 9 in DP 551157	Lot 1 in DP 17979	Lot 2 in DP 181570
	Lot 8 in DP 546125	Lot 7 in DP 878243	Lot 1 in DP 1116034
	Lot 1 in DP 88455	Lot 1 in DP 1135333	Lot 1 in DP 82673
	Lot 4 in DP 17979	Lot 1 in DP 226374	Lot 1 in DP 117019
	Lot 5 in DP 17979	Lot 1 in DP 183348	Lot 1 in DP 927806
	Lot B in DP 395330	Lot 2 in DP 226374	Lot 1 in DP 1198873
	Lot 1 in DP 220513	Lot 3 in DP 319452	Lot 1 in DP 1087986
Site Area	13,088m ²		
Gross Floor Area	- Residential: 52,796m² - Non-residential GFA: 24,093 m² - Commercial: 10,009m² - Retail: 3,781m² - Retail Supermarket: 1,510 m² - Hotel: 8,793m² Total: 76,889m²		
Floor Space Ratio	5.87:1		
Building Height	- Building 01: 129.6m (RL 147.4) (38 storeys) - Building 2.1: 57.7m (RL 81.7) (16 storeys) - Building 2.2: 86.5m (RL 102.9) (24 storeys) - Building 2.3: 67.5m (RL 81.5) (17 storeys) - Building 03: 54.65m (RL 77.3) (16 storeys) - Commercial: 51.9m (RL 70.1) (10 storeys) - Hotel: 39.1m (RL 54.3) (8 storeys) <i>*building heights in metres are measured vertically from the lowest point of the ground floor level to the highest point of the building</i>		
Boundary Setbacks	<u>Ground Floor</u>	<u>Above Podium Level</u>	
	Building 1: - Partial 6m setback to Burelli Street 0m setback to all other boundaries Building 2.1, 2.2 and 2.3: 6m setback to Burelli Street 3m setback to Crown Street Building 3: 3m - 10.4m at Crown Street Commercial: 10.4m - 11.9m setback to Crown Street Hotel: 0m setback and partial 9.9m and 9.4m setback to Burelli Street	Building 1: 10.7m - 20.6m setback to Crown Street 3m setback to Atchison Street 0.9m - 3.7m setback to Burelli Street Building 2.1: 8.5m setback to Crown Street Building 2.2: 6.6m setback to Burelli Street Building 2.3: 6m setback to Burelli Street Building 3: 3.1m - 10.3m setback to Crown Street Commercial: 10.4m - 11.9m setback to Crown Street Hotel:	

Component	Description	
	2.3m setback to Keira Street 1m - 2.1m setback to Burelli Street	
Building Separation	11.5m between Building 01 and Building 2.1 7.5m between Building 2.1 and Building 2.2 17.2m between Building 2.1 and Building 2.3 14.4m between Building 2.3 and Building 03 22m between Building 03 to Commercial Building 2.5m between Commercial Building and Hotel 22.2m between Hotel and Building 2.3	
Apartments	<u>Market Housing</u> 1 Bedroom: 106 2 Bedroom: 218 3 Bedroom: 87 4 Bedroom: 3 Total: 414 units	<u>Affordable Housing</u> 1 Bedroom: 57 2 Bedroom: 72 3 Bedroom: 3 Total: 132 units
Hotel Rooms	166	
Vehicle Access	Two (2) vehicular access points are located at Burelli Street providing separate access for cars and trucks/service vehicles. The proposal will retain the approved car park access via integration with the existing signal intersection of Burelli Street, Kenny Street and Findlay Place. A separate service vehicle access will be provided further east on Burelli Street.	
Car Spaces	- Residential: 547 spaces (incl. accessible spaces) - Residential Visitors: 49 spaces - Commercial/Retail/Residential Visitor: 63 spaces - Commercial/Retail (staff): 25 spaces - Hotel (staff only): 10 spaces - Retail (supermarket): 80 spaces Total: 774 Spaces	
Motorcycle Spaces	47 spaces	
Bicycle Spaces	- Resident Spaces: 182 - Resident Visitor Spaces: 46 - Retail Staff Spaces: 69 - Retail Visitor Spaces: 19 - Retail (Supermarket) Employee Spaces: 2 - Retail (Supermarket) Visitor Spaces: 2 Total: 320 Spaces	
Communal Open Space	4,601m ² (35%)	
Landscaped Area	- Ground Floor: 951.18m² - Rooftops Coverage: 1,765.67m² Total: 2,716.85m² (20.7% of overall site area)	
Deep Soil Area	971m ² (7.4%)	
Trees	23 existing trees 17 trees to be removed (<i>note the consented scheme granted the removal of 14</i>) - Six (6) trees to be retained 208 new trees to be planted	
Construction Hours	- Monday to Friday: 7:00am to 6:00pm - Saturdays: 7:00am to 5:00pm	

Component	Description
	No work on Sunday and Public Holidays
Operational Hours	Commercial / Retail and Hotel: Subject to separate future approvals at fit
Construction Jobs	Estimated 1,213 jobs
Operational Jobs	- Post Construction: Estimated 107 FTE jobs - Commercial: 667 FTE jobs (<i>*based on 1 per 15m²</i>) - Retail: 108 FTE jobs (<i>*based on 1 per 35m²</i>) - Retail Supermarket: 23 FTE jobs (<i>*based on 1 per 67m²</i>) - Hotel: 40 FTE jobs Total: Estimated 945 FTE jobs <i>* NSW CPA - 2023 Guidance used for estimated employment</i>
Demolition and Earthworks	The proposal will involve the demolition of existing structures on the site, retention of heritage facades, tree removal and site excavation for new basement. An estimated 101,585.8m ³ of excavated material is anticipated from the proposed excavation works.
Signage	No signage is proposed. Subject to future approvals.
Infrastructure and Servicing	The following utilities will service the site: - Electricity - Telecommunication - Gas - Water - Sewerage
Staging	The development would be developed in two stages: - Stage 1: All proposed works, including demolition and site preparation works (excluding existing Spotlight building works) - Stage 2: Existing Spotlight building works
Estimated Development Cost	\$275,530,628 (excluding GST). Refer to the Estimated Development Cost (EDC) Report prepared by Archi-QS at Appendix F .

4.4 Design Principles

The following design principles and urban approaches have been adopted to ensure the overall vision and objectives for the site are achieved:

- Separate Podium and Tower Character:** Ensuring a deliberate break between the podium and the tower has been introduced to reinforce the podium's architectural character while improving visual articulation and enhancing residential amenity at the street level.
- Distinct Ground Floor Identities:** Align the key frontages on Crown Street and Burelli Street, improve the transition from the site to these frontages and resolve the level changes to each site frontage. Complement Wollongong's rich network of laneways with a new connection from Burelli to Crown Street and a new public plaza in the eastern part of the site.
- Connecting to Country:** Connecting with Country principles are at the core of the design through utilising a material palette that reflects Country and Place, explore the connection between mountain and ocean through materiality and outlook and incorporating climate responsive facades.
- Permeability:** Improve on existing site permeability in line with active frontages with consideration to universal access and enhance pedestrian movement through and around the site.
- Heritage:** Retain both the Marcus Clark historic façade and the Grand Hotel façade and incorporate both important historic features into the built form architecture.
- Retail:** Deliver a high-quality active retail frontage that reinforces the role of Crown Street.
- Solar amenity:** Maximise the solar amenity to private and public spaces within the development. The avoidance of creating additional overshadowing impacts to McCabe Park has also informed the design.
- Outlook:** Maximise the panoramic views of Mount Keira and the coastline.

4.5 Connecting with Country

A Connecting with Country Report has been prepared by Artefact, in consultation with local Aboriginal stakeholders and is provided at **Appendix L**. Design principles, informed by cultural values, have formed the basis of design discussions and concept stages and will continue to inform design development, these include:

- **Acknowledge Country:** Provide acknowledgement, interpretation and resources about the Dharawal and Wodi Wodi people.
- **Native Planting:** Use native flora in the majority of the landscape design, to support site users and local communities to reconnect with Country.
- **Connect with Country:** Create spaces and opportunities which are calm, tranquil, and offer contact with sky, land, water and fire. Offer spaces which benefit health and wellbeing for Aboriginal and non-Aboriginal people and consider outdoor play spaces for children.
- **Consider Maintenance:** Maintain plants and landscapes to ensure Country is cared for and protect expressions of Aboriginal culture like artworks to ensure they are not disrespected by vandalism.
- **Celebrate Culture:** Celebrate Dharawal culture, through commitment to long term consultation, facilitation of traditional Aboriginal ceremonies and the use of art, language and interpretation.

4.6 Site Preparation Works

Site preparation works are proposed in order to facilitate the proposed built form. This includes demolition, tree removal and earthworks as described below.

4.6.1 Demolition and Tree Removal

Demolition works are proposed to be carried out to facilitate the construction of a new infill affordable housing development. The proposed demolition works are shown in **Figure 10** and illustrated on the Architectural Drawings provided at **Appendix B**.

Demolition sought for approval in association with the proposed development consists of the following:

- Demolition of the existing structures on the site; and
- Removal of 17 existing trees of low significance (noting the consented scheme permitted the removal of 14 trees).

It is proposed to retain the façade of both the Marcus Clark Building along the site's western boundary and the Grand Hotel façade at the southeast corner of the site as shown in **Figure 10**. This will support the maintenance of heritage significance and character on the site.

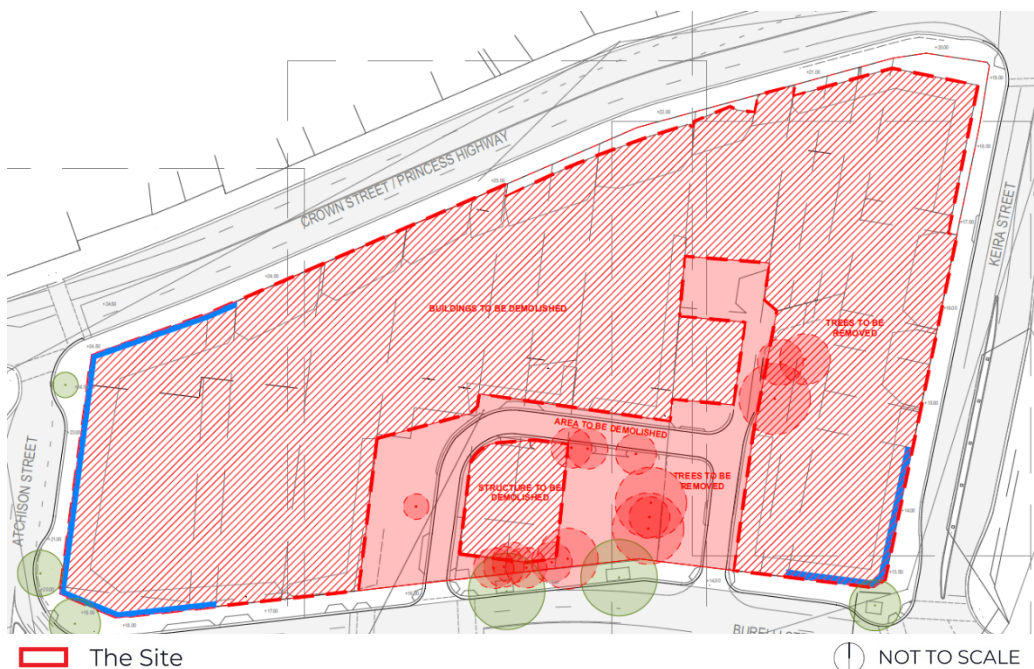


Figure 10 Proposed demolition and tree removal plan

Source: DKO Architects

4.6.2 Remediation

The previous contamination investigation of the site undertaken as part of the consented scheme is provided at **Appendix AA**. It identified three potential sources of contamination on the site which included fill of an unknown quality, hazardous building materials associated with current and former structures on the eastern part of the site and asphaltic concrete pavement materials. The previous site investigation and the Environmental and Geotechnical Conditions Review at **Appendix AA** and **Appendix Z**, respectively are both preliminary in nature, with limited boreholes and analysis from accessible areas across the site. Based on those preliminary reports, there were no significant contamination or geotechnical issues identified that would preclude the proposed development from proceeding.

Owing to the existing building impeding access to all parts of the site, further testing will be undertaken following demolition and prior to construction to determine the extent of any contamination and the requirement for remediation.

4.6.3 Earthworks

Earthworks and excavation are sought as part of this application with an estimated 101,585.8m³ of excavated material anticipated from the proposed basement excavation works. An Environmental and Geotechnical Conditions Review has been prepared by EI Australia and is provided at **Appendix Z**. Excavation is proposed on the site for new basement and further detailed investigation for the design of temporary and permanent support structures and assessment of groundwater level and potential in-flows will be required as planning and detail design of the development progresses.

4.7 Site Servicing and Utilities

4.7.1 Utility Infrastructure

An Infrastructure Delivery, Management and Staging Plan has been prepared by Neuron and is provided at **Appendix HH** to assess the capacity for the site to be serviced. All relevant utility and service providers and authorities have confirmed that the site can be serviced subject to some infrastructure upgrades. Utilities connections are detailed below:

- **Electricity:** The final substation arrangement will be finalised through the application process, however it is likely that Stage 1 will require two new chamber substations and Stage 2 will require two mini-chamber substations to service the proposed development.
- **Telecommunications:** The site is well serviced by NBN and Telstra pits situated along the boundary of the site, a new fibre connection is proposed off Crown Street to better connect the site and feed from this frontage. Note that a number of telecommunications infrastructures will need to be removed prior to excavation.
- **Gas:** There is currently no gas-related infrastructure running through the site, therefore if required, the proposed development will connect to the existing adjacent gas main off Burelli Street to service the site.
- **Water:** There is currently no water-related infrastructure running through the site, therefore the proposed development will connect to the existing adjacent water main, which it anticipated to service the site.
- **Sewerage:** The proposed development will require sewer mains to be extended into the site boundary in coordination with Sydney Water.

4.7.2 Stormwater Management

An Integrated Water Management Report has been prepared by SGC and is provided at **Appendix CC**, including the stormwater design for the proposed development. With reference to the Wollongong DCP 2009 the development will not require On-Site Detention (OSD) as the proposed development will not increase the storm peak flows in a storm up to and including the 100-year ARI events.

The existing site has stormwater infrastructure along Burelli Street and Keira Street which are in the lowest regions of the site and where all stormwater is currently conveyed. This discharge point will be retained as part of the development. In addition, rainwater tanks and overflows from the tank to be constructed at correct levels for Building 01, Building 2.3 and the Hotel and a storm filter chamber including cartridges is to be installed.

Water runoff from roof areas will be collected and drained to rainwater tanks and any overflow is to be collected and drained to storm filter chamber tanks. The runoff from the buildings and the open areas will be directed to the On-Site retentions or storm filter tanks systems. It will then be subject to water quality treatment measures prior to discharging into the receiving pits. The subsoil discharge and any runoff from the basement car park ramps

will be collected in pump out pits inside the basement, prior to being pumped into the water quality systems. The design of pump out systems will be in accordance with Council's guidelines. This has been further expanded on in **Section 7.14** and **Appendix CC**.

4.8 Layout and Built Form

4.8.1 Built Form

The proposed site plan is provided at **Figure 11** and the proposed massing is provided at **Figure 12** illustrating the proposed layout of buildings across the site.



Figure 11 Proposed site plan

Source: DKO Architects

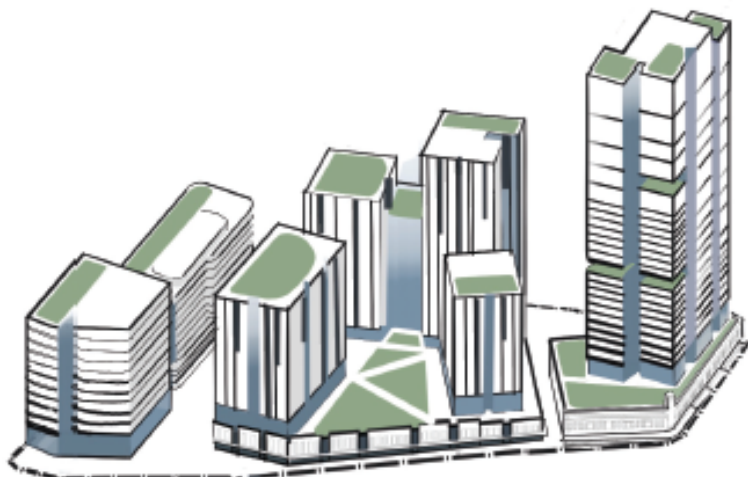


Figure 12 Proposed massing diagram

Source: DKO Architects

4.8.1.1 Building 01

Building 01 is located within the western portion of the site with a primary street frontage to Crown Street and Atchison Street. It is a 38-storey building with a proposed maximum building height of 129.6m (RL 147.4). The building will retain the heritage listed frontage of the existing Marcus Clark Building.

The building will accommodate parking at basement 1 and 2, mezzanine and lower ground. Commercial premises and a residential entry lobby are proposed at ground floor with retail units on Level 1 alongside a second residential lobby. Commercial premises is also provided at Level 3 with a podium at Level 4 providing communal and external amenity spaces for the residential tower. **Figure 13** and **Figure 14** below provide excerpts of the ground floor plan and a typical residential floor plan.



Figure 13 Ground Level floor plan Building 01

Source: DKO Architects



Figure 14 Level 5 floor plan Building 01

Source: DKO Architects

4.8.1.2 Building 2.1

Building 2.1 is located within the central portion of the site with a primary street frontage to Crown Street. It is a 16-storey building with a two (2) storey street frontage to Crown Street. The proposed maximum building height extends to 57.7m (RL 81.7).

The building will accommodate retail premises and residential entry lobby on Level 1. Level 3 is a shared residential podium which will serve buildings 2.1, 2.2, 2.3 and Building 3. Residential accommodation is provided within Building 2.1 from Level 1 upwards.

4.8.1.3 Building 2.2, Building 2.3 and Building 03

Building 2.2 is located within the southern central portion of the site with a primary street frontage to Burelli Street. Building 2.2 is a 24-storey building with a proposed maximum building height of 86.5m (RL 102.9). Building 2.2 will accommodate commercial premises and a residential entry lobby at Ground Floor with car parking and lobby.

Building 2.3 is also located within the southern central portion of the site with a primary street frontage to Burelli Street. Building 2.3 is a 17-storey building with a proposed maximum building height of 67.5m (RL 81.5). Building 2.3 will accommodate a residential lobby at Basement 1 (Burelli Street) and retail premises and a residential entry lobby at Lower Ground level (fronting the public plaza). A supermarket is also provided at Lower Ground Level (accessed from the plaza) which spans the central portion of the site. Residential accommodation is provided from the Ground Floor upwards for Building 2.3.

Building 03 is located in the northern central portion of the site with a primary street frontage to Crown Street. It is a 16-storey building with a proposed maximum building height of 54.65m (RL 77.3). Building 03 will accommodate retail premises and a residential lobby on the lower ground floor and the ground floor. Residential accommodation is provided within Building 3 from Level 2 upwards.

Buildings 2, 2, 2, 3 and Building 03 all share common basement space (alongside the rest of the development) including parking from Basement 1, 2, mezzanine, lower ground, ground, Level 1 and Level 2. Level 3 is a shared residential podium serving all buildings.

4.8.1.4 Commercial Building

The Commercial Building is located in the northeast corner of the site with a primary street frontage to Keira Street and Crown Street, however a 15m setback is utilised to provide a generous entryway to the site. It is a 13-storey building with a proposed maximum building height of 51.9m (RL 70.1).

4.8.1.5 Hotel

The Hotel is located in the southeast corner of the site with a primary street frontage to Burelli Street backing onto Keira Street. It is a 10-storey building with a proposed maximum building height of 39.1m (RL 54.3). The façade of Grand Hotel is to be retained for the lower levels of the hotel building to ensure its significance is not impacted. At Basement 1, the hotel lobby entrance fronts Burelli Street with Food and Beverage retail located behind the lobby. At Lower Ground, a secondary hotel lobby and conference space is located alongside retail floorspace facing the new public plaza. A gym and hotel rooms are provided from Level 1 with hotel amenity space and external pools provided at Level 9.

Indicative plans from the Design Report showing Mezzanine Level to Level 4 are provided in **Figure 15** to **Figure 21** below to illustrate the interplay between the proposed buildings as described above. Please refer to the Architectural Drawings at **Appendix B** for detailed layouts for each level and building.

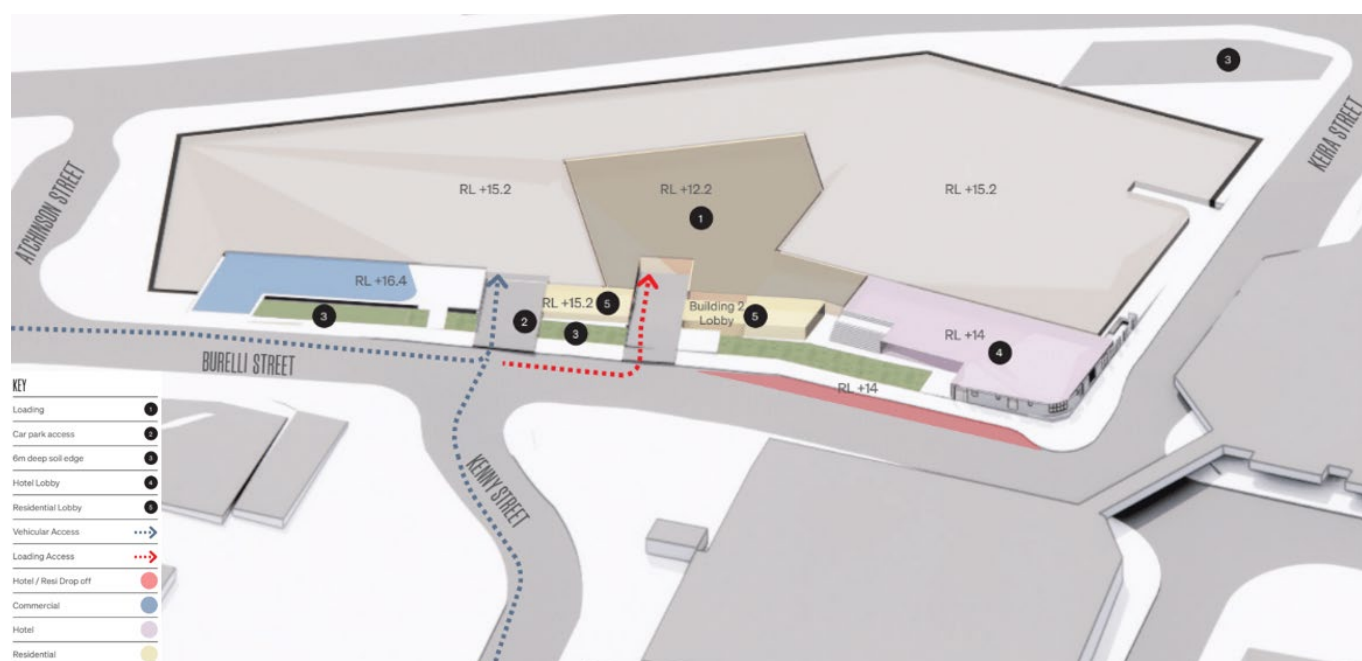


Figure 15 Proposed Mezzanine Level plan

Source: DKO Architects

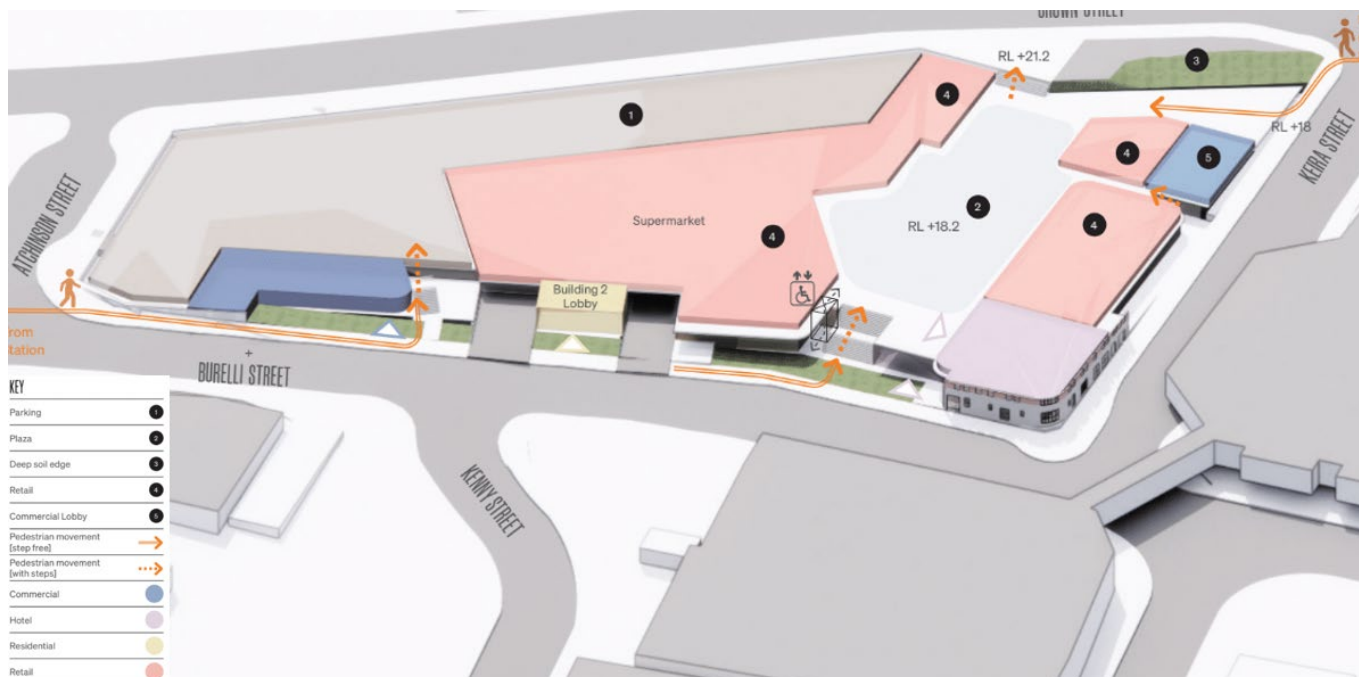


Figure 16 Proposed Lower Ground plan

Source: DKO Architects

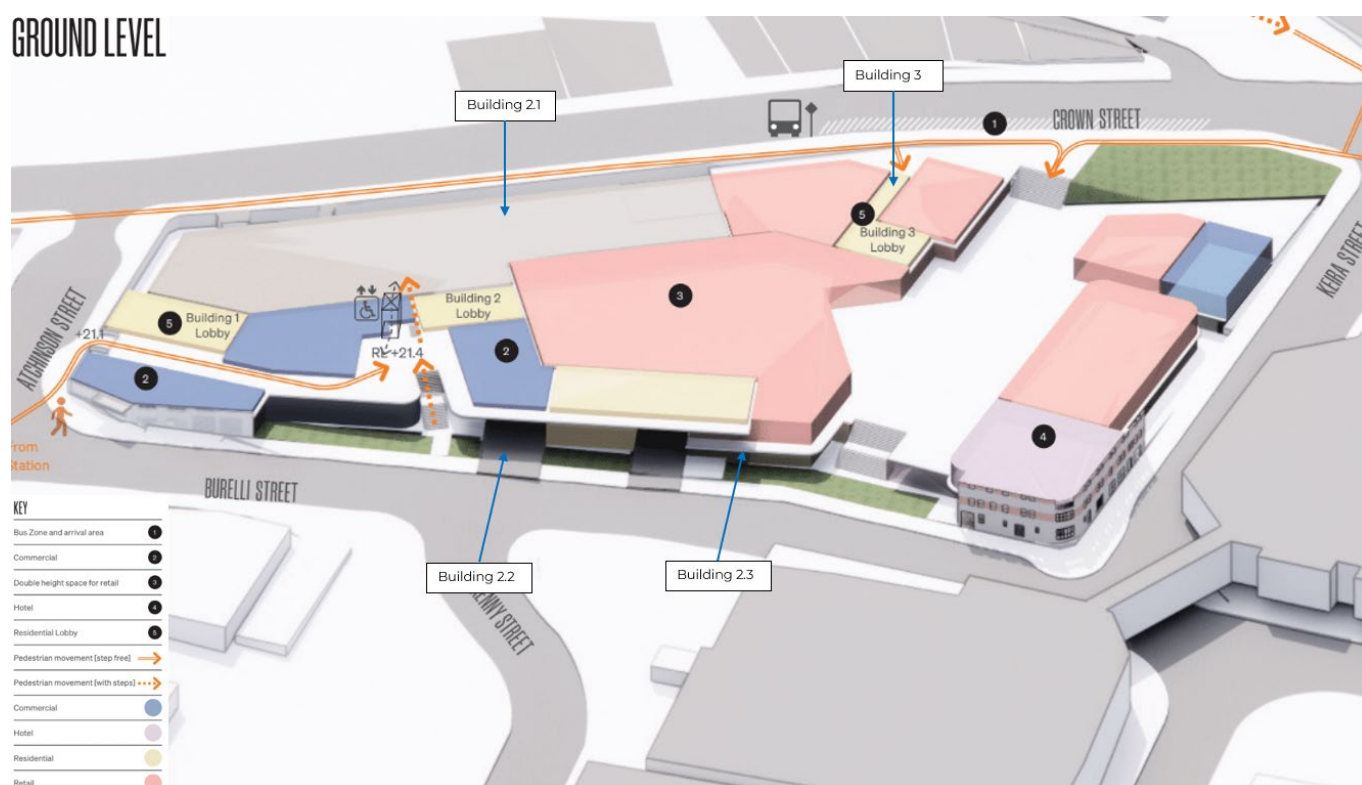


Figure 17 Proposed Ground Level plan

Source: DKO Architects

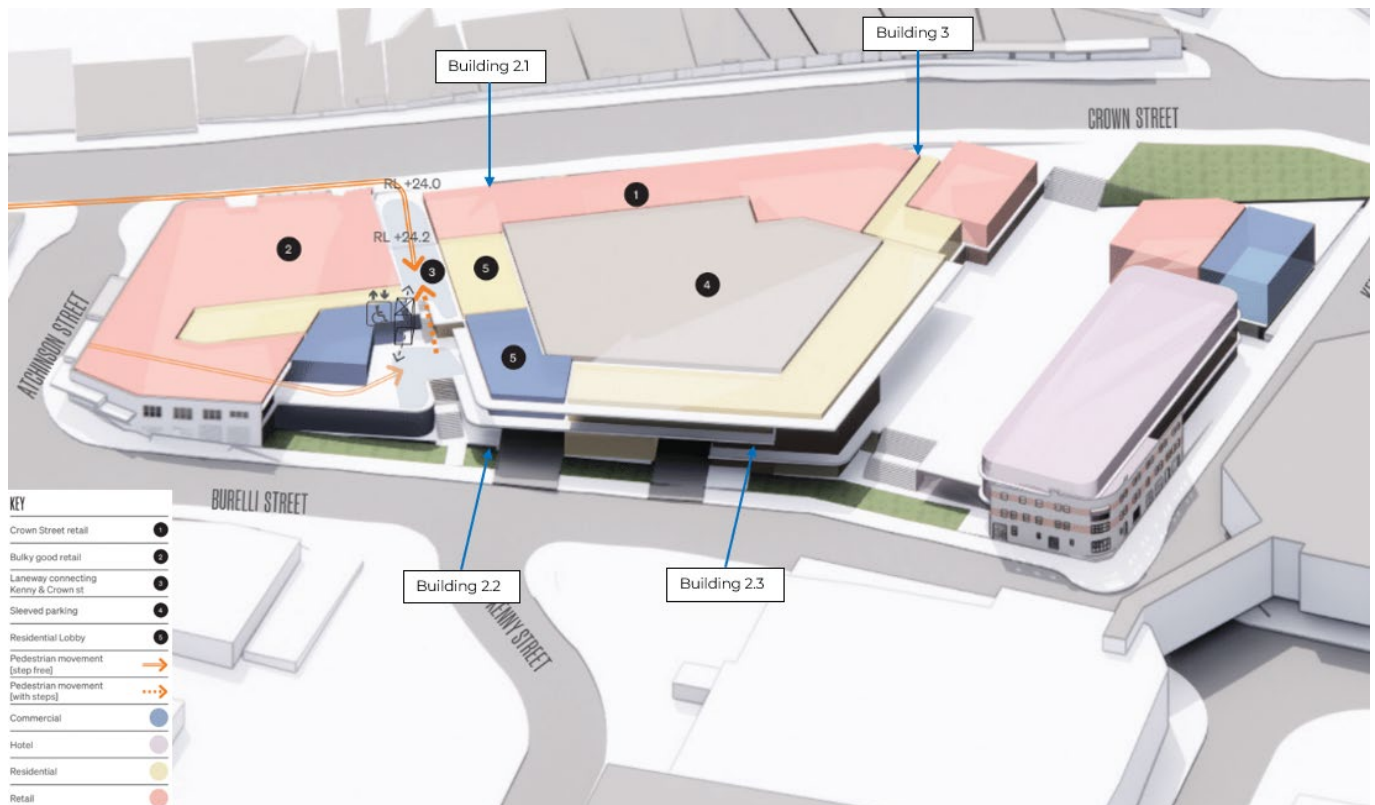


Figure 18 Proposed Level 1 plan

Sources: DKO Architects

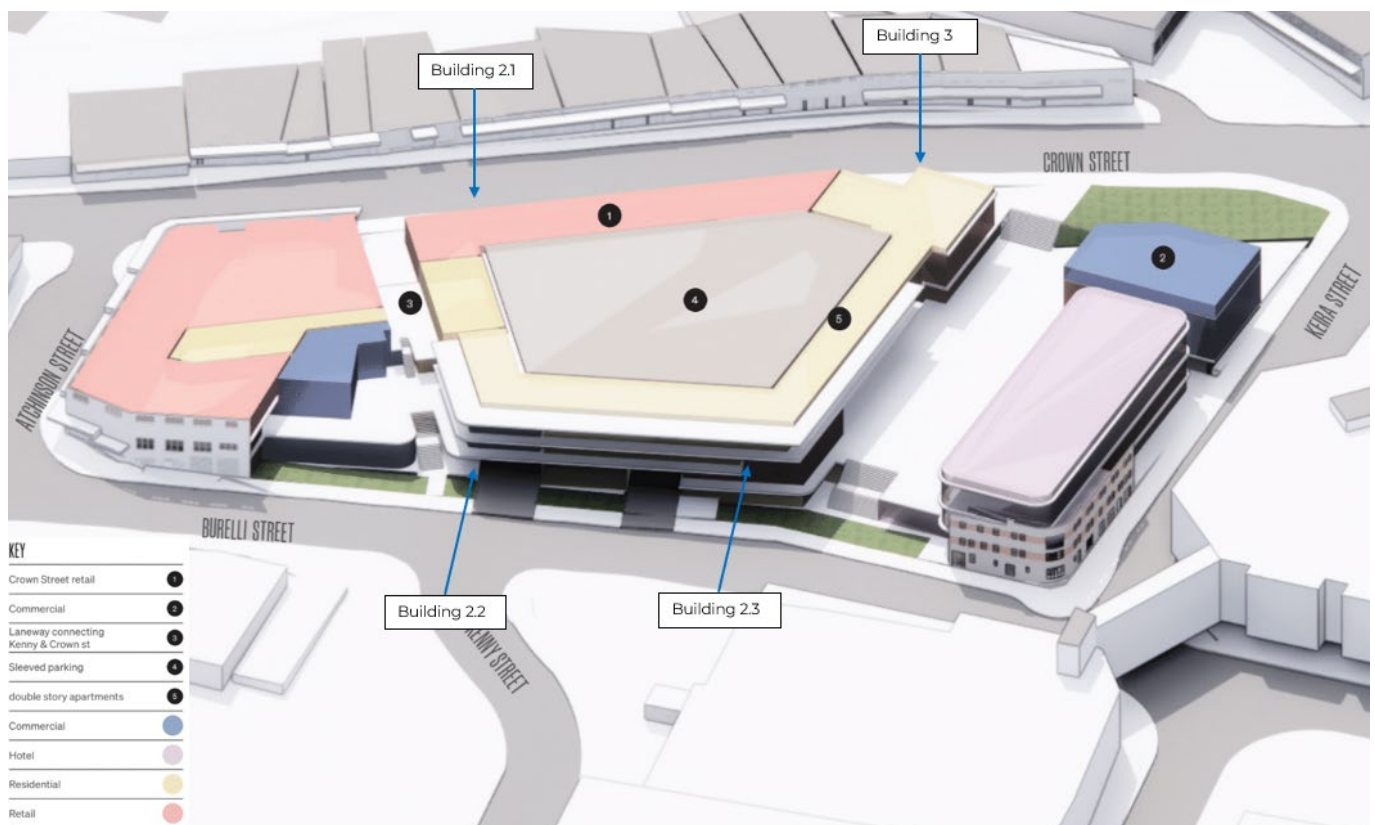


Figure 19 Proposed Level 2 plan

Sources: DKO Architects

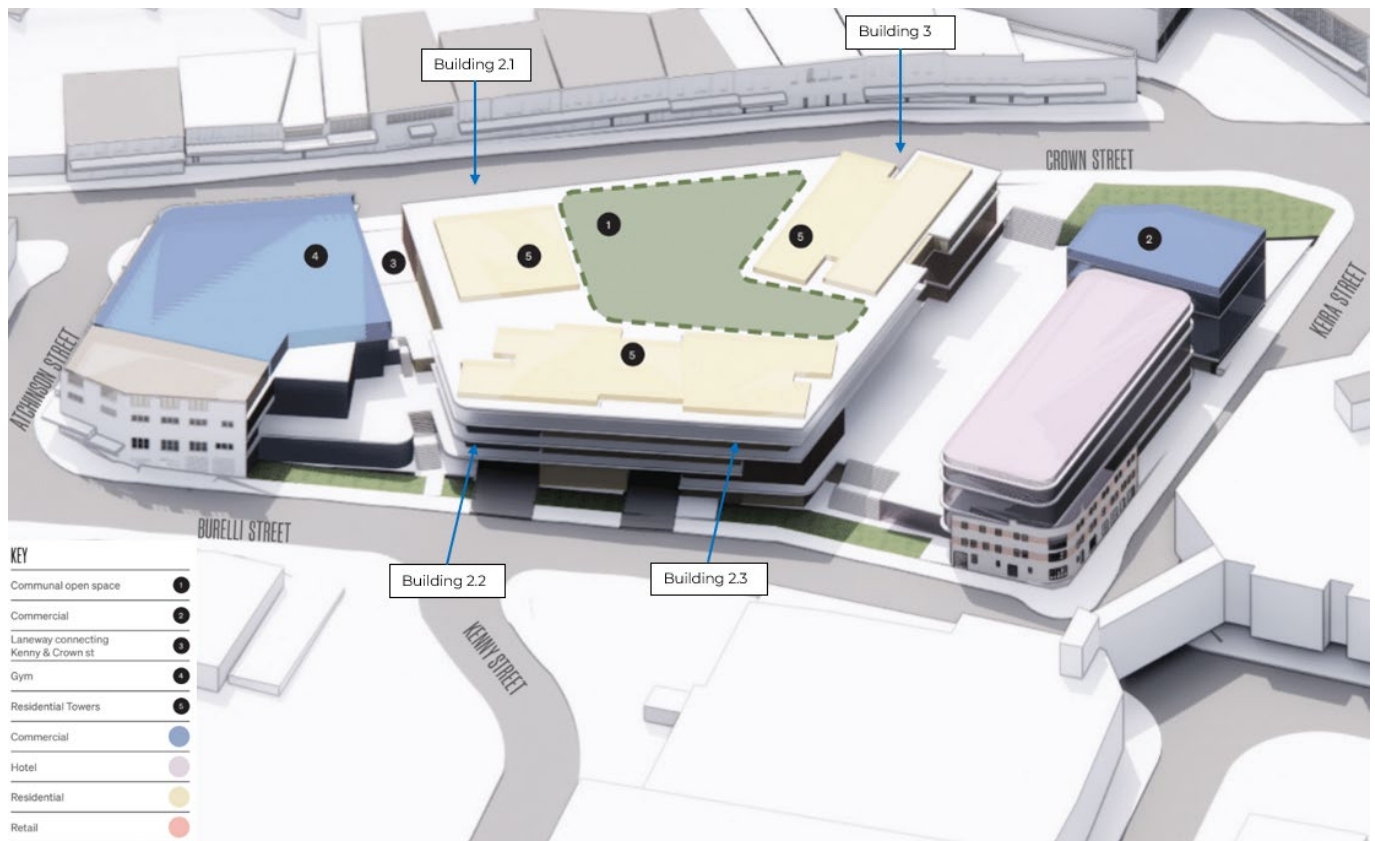


Figure 20 Proposed Level 3 plan

Source: DKO Architects

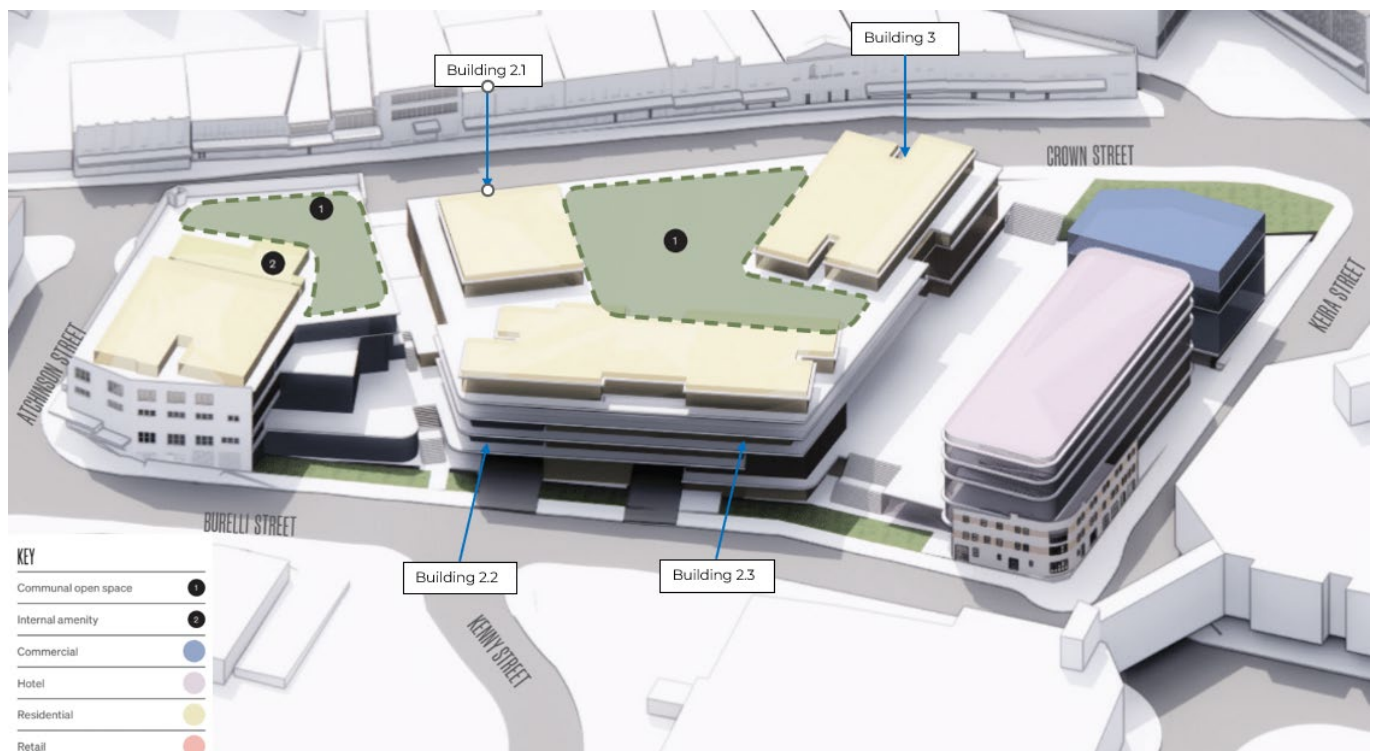


Figure 21 Proposed Level 4 plan

Source: DKO Architects

4.8.3 Land Use

4.8.3.1 Shop Top Housing

The proposal will provide a significant quantum of market and affordable residential dwellings across the scheme, 546 dwellings in total across four (4) buildings, equating to 52,796m² GFA. A total of 76,889m² GFA is proposed across the site, 15% of which is proposed to comprise affording housing. This equates to 11,620m² of GFA as the ‘affordable housing component’ satisfying Clause 16 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).

The ‘affordable housing component’ is detailed in **Table 5** below.

Table 5 Proposed Affordable Housing Component

Building	No. of units	Unit Mix	GFA
Building 2.2	13	6 x 1 Bedroom units	1,454m ²
		5 x 2 Bedroom units	
		2 x 3 Bedroom units	
Building 2.3	19	8 x 1 Bedroom units	1,884m ²
		8 x 2 Bedroom units	
Building 3	100	43 x 1 Bedroom units	8,282m ²
		59 x 2 Bedroom units	
		1 x 3 Bedroom units	
Total	132 affordable residential units		11,620m ² <i>+86.65m² more than required</i>

Of the 546 dwellings proposed, the development also includes 56 adaptable units and 59 liveable units under the National Disability Insurance Scheme (NDIS). The design and location of these units throughout the building are illustrated in the Architectural Drawings at **Appendix B**.

4.8.3.2 Commercial Floorspace

The development proposes a total commercial GFA of 10,009m², primarily within the commercial building located at the northeast corner of the site. Separate commercial tenancies are also proposed at ground floor level and Level within Building 1 and at ground floor of Building 2.2.

4.8.3.3 Retail Floorspace

The development proposes a total retail GFA of 5,291m². This includes the provision of a new supermarket and additional separate retail premises within the Commercial and Hotel buildings fronting the public plaza. Retail tenancies are also proposed fronting Crown Street and the through-site link from Crown to Burelli Street. Retail is also proposed at Level 1 within Building 1.

The provision of retail floorspace and premises across the site, at key frontages and routes through the site will assist in generating footfall and activating the public domain and enhancing the pedestrian experience through the site.

4.9 Façade and Materiality

A schedule of materials and finishes has been developed by DKO Architects and is provided within the Design Report at **Appendix G**. The proposed built form is highly articulated with a refined palette adding visual interest to the streetscape.

The material palette and architectural elements have been thoughtfully curated to reflect the unique character of Wollongong. The design draws inspiration from the region’s forested landscape and industrial heritage, expressed through vertical forms and a composition of earthy tones and textured finishes.

The materials schedule is illustrated in **Figure 22** below.



Figure 22 External finishes to the proposed development

Source: DKO Architects

4.10 Operations

An integrated on-site management team will service both the development's residential and non-residential uses, comprising concierge, maintenance, property management, and leasing staff members to enable a flexible and tailored, yet holistic management approach.

The development pertaining to affordable housing will be operated and managed by one single organisation, which is yet to be confirmed however **Appendix H** includes a letter from Housing Trust, a registered Community Housing Provider who are interested in managing the affordable housing component.

The proposed development will generate an approximate 834 operational jobs across the commercial, retail and hotel components of the development. It is important to note that this is indicative only and will be subject to change once the affordable housing operator and the use of each of the commercial and retail premises have been confirmed.

The indicative hours of operation for the commercial and retail uses are proposed to be 6:00am to 10:00pm Monday to Sunday. Approval for the hours of operation is not sought the commercial, retail and hotel uses as part of this application as these be subject to separate development consent.

A draft Plan of Management has been prepared by Ethos Urban and is provided at **Appendix RR** to set out the principles for facilities management for the retail, commercial, hotel and residential uses. An updated Plan of Management will be prepared prior to occupational certificate for each land use.

4.11 Signage

This SSDA does not seek consent for the approval of signage. Separate development consent will be sought in the future for any proposed signage.

4.12 Site Access and Parking

4.12.1 Pedestrian Access

The development has been designed to facilitate efficient and easy pedestrian access throughout the site. Specifically, pedestrians can access the site from all street frontages, with two key access points provided at both Crown Street and Burelli Street to the proposed through site link and plaza.

- Access to Building 01 for residents will be via Atchison Street.
- Access to Building 2.1 for residents will be via Through-Site Link.
- Access to Building 2.2 for residents will be via Burelli Street.
- Access to Building 2.3 for residents will be via Burelli Street.
- Access to Building 03 for residents will be via Crown Street.
- Access to the Commercial Building will be via corner of Crown Street and Kiera Street.
- Access to the Hotel will be via corner of Kiera Street and Burelli Street.

4.12.2 Vehicle Access and Parking

Vehicular access to the proposed car park is provided from Burelli Street, consistent with the current vehicular access on the site and broadly consistent with the consented car parking access as per DA-2021/957. A separate access point for trucks/service vehicles is provided further east on Burelli Street.

A loading bay is located within the car park on Basement 01. Genesis Traffic have prepared a swept path analysis within the Transport and Accessibility Impact Assessment provided at **Appendix T**, showing that the loading and waste vehicles can enter and exit the site in a forward direction.

The car parking provision proposed as part of the scheme will be across six levels, Basement 1 and 2, mezzanine, lower ground and Levels 1 and 2 and will include:

- 774 Parking Spaces, including:
 - 547 x Residential Spaces (including Accessible Spaces)
 - 49 x Residential Visitor Spaces
 - 63 x Commercial/Retail/Residential Visitor Spaces
 - 25 x Commercial/Retail (Staff) Spaces
 - 10 x Hotel (Staff Only) Spaces
 - 80 x Retail (Supermarket) Spaces
- Five (5) x Loading Bays
- 320 x Bicycle Parking Spaces
- 47 x Motorcycle Parking Spaces.

The publicly accessible retail/ commercial parking spaces and visitor parking spaces are proposed at Basement 1, and Mezzanine levels. Hotel car parking is provided at Basement 1. Residential parking is provided at all levels. Vehicular manoeuvrability in the basement has been tested and illustrated by the traffic engineer, with swept paths included at **Appendix T**. The basement is also designed to contain secure bicycle parking, end of trip facilities, resident storage cages, tanks and plant rooms and a resident waste collection room and the loading dock and bin stores for the commercial, retail and hotel uses.

4.12.3 End of Trip Facilities

End of Trip (EoT) facilities are provided within Basement 1 of the development in the northeast corner with separate male and female showers and changing rooms, with 16 showers and changing rooms for males and 17 for females. Lockers are also to be provided within the EoT.

4.12.4 Loading and Waste Collection Facilities

All loading and unloading will take place within the loading dock on Basement 01 and will accommodate vehicles up to and including 17.5m semi-trailer bays, Heavy Rigid Vehicles (HRV) bays (12.5m) and utility van bays. Waste collection is proposed to occur within the loading dock via Council collection for the residential land uses and private contractor collection for the commercial, retail and hotel land uses.

4.13 Landscaping and Public Space

A Landscape Plan and Landscape Design Report have been prepared by Land and Form and are provided at **Appendix I** and **Appendix J**, respectively. The proposed design provides a variety of landscaped spaces across the development, contributing to both the amenity of the future residents and providing a buffer to surrounds. The total area of communal open space is 4,601m² of the site area (equating to 35% of the site area, exceeding the Apartment Design Guide (ADG) minimum of 25%). This is provided in three distinct elements as detailed below. The residential communal open space receives greater than 2 hours of direct solar access, achieving 60% (exceeding the ADG 50% minimum for 2 hours). This is illustrated in the communal open space solar access diagrams prepared by DKO Architects within the Architectural Drawings at **Appendix B**.

Landscaping aspects for the public domain and communal spaces are detailed in the sections below.

4.13.1 Through Site Link

The proposed through site link is located on the ground floor between Building 01 and Building 2.1. This new pedestrian route which connects Crown Street and Burelli Street is proposed as an active retail laneway, rather than communal open space, with catenary lighting as well as public art opportunities as shown in **Figure 23**.



Figure 23 Ground Floor landscaping plan

Source: Land and Form

Note: The previous Council consent condition that required dedication of the through-site link does not form part of this application.

4.13.2 Plaza

The proposed communal open space, identified as the plaza, is located on the lower ground floor between Building 2.1 and the Commercial Building to the north and between Building 2.3 and the Hotel to the south. This new plaza provides 1,856m² of communal open space, which connects Crown Street and Burelli Street and is proposed as an activate space for residents and the public as shown in **Figure 24**.



Figure 24 Public plaza communal open space landscaping plan

Source: Land and Form

4.13.3 Level 3 Communal Open Space

Additional proposed communal open space is proposed at podium Level 3 located in between Buildings 2.1, 2.2, 2.3 and 03. This communal open space is 1,753m² and consists of a pool, spa and sundeck; lookout nook to Mount Kembla; seating nook; endemic garden trail; flexible lawn space; for passive break out in connection to internal communal spaces; and BBQ and outdoor dining space as shown in **Figure 25**. All residents within the development will have access to this CoS with personal resident key fobs providing equitable access to all private communal open space provided within the development.



Figure 25 Level 3 communal open space landscaping plan

Source: Land and Form

4.13.4 Level 4 Communal Open Space

The proposed communal open space on Level 4 is located within Building 01. This communal open space is 851m² and consists of a yoga lawn; study nook; seating nook; social terrace; BBQ and outdoor dining space with pergola; and an outdoor gym as shown in **Figure 26**.



Figure 26 Level 4 communal open space landscaping plan

Source: Land and Form

4.13.5 Level 16 Communal Open Space

The proposed communal open space on Level 16 is located between Building 2.2 and Building 2.3. This communal open space is 141m² and consists of a central courtyard; seating nook; and communal lawn as shown in **Figure 27**.



Figure 27 Level 16 communal open space landscaping plan

Source: Land and Form

4.14 ESD Infrastructure

The proposed development takes into account Environmentally Sustainable Development (ESD) principles, as detailed in the ESD Report prepared by Eco Engineering at **Appendix Q**. This sets out the various ESD initiatives that are being incorporated into the development and confirms that the proposed development meets the relevant energy and water reduction targets. A BASIX Certificate has also been prepared by Eco Engineering and is provided at **Appendix R**.

4.15 Waste Management

An Operational Waste Management Plan and a Construction and Demolition Waste Management Plan have been prepared by Elephants Foot and are provided at **Appendix FF** and **Appendix GG**, respectively. Based on the estimated waste generation calculated, the proposed development comprises several areas throughout the building that has been allocated for waste storage and collection.

All storage areas for waste are provided on Basement 01 with single chute access hoppers on each residential level for the disposal of general waste. Each of the waste chutes terminates into the bin room and have been appropriately sized to house the bins required to store the volume of general waste estimated to be generated by each respective core. Each core will also be supplied with a separate recycling bin that is to be manually discharged into the bin rooms. Internal bulky waste areas and Food Organics and Garden Organics (FOGO) bins are also provided within each bin room for the disposal of larger items and organic waste, respectively.

Additionally, one central bin holding room is located on Basement 01, immediately adjoining the loading dock.

Further detail on the generation, collection, storage, transfer and disposal of waste during both the operation and construction phase of the project is provided in **Section 7.15** of this report.

4.16 Construction Environment

4.16.1 Construction Management

A detailed Construction Management Plan (CMP) will be prepared by the appointed contractor prior to the commencement works and can be secured by planning condition to any development consent. The CMP will address the following matters:

- Material management;
- Construction traffic management;
- Health and safety;
- Equipment/materials staging and parking;
- Dust control measures; and
- Methods for disposal of demolition waste.

4.16.2 Construction Hours

The proposed development also seeks approval for extended construction hours to support the expedition of the construction of the development and thus, reduce the impacts to the existing resident and employees in the locality. The following hours of construction work are proposed:

- Monday to Friday: 7:00am to 6:00pm
- Saturdays: 7:00am to 5:00pm
- No work on Sunday and Public Holidays.

Additionally, it should also be noted that the proposal seeks the implementation of a condition within the development consent to allow 24-hour construction works for internal, quiet building works only. This stage will commence only once the façade and outer shell of the development is completed.

4.17 Staging and Delivery

An Infrastructure Delivery, Management and Staging Plan has been prepared by Neuron and is provided at **Appendix HH**. The Design Report at **Appendix G** also provides detail on the proposed staging of the development, summarised below.

- **Stage 1:** All proposed works, excluding existing Spotlight building works.
 - 324 apartments, including 132 affordable apartments (including Buildings 2.1, 2.2, 2.3 and Building 3)
 - Approx. 20,297m² of commercial, retail and hotel floorspace (including Commercial Building and Hotel Building)
 - Public plaza space and through site link from Crown Street to Burelli Street
 - 2 levels of basement
- **Stage 2:** Existing Spotlight building works.
 - Construction of Building 1 including 222 apartments and approximately 3,818m² of commercial/retail
 - Completion and delivery of the through-site link
 - 2 levels of basement

The proposed staging is mapped in **Figure 28** below.

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.

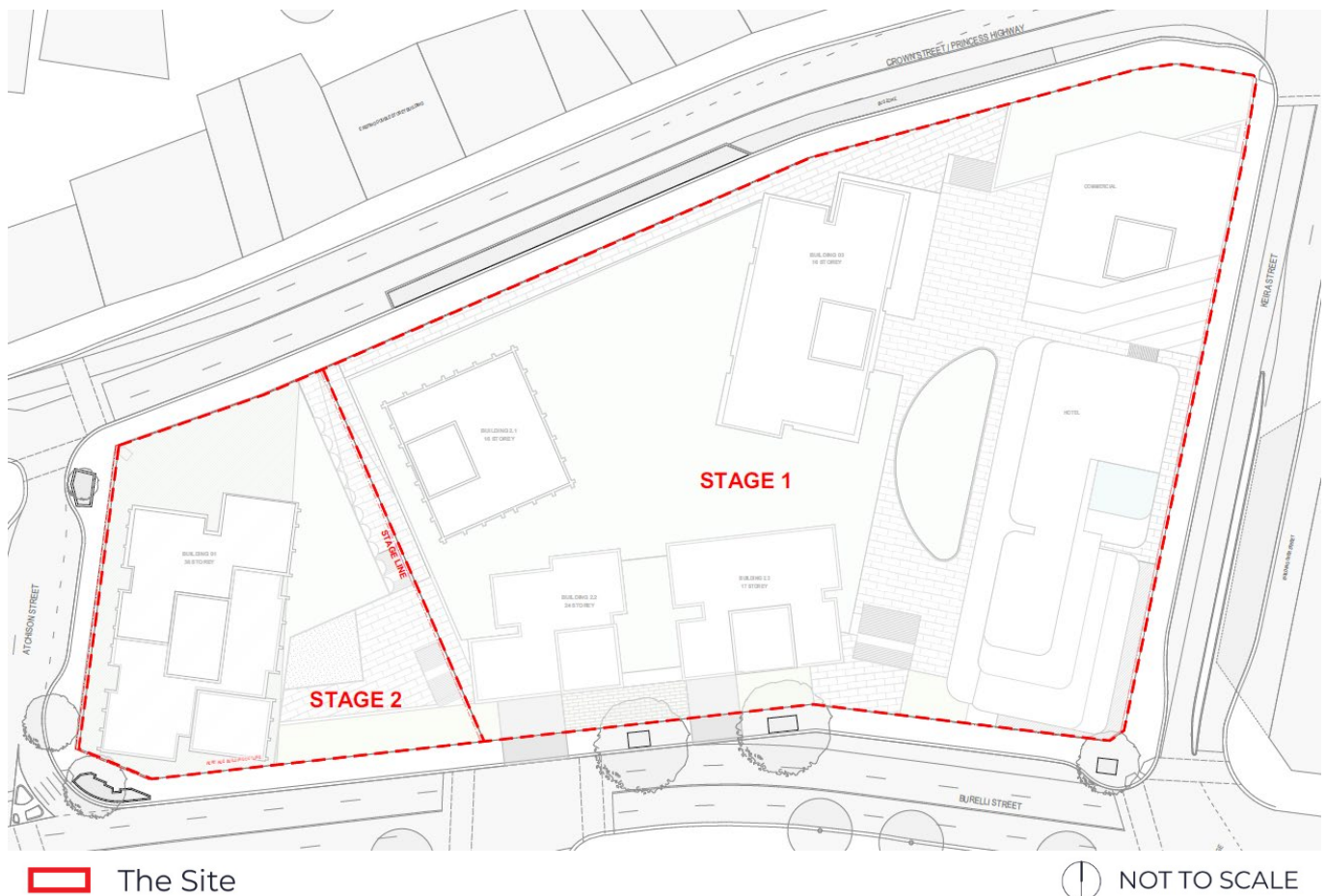


Figure 28 Staging plan

Source: DKO Architects

5 Statutory Context

Development approval is sought for the project under the State Significant Development provision of Part 4 of the EP&A Act. The sections below outline the project's key statutory requirements. This section is complemented by a Statutory Compliance Table included at **Appendix C** that identifies all statutory requirements and where those requirements have been addressed in the EIS.

5.1 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 6** below.

Table 6 Power to Grant Consent

Matter	Consideration
Declaration of State Significant Development	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> Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021 lists development that is declared State significant development. Section 26A 'In-fill affordable housing' of Schedule 1 states: (1) <i>Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i> (a) <i>the part of the development that is residential development has an estimated development cost of—</i> (ii) <i>for development on other land—more than \$30 million, and</i> (b) <i>the development does not involve development prohibited under an environmental planning instrument applying to the land.</i> As the proposed development is for the purposes of 'In-fill affordable housing', it is declared State significant development. Before a State significant development can be determined, it is subject to a comprehensive assessment under the EP&A Act. As outlined in Section 5.5.1, the proposal is permissible with consent under Chapter 2, Part 2 of the Housing SEPP. Furthermore, the EDC Report at Appendix F, confirms that the development's EDC exceeds \$30 million. The non-residential components of the development, being the hotel, commercial and retail premises, are not classified as SSD. However, Section 2.6(2) of the Planning Systems SEPP provides that where a development is only "partly" classified as SSD, that the remainder of the development is also declared to be SSD if it is sufficiently relating to the SSD component of the development. 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 for more affordable housing to be provided on site to unlock the infill affordable housing bonuses. The proposed hotel, commercial and retail premises are sufficiently related to, the infill affordable housing component of the development in accordance with Section 2.6(2) of the Planning Systems SEPP given their logical synergies from a service, amenity and viability perspective. The commercial and retail premises represent less than 20% of the proposed floor area of the development and complement, rather than interfere with, the proposed dominant residential land use.
Consent Authority	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 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.

5.2 Permissibility

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 7** below.

Table 7 Permissibility

Matter	Consideration
Land Use	The proposed development constitutes 'shop top housing' as defined under the Standard Instrument meaning "one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities." The proposal seeks consent for shop top housing, with ground floor commercial uses and residential accommodation above, part of which will comprise affordable housing (15%).
Land Zoning	The site is zoned E2 Commercial Centre under the <i>Wollongong Local Environmental Plan 2009</i> .
Permissibility	The 'commercial premises', 'hotel accommodation' and 'shop top housing' uses are permissible with consent under the E2 zone. <i>*commercial premises includes retail premises, as defined in the Wollongong LEP 2009."</i>

5.3 Other Approvals

The other legislative approvals required for the Proposal in addition to a development consent under Division 4.7 of the EP&A Act are outlined in **Table 8** below.

Table 8 Other Approvals

Matter	Consideration																		
Approvals not required for SSD	Section 4.41 of the EP&A Act stipulates that certain authorisations are not required for State significant development. The following legislative approvals would otherwise be required if the Project was not State significant. <table> <tr> <th>Legislation</th><th>Approval Otherwise Required</th></tr> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>No</td></tr> <tr> <td>Heritage Act 1977</td><td>Yes</td></tr> <tr> <td>National Parks and Wildlife Act 1974</td><td>No</td></tr> <tr> <td>Rural Fires Act 1997</td><td>No</td></tr> <tr> <td>Water Management Act 2000</td><td>No</td></tr> </table>	Legislation	Approval Otherwise Required	Legislation that does not apply to State Significant Development		Fisheries Management Act 1994	No	Heritage Act 1977	Yes	National Parks and Wildlife Act 1974	No	Rural Fires Act 1997	No	Water Management Act 2000	No				
Legislation	Approval Otherwise Required																		
Legislation that does not apply to State Significant Development																			
Fisheries Management Act 1994	No																		
Heritage Act 1977	Yes																		
National Parks and Wildlife Act 1974	No																		
Rural Fires Act 1997	No																		
Water Management Act 2000	No																		
Consistent Approvals	Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out State significant development. The following table lists legislative approvals that are required for the Project and cannot be refused if the Project is approved. <table> <tr> <th>Act</th><th>Approval Required</th></tr> <tr> <td colspan="2">Legislation that must be applied consistently</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>No</td></tr> <tr> <td>Mine Subsidence Compensation Act 1961</td><td>No</td></tr> <tr> <td>Mining Act 1992</td><td>No</td></tr> <tr> <td>Petroleum (Onshore) Act 1991</td><td>No</td></tr> <tr> <td>Protection of the Environment Operations Act 1997</td><td>No</td></tr> <tr> <td>Roads Act 1993</td><td>Yes</td></tr> <tr> <td>Pipelines Act 1967</td><td>No</td></tr> </table>	Act	Approval Required	Legislation that must be applied consistently		Fisheries Management Act 1994	No	Mine Subsidence Compensation Act 1961	No	Mining Act 1992	No	Petroleum (Onshore) Act 1991	No	Protection of the Environment Operations Act 1997	No	Roads Act 1993	Yes	Pipelines Act 1967	No
Act	Approval Required																		
Legislation that must be applied consistently																			
Fisheries Management Act 1994	No																		
Mine Subsidence Compensation Act 1961	No																		
Mining Act 1992	No																		
Petroleum (Onshore) Act 1991	No																		
Protection of the Environment Operations Act 1997	No																		
Roads Act 1993	Yes																		
Pipelines Act 1967	No																		
EPBC Approval	The <i>Environmental Protection and Biodiversity Act 1999 Act</i> (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities, and heritage places. These are known as matters of National Environmental Significance. If the																		

Matter	Consideration
	proposed development will, or is likely, to impact a matter of National Environmental Significance, then it is required to be referred to the Federal Department of the Environment for assessment to determine if it constitutes a 'controlled action' requiring EPBC approval. Presently, a bilateral agreement allows the Commonwealth Minister for the Environment to rely on the NSW environmental assessment process when assessing a controlled action under the EPBC Act. The proposed development is not likely to impact a matter of National Environmental Significance. Therefore, the proposed development 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.

5.4 Pre-Conditions to Exercising the Power to Grant Consent

The pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent are identified and considered in **Table 9** below.

Table 9 Pre-Conditions to Exercising the Power to Grant Consent

Statutory Reference	Consideration	Response	Section in EIS
Biodiversity Conservation Act 2016	In accordance with this Act, an assessment of any State Significant proposal's biodiversity impacts must be undertaken as part of the provision of any SSDA, including the provision of a Biodiversity Development Assessment Report (BDAR) in instances where it is required. Section 7.14 requires the consent authority to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR.	This EIS is accompanied by a Biodiversity Development Assessment Report (BDAR) prepared by Narla at Appendix Y. The BDAR confirms that the proposal is not likely to have any significant impact on biodiversity values.	Section 7.12
State Environmental Planning Policy (Planning Systems) 2021	The Planning Systems SEPP sets out the requirements and conditions for the proposed development to classify as State significant development.	The development is considered to be State significant development under Schedule 1, Section 26A of the Planning Systems SEPP as its use is listed under 'in-fill affordable housing' and has an estimated development cost of more than \$30 million.	Section 5.5.1.
State Environmental Planning Policy (Transport and Infrastructure) 2021	The State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) aims to facilitate the effective delivery of infrastructure of the State. Section 2.122 requires the consent authority to provide RMS with written notice of the development application for developments considered a 'traffic generating activity'.	It is noted that this development is considered to be traffic generating under Schedule 3, and therefore referral to TfNSW will be required.	Section 7.7
State Environmental Planning Policy (Resilience and Hazards) 2021	The State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP) aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless: It has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which	In this regard, the Preliminary Environmental and Geotechnical Conditions Review has been prepared by EI Australia confirms that the site can be made suitable for the proposed development and use as a shop top housing development. Refer to Appendix Z.	Section 7.11

Statutory Reference	Consideration	Response	Section in EIS
	the development is proposed to be carried out. If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose.		
State Environmental Planning Policy (Sustainable Buildings) 2022	The <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> (Sustainable Buildings SEPP) applies to the site under Chapter 3. Section 3.1 stipulates that Chapter 3 applies to non-residential development that involves the erection of a new building with a development estimated cost of \$5 million or more or alterations, enlargement or extension of an existing building with a development cost of \$10 million or more.	As this development involves the erection of a new building with a development estimated cost of more than \$5 million, consideration has been given to the sustainability of the building and operations. A Ecologically Sustainable Development (ESD) Report is included at Appendix Q and the required NABERS Embodied Emissions Form has been completed and is provided at Appendix S.	Section 7.6

5.5 Mandatory Matters for Consideration

The matters that the consent authority is required to consider in deciding whether to grant consent to any development application are identified and considered in **Table 10** below.

Table 10 Mandatory Matter for Consideration

Statutory Reference	Mandatory Consideration	Section in EIS
Environmental Planning & Assessment Act 1979	The proposed development is consistent with the objects of the EP&A Act for the following reasons: - It facilitates ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment. - It facilitates the orderly and economic use and development of land. - It promotes the delivery and maintenance of affordable housing. - It promotes the sustainable management of built and cultural heritage (including Aboriginal cultural heritage). - It facilitates good design and amenity of the built environment. - It promotes the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants. The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons: - The development has been declared to have State significance. - The development is not prohibited by an environmental planning instrument. - The development has been evaluated and assessed against the relevant heads of consideration under Section 4.15(1), as outlined in this table.	Section 8.3.1
Environmental Planning and Assessment Regulation 2021 (EP&A Regulations)	Part 8, Divisions 2 and 5 of the Environmental Planning and assessment Regulation 2021 (EP&A Regulations) sets out procedures which relate to the preparation and submission of Environmental Impact Statements. This EIS has been prepared in accordance with Sections 190 and 192 of Division 5 which relate to the form and content of the EIS. Similarly, the EIS has addressed the principles of ecologically sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious and irreversible environmental damage.	Section 8.4

Statutory Reference	Mandatory Consideration	Section in EIS
State Environmental Planning Policy (Resilience and Hazards) 2021	Section 3.12 outlines mandatory matters for a consent authority to consider when determining an application for potentially hazardous or offensive development. Chapter 3 applies to any proposals which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'. The works proposed as part of this SSDA do not fall within these definitions, and as such a Preliminary Hazard Analysis is not required.	Section 7.11
State Environmental Planning Policy (Housing) 2021	The proposed development is for the purpose of in-fill affordable housing and is subject to the provisions in Chapter 2 of the Housing SEPP. Furthermore, the development will utilise the floor space and height bonuses set out in the Housing SEPP for affordable housing provisions. An assessment of the proposal against the relevant provisions of the Housing SEPP has been undertaken.	Section 5.5.1
State Environmental Planning Policy (Sustainable Buildings) 2022	Due to the building involving the erection of a new building with a development estimated cost of more than \$5 million, the State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) applies. The Sustainable Buildings SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials. The relevant standards for BASIX buildings relate to energy and water use and thermal performance . A Ecologically Sustainable Development (ESD) Report is included at Appendix Q and the required NABERS Embodied Emissions Form has been completed and is provided at Appendix S. A BASIX Certificate has been completed and is provided at Appendix R.	Section 7.6
State Environmental Planning Policy (Transport and Infrastructure) 2021	The site has a frontage to a classified road and therefore Section 2.119 applies. Consent should be granted for the proposed development as it does not provide access to the site via Keira Street (the classified road) or impact its operation and mitigation measures have been put in place to minimise potential traffic noise and emissions and can be found in Appendix E. Section 2.122 requires the consent authority to provide Roads and Maritime Services (RMS) with written notice of the development application for traffic-generating developments. The proposed development is classified as a traffic generating activity given that it is classified as 'residential accommodation' and comprises 546 dwellings. As such, the SSDA will require referral to RMS for comment during the assessment.	Section 7.7
Wollongong Local Environmental Plan 2009	Clause 2.3 <i>Zone objectives and land use table</i> The site is subject to E2 zoning controls, as shown in Figure 29. The proposed commercial premise, hotel accommodation and shop top housing uses are all permissible with consent.	Section 4.8.2
		

Figure 29 Land Zoning Map – Sheet LZN_025

Source: Wollongong Local Environmental Plan 2009

Clause 2.7*Demolition
requires
development
consent*

Development consent is sought for the proposed demolition on the site.

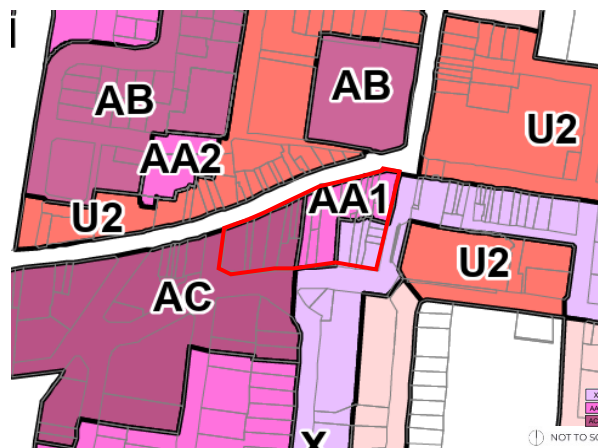
Section 4.6.1**Clause 4.3***Height of
buildings*

The site is subject to a maximum building height control of 120m across the western portion, 60m across the centre and northeastern portion and 48m across the southeastern corner, as shown in **Figure 30**. The heights proposed under this application rely on the bonus height available under the in-fill affordable housing provisions, as outlined in **Table 11**, as such a 30% bonus to the maximum height control applies to the parts of the site including residential accommodation.

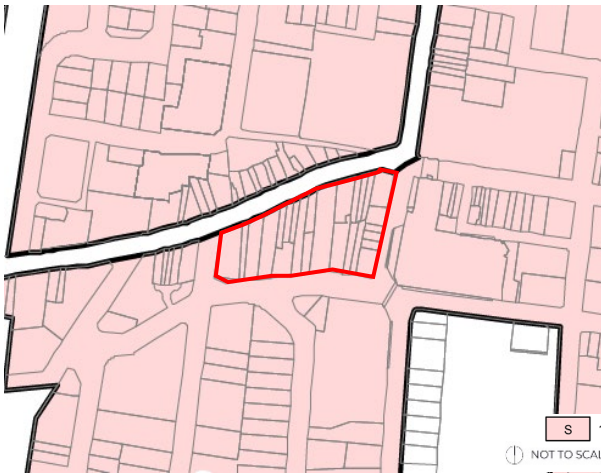
Section 7.1.1

Building	LEP and Bonus Control	Proposed
Building 01	LEP - 120m Bonus - 156m	129.6m
Building 2.1	LEP - 120m Bonus - 156m	57.7m
Building 2.2	LEP - 120m and 60m Bonus - 156m and 78m	86.5m
Building 2.3	LEP - 60m Bonus - 78m	67.5m
Building 03	LEP - 60m Bonus - 78m	54.65m
Commercial	LEP - 60m	51.9m
Hotel	LEP - 60m and 48m	39.1m

Building 2.2 experiences a very minor height exceedance to the maximum bonus height control of 78m at the eastern elevation. As such, a Clause 4.6 for this breach is provided at **Appendix MM**.

**Figure 30 Height of Buildings Map – Sheet HOB_025**

Source: Wollongong Local Environmental Plan 2009

Statutory Reference	Mandatory Consideration	Section in EIS
Clause 4.4 <i>Floor space ratio</i>	The site is subject to a floor space ratio (FSR) control of 1.5:1, as shown in Figure 31. However, this base control is superseded as the site is subject to the controls under Clause 4.4A. 	Section 7.1.2
Clause 4.4A <i>Floor space ratio – Wollongong city centre</i>	Subclause (4) states that the maximum floor space ratio (FSR) for a building that is on land within Zone E2 Commercial Centre and is to be used for a mixture of residential purposes and other purposes (as is the case with this application), is — $[Non\ Residential\ FSR \times Non\ Residential\ Component\ (\%)] + [Residential\ FSR \times Residential\ Component\ (\%)] : 1$ The subject application proposes a base floorspace split of 40.75% non-residential and 59.25% residential, based on the total GFA allowed under the Wollongong LEP 2009. Therefore, the maximum permissible FSR under Clause 4.4A applying to the subject site is 4.524:1, which is the base FSR used to calculate the Affordable Housing Bonus under Clause 16 of the Housing SEPP. Refer to Section 7.1.2 and Appendix OO for a detailed breakdown on FSR calculations. Compliance is assessed with the bonuses available under the Housing SEPP included in Table 11. Note: The proposed overall floorspace split under this application is inclusive of the available Affordable Housing Bonus under the Housing SEPP and is therefore varied from the base floorspace split under this clause, being 31.33% non-residential and 68.67% residential with a total available FSR of 5.88:1.	Section 7.1.2
Clause 4.6 <i>Exceptions to development standards</i>	The application is accompanied by two Clause 4.6 Variation Requests at Appendix MM and Appendix NN, outlining the slight variation to Building 2.2's height and building separation distances and with comparison of the environmental impact that would otherwise result from a compliant scheme, demonstrating that the variation is justified in the circumstances of the development.	Section 7.1.1
Clause 5.10 <i>Heritage conservation</i>	The site contains a local heritage item identified as 'former Marcus Clark Building' at 281-291 Crown Street (16474), as shown in Figure 32. The site is also in the vicinity of a number of heritage items, including two located immediately north of the site across Crown Street, 'row of shops' at 230-264 Crown Street (6240) and 'Caldwell's building' at 280-	Section 7.9

282 Crown Street (61100). The treatment of these items and potential impacts have been through the preparation of a Heritage Impact Statement by Artefact at **Appendix W**.

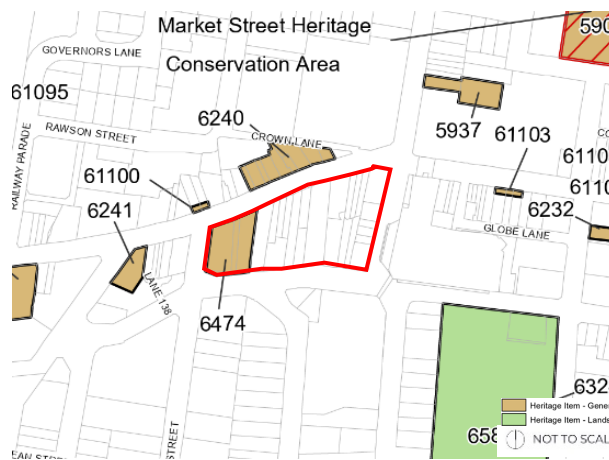


Figure 32 Heritage Map – Sheet HER_025

Source: Wollongong Local Environmental Plan 2009

Clause 5.21 <i>Flood planning</i>	The site is located on land within the flood planning area. Consent should be granted for the proposal as it satisfies the requirements under this clause, including being a compatible development that will not negatively impact the environment, the flood behaviour on the land or the safety of occupiers. Mitigations measures are set out in Appendix E .	Section 7.13
Clause 7.1 <i>Public utility infrastructure</i>	The proposed development involves the provision of the supply of water and electricity, and the disposal and management of sewage. Consent should be granted for the proposal as the essential public utility infrastructure is adequate and available when required.	Section 7.17
Clause 7.5 <i>Acid sulfate soils</i>	The site is located on land that is partially subject to Class 5 acid sulfate soils. The Preliminary Environmental and Geotechnical Conditions Review has been prepared by EI Australia and is provided as part of Appendix AA confirms no acid sulfate soil risk has been identified at the site.	Section 7.11
Clause 7.6 <i>Earthworks</i>	Consent is sought for all earthworks associated with the proposed development. An assessment against the proposed earthworks is provided within the Preliminary Environmental and Geotechnical Conditions Review has been prepared by EI Australia and is provided as part of Appendix AA , which confirms that the works will not have a detrimental impact on environmental functions, processes, neighbouring uses, cultural or heritage items or features of the surrounding development.	Section 4.6.3
Clause 7.13 <i>Certain land within employment or mixed use zones</i>	Consistent with this clause, the no element of the ground floor will be used for the purpose of residential accommodation (with the exception of entrance lobbies) and the ground floor of each building will have at least one entrance and at least one other door or window on the front of the building facing the street.	Section 4.8
Clause 7.18	Clause 7.18 states the development consent cannot be granted to land within the Wollongong city centre	

Statutory Reference	Mandatory Consideration	Section in EIS
<i>Design excellence in Wollongong city centre and at key sites</i>	unless the consent authority is satisfied the building exhibits design excellence. A review by a design review panel (DRP) is required if the proposed development exceeds 35m in height. The proposed scheme has been subject to two (2) meetings with the State Design Review Panel (SDRP) on 16 October 2024 and 11 December 2024. The SDRP assessed the proposed SSDA scheme as well as the already approved scheme on the site. All comments regarding better amenity, built form and car parking have been considered in the proposed design and are addressed in detail within the Design Report at Appendix G.	
Clause 7.22 <i>Development in local centres</i>	The proposed development, being located within the E2 zone, is considered to have a positive impact on the amenity of surrounding residential areas, desired future character and will remain consistent with the hierarchy of centres, as the consented development on the site.	Section 7.3
Clause 8.1 <i>Objectives for development in Wollongong city centre</i>	The proposed development is consistent with the objectives on the Wollongong City Centre as the it will: (a) <i>promote the economic revitalisation of the Wollongong city centre,</i> (b) <i>strengthen the regional position of the Wollongong city centre as a multifunctional and innovative centre that encourages employment and economic growth,</i> (c) <i>protect and enhance the vitality, identity and diversity of the Wollongong city centre,</i> (d) <i>promote employment, residential, recreational and tourism opportunities within the Wollongong city centre,</i> (e) <i>facilitate the development of building design excellence appropriate to a regional city,</i> (f) <i>promote housing choice and housing affordability,</i> (g) <i>encourage responsible management, development and conservation of natural and man-made resources and ensure that the Wollongong city centre achieves sustainable social, economic and environmental outcomes,</i> (h) <i>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.</i>	
Clause 8.2 <i>Wollongong city centre—land to which Part applies</i>	The site is located within the Wollongong City Centre and therefore Part 8 applies.	
Clause 8.3 <i>Sun plane protection</i>	The site is not subject to sun plan protection controls which apply to McCabe Park. At the closest point, the site is located approximately 50m from McCabe Park. Notwithstanding, the proposed scheme has been designed to minimise the additional overshadowing impact to McCabe Park. Appendix B contains overshadowing diagrams which assess the impacts of the scheme on McCabe Park.	Section 7.2.2
Clause 8.4 <i>Minimum building street frontage</i>	The site is subject to a minimum building street frontage control of 20m on one side as it is located within the E2 zone. The development complies with this LEP clause, as summarised below: <u>Hotel street frontage:</u>	

Statutory Reference	Mandatory Consideration	Section in EIS
	• 58.5m to Keira Street • 32m to Burelli Street <u>Commercial street frontage:</u> • 32.7m to Keira Street • 30 m Crown Street <u>Building 1 street frontage:</u> • 30m to Crown Street • 47.3m Atchison Street • 34.5 m to Burelli Street <u>Building 2 and 3 Street frontage</u> • 60.6m to Burelli Street • 97.5m Crown Street.	
Clause 8.6 <i>Building separation within Zone E2 Commercial Centre or Zone MU1 Mixed Use</i>	The site is subject to the following building separation controls: • Zero separation up to the street frontage height. • Minimum 12m separation between buildings with a height above the street frontage but below 45m. • Minimum 28m separation between buildings with a height of 45m or above. • Minimum 20m separation between the habitable parts of separate dwellings. • Minimum 16m separation between the habitable part of one building and any part of another building. There are a number of instances within the proposed development where building separation distances are below the numerical requirements under this clause. Variation to this control is therefore sought under the Clause 4.6 Variation Request provided at Appendix NN.	Section 7.1.7

5.5.1 State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) sets the standards for the development of different forms of residential accommodation across the State. Specifically, the Housing SEPP provides provisions for infill affordable housing.

The development seeks to adopt the additional floor space and height bonuses attributed to each use to enable appropriate and compliant uplift across the site:

In-fill Affordable housing:

- 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—*

$$\text{Affordable housing component} = \text{Affordable floor space ratio} \div 2$$

(as a percentage)
- 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).*

The key provisions of the Housing SEPP have been considered in the preparation of the SSDA and are addressed in **Table 11**.

Table 11 Relevant Provisions of The Housing SEPP

Clause	Control	Compliance assessment
Chapter 2 Affordable Housing		
Part 1 Preliminary		
Clause 15 <i>Requirement for imposition of conditions—the Act, s 7.32(3)(a)</i>	Before imposing a condition under the Act, section 7.32, the consent authority must consider the following— - affordable housing must aim to create mixed and balanced communities, - 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, - affordable housing must be made available to very low, low and moderate income households, or a combination of the households, - affordable housing must be rented to appropriately qualified tenants and at an appropriate rate of gross household income, - land provided for affordable housing must be used for the purposes of the provision of affordable housing, - buildings provided for affordable housing must be managed to maintain their continued use for affordable housing, - 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.	Satisfied.
Part 2 Development for affordable housing		
Clause 15C <i>Development to which Division applies</i>	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.	Satisfied. The proposed development will meet this objective.
	- This division applies to development that includes residential development if— - the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and - the affordable housing component is at least 10%, and - all or part of the development is carried out— - for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or - for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone. - 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. - In this section— <i>relevant zone</i> means the following— - Zone E1 Local Centre, - Zone MU1 Mixed Use, - Zone B1 Neighbourhood Centre, - Zone B2 Local Centre, - Zone B4 Mixed Use.	Satisfied. This division applies to the proposed development as: - It is permitted with consent under Wollongong LEP 2009. 15% of the GFA of the total GFA resulting from the development will be used for the purposes of affordable housing. - The site is located within the Illawarra-Shoalhaven region as identified under the Six Cities Region, being in the Wollongong Local Government Area. - It is located within an accessible area with future onsite services, infrastructure and facilities proposed on site as well as public bus services on Crown Street and Burelli Street.
Clause 16 <i>Floor Space Ratio</i>	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	The site has a maximum permissible FSR of 4.524:1. The proposed development seeks to provide greater than the minimum of 10%

Clause	Control	Compliance assessment
	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.	affordable housing across the site, in accordance with Clause 15 (15% affordable housing is proposed). Therefore, the proposal is afforded an additional 30% FSR for the development. Additionally, the proposal is afforded 30% additional building height for the development. The proposed FSR therefore, inclusive of the bonus, is 5.87:1.
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> <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.</i> (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,	The following standards set minimums that the consent authority cannot use to refuse consent. The site area is 13,088m². 20.7% of the overall site area (2,716.85m²) is provided as landscaped area. While this does not meet the 30% requirement, the landscaped areas provided are of a high quality and represent a significant improvement from the existing site situation. It also reflects the site's town centre location. Further, the communal open space provision on the site, 35%, exceeds the 25% ADG requirement by 10%. 7.4% of the site area comprises deep soil zones, consistent with the ADG requirement. The design compensates for 7.6% deep soil shortfall by providing extensive landscaped areas on the ground floor, podium, rooftop, and on residential floors. These landscaped areas are of a very high quality and are strategically co-located with communal open spaces to offer shade and amenities for residents. Deep soil planting will be distributed throughout the site as illustrated in the Architectural Drawings at Appendix B. The proposed design complies with the required 70% solar access, with 72% (394/546) of apartments receiving 2 hours

Clause	Control	Compliance assessment
	(i) if paragraphs (g) and (h) do not apply, the following minimum floor areas— (a) for each dwelling containing 1 bedroom—65m², (b) for each dwelling containing 2 bedrooms—90m², (c) 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.	of direct sunlight to the main living spaces at midwinter. Furthermore, these apartments enjoy 3 or more hours of direct sunlight to these areas. Residential car parking is provided in accordance with the Housing SEPP. Refer to the Traffic Impact Assessment at Appendix T which demonstrates the parking provision for the proposed development being; 774 car parking spaces involving; 547 residential spaces. The Design Report at Appendix G demonstrates that future dwellings will be capable of compliance with the required dwelling sizes, which are generally consistent with the requirements of the ADG.
Clause 20 <i>Design Requirements</i>	(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. (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.	Satisfied. Chapter 4 is applicable to the proposed site. This EIS has been prepared in consideration of Section 20(3) as it will deliver additional diverse housing to the Wollongong City Centre, a precinct undergoing transition to deliver additional housing supply in the right locations. The development will improve the activation of the site from an underutilised parcel of lots to a mixed-use precinct that aligns with the vision of the Wollongong City Centre
Clause 21 <i>Must be used for affordable housing for at least 15 years</i>	(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.	Satisfied. 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 as per The Affordable Housing Offer Letter provided at Appendix H.
Clause 22 <i>Subdivision permitted with consent</i>	Land on which development has been carried out under this division may be subdivided with development consent.	N/A

Clause	Control	Compliance assessment
Chapter 4 Design of residential apartment development		
Clause 144 <i>Application of chapter</i>	(1) In this policy, development to which this chapter applies is referred to as residential apartment development. (2) This chapter applies to the following— (a) development for the purposes of residential flat buildings, (b) development for the purposes of shop top housing, (c) mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter. (3) This chapter applies to development only if— (a) the development consists of— (i) the erection of a new building, or (ii) the substantial redevelopment or substantial refurbishment of an existing building, or (iii) the conversion of an existing building, and (b) the building is at least 3 storeys, not including underground car parking storeys, and (c) the building contains at least 4 dwellings. (4) If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of the development for the purposes specified in subsection (2). (5) This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the Building Code of Australia. (6) To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 applies may also be residential apartment development under this chapter.	The proposed development is partially for shop top housing, being residential apartment development above ground floor commercial and retail uses.
Clause 148 <i>Non-discretionary development standards for residential apartment development—the Act, s 4.15</i>	(1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. <i>Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</i> (2) The following are non-discretionary development standards— (a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide, (b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide, (c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	Satisfied. The proposed development will provide residential car parking provision in accordance with the Housing SEPP and non-residential car parking provision in accordance with the <i>Wollongong DCP 2009 - Chapter E03: Car Parking, Access, Servicing, Loading Facilities</i>. Refer to the Traffic Impact Assessment provided at Appendix T. All internal apartment areas and room sizes have been designed in accordance with ADG requirements, refer to Appendix G. All ceiling heights for the building have been designed in accordance with ADG requirements, refer to Appendix G.
Clause 149 <i>Apartment Design Guide prevails over</i>	(1) A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter—	Satisfied. The proposed development has been designed in accordance with the ADG requirement. A detailed

Clause	Control	Compliance assessment
<i>development control plans</i>	(d) visual privacy, (a) solar and daylight access, (b) common circulation and spaces, (c) apartment size and layout, (d) ceiling heights, (e) private open space and balconies, (f) natural ventilation, (g) storage. (2) This section applies regardless of when the development control plan was made.	breakdown of these requirements is provided within Appendix G .
Schedule 9 Design principles for residential apartment development		
1 <i>Context and neighbourhood character</i>	(1) Good design responds and contributes to its context, which is the key natural and built features of an area, their relationship and the character they create when combined and also includes social, economic, health and environmental conditions. (2) Responding to context involves identifying the desirable elements of an area's existing or future character. (3) Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. (4) Consideration of local context is important for all sites, including sites in the following areas— (a) established areas, (b) areas undergoing change, (c) areas identified for change	A Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G . The site located within the Wollongong City Centre Precinct and responds to the surrounding context of the area through the provision of shop top housing, commercial and retail premises and visitor accommodation.
2 <i>Built form and scale</i>	(1) Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. (2) Good design also achieves an appropriate built form for a site and the building's purpose in terms of the following— (a) building alignments and proportions, (b) building type, (c) building articulation, (d) the manipulation of building elements. (3) Appropriate built form— (a) defines the public domain, and (b) contributes to the character of streetscapes and parks, including their views and vistas, and (c) provides internal amenity and outlook	The incorporation of commercial and retail use on the ground level will provide a visually active and provide human-scale articulation to the built form, in alignment with this clause. This is further detailed at Appendix G .
3 <i>Density</i>	(1) Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. (2) Appropriate densities are consistent with the area's existing or projected population. (3) Appropriate densities are sustained by the following— (a) existing or proposed infrastructure, (b) public transport, (c) access to jobs, (d) community facilities, (e) the environment	A Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G . The proposed density is in alignment with the areas existing and projected population as outlined in this clause.
4 <i>Sustainability</i>	(1) Good design combines positive environmental, social and economic outcomes. (2) Good sustainable design includes— (a) use of natural cross ventilation and sunlight for the amenity and liveability of residents, and	An ESD Report has been prepared by Eco Engineering and is provided at Appendix Q and outlines the sustainable development commitments of the site. This is also detailed in

Clause	Control	Compliance assessment
	(b) passive thermal design for ventilation, heating and cooling, which reduces reliance on technology and operation costs. (3) Good sustainable design also includes the following— (a) recycling and reuse of materials and waste, (b) use of sustainable materials, (c) deep soil zones for groundwater recharge and vegetation.	the Housing SEPP Assessment within the Design Report at Appendix G .
5 <i>Landscape</i>	(1) Good design recognises that landscape and buildings operate together as an integrated and sustainable system, resulting in development with good amenity. (2) A positive image and contextual fit of well designed development is achieved by contributing to the landscape character of the streetscape and neighbourhood. (3) Good landscape design enhances the development's environmental performance by retaining positive natural features that contribute to the following— (a) the local context, (b) co-ordinating water and soil management, (c) solar access, (d) micro-climate, (e) tree canopy, (f) habitat values, (g) preserving green networks. (4) Good landscape design optimises the following— (a) usability, (b) privacy and opportunities for social interaction, (c) equitable access, (d) respect for neighbours' amenity. (5) Good landscape design provides for practical establishment and long term management.	A Landscape Design Report has been prepared by Land and Form and is provided at Appendix J. A Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G.
6 <i>Amenity</i>	(1) Good design positively influences internal and external amenity for residents and neighbours. (2) Good amenity contributes to positive living environments and resident well-being. (3) Good amenity combines the following— (a) appropriate room dimensions and shapes, (b) access to sunlight, (c) natural ventilation, (d) outlook, (e) visual and acoustic privacy, (f) storage, (g) indoor and outdoor space, (h) efficient layouts and service areas, (i) ease of access for all age groups and degrees of mobility.	A Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G .
7 <i>Safety</i>	Good design optimises safety and security within the development and the public domain. Good design provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	A Crime Prevention Through Environmental Design (CPTED) report has been prepared by Lot Consulting and is provided at Appendix P. This details the safety requirements and recommendations for the site. Additionally, a Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G.

Clause	Control	Compliance assessment
8 <i>Housing diversity and social interaction</i>	(1) Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. (2) Well designed residential apartment development responds to social context by providing housing and facilities to suit the existing and future social mix. (3) Good design involves practical and flexible features, including— (a) different types of communal spaces for a broad range of people, and (b) opportunities for social interaction among residents.	A Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G .
9 <i>Aesthetics</i>	(1) Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. (2) Good design uses a variety of materials, colours and textures. (3) The visual appearance of well designed residential apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	A Housing SEPP Assessment has been prepared by DKO Architects within the Design Report at Appendix G .

6 Stakeholder Engagement

This section describes consultation undertaken and feedback received prior to the lodgement of the EIS for the proposal and engagement to be carried out following lodgement of the EIS. It is supported by an Engagement Report has been prepared by Sarah George Consulting and is included at **Appendix M**. Further, it is supported by a Community Engagement Table included at **Appendix D**.

6.1 Engagement Carried Out

6.1.1 Identified Stakeholders

A comprehensive list of community members and stakeholders to consult throughout during the preparation of the EIS process was developed through:

- The identification of neighbours who would be impacted by the proposal unless mitigation measures were implemented,
- The identification of stakeholders who would have a particular interest in the proposal.
- The identification of stakeholders who would have information of value to the proposal, for example, Aboriginal groups with cultural knowledge relating to the site.
- Consultation with the DPHI. This included the community members and stakeholders listed in the proposals SEARs that the applicant was required to consult with.

As a result of the above process, stakeholders were identified for consultation, including:

- DPHI, including the Infill Affordable Housing Assessments team;
- Government Architect NSW;
- Wollongong City Council;
- NSW Health;
- NSW Police;
- NSW Department of Communities and Justice (Housing);
- Illawarra Local Aboriginal Land Council (LALC);
- Heritage NSW;
- Native Title Service Corporation (NTSCorp);
- National Native Title Tribunal;
- Office of the Registrar;
- Aboriginal Land Rights Act 1983;
- South East Local Land Services;
- Aboriginal parties, including;
 - James Davis;
 - Coomaditchie United Aboriginal Corporation;
 - Corroboree Aboriginal Corporation;
 - Guunamaa Dreamin Sites and Surveying;
 - Murra Bidgee Mullangari Aboriginal Corporation;
 - A&K Cultural Heritage;
 - Woka Aboriginal Corporation;
 - Woronora Plateau Gundungara Elders Council;
 - Wurrumay Culture Heritage Consultants;
 - Ninning;
 - Yerrowah Heritage;
 - South Coast Culture and Heritage;
 - Gadhungal Marring;
 - South Coast People; and

- Girragirra Murun.
- Community and surrounding residents and landowners;
- Surrounding businesses and groups.

6.1.2 Consultation Methods

As detailed in the Engagement Report at **Appendix M**, a range of consultation methods were used to engage stakeholders. This included activities completed prior to lodgement, through the preparation of the EIS and associated technical studies. The consultation methods are detailed in **Table 12** below.

Table 12 Consultation Methods

Activity	Purpose
Wollongong Council Pre-Lodgement Meeting	The proponent's team met with representatives from Wollongong City Council on 15 October 2024. The team presented the early design of the proposal.
State Design Review Panel	The proponent's team met with representatives from the State Design Review Panel on 16 October 2024 and 11 December 2024 to present the proposed SSDA scheme. This meeting informed the Wollongong City Council SEARs submission to DPHI and provided the proposal with design excellence standards.
DPHI Meeting	The proponent's team met with representatives from the DPHI on 17 September 2024 before submitting a request for SEARs. The team introduced the site and presented an early design of the proposal.
Online Survey	An online survey was produced to provide an opportunity for local community to provide feedback on the proposal. The survey link was issued via a QR code within the letterbox drop on 12 February 2025.
Neighbourhood Letterbox Drop	A letter was distributed to nearby households and commercial premises via a letterbox drop on 12 February 2025. The letter contained: • An overview of the proposal; • Details on who to contact for more information; and • A QR Code directing people to a survey to provide feedback.
Letters/Emails to Community Groups and Government Bodies	Letters and emails were sent to a range of local community groups and government departments, including: • Wollongong City Council; • Illawarra Local Aboriginal Land Council; • NSW Health; • NSW Police; and • NSW Department of Communities and Justice (Housing).
Public Notice	A Public Notice was placed in the Illawarra Mercury on 14 February 2025 to advise the broader community of the proposal.
Community Information Webinar	Community members who included their email when completing the online survey were contacted via email on 27 March 2025 with a link to the Community Information Webinar. The Community Information Webinar was held on 2 April 2025 and included a presentation which consisted of an overview of the proposal, planning pathway and next steps.

This approach follows the Undertaking Engagement Guidelines for State Significant Projects (2021) by:

- Engaging with relevant NSW Government agencies, service providers, Council, close neighbours and targeted members of the community who are most likely impacted or interested in the proposal;
- Informing the surrounding community to the site about the proposal and providing opportunities to engage directly with the project team;
- Explaining how community feedback will be considered and documented;
- Providing relevant information in plain English so that potential impacts and implications can be readily understood; and
- Providing channels of communication to gather feedback.

6.1.3 Aboriginal Community and Stakeholder Consultation

Consultation was undertaken with Aboriginal groups during the preparation of the Connecting with Country Strategy and the Aboriginal Cultural Heritage Assessment as discussed in **Appendix L** and **Appendix U**, respectively. The consultation methods are detailed in **Table 13** below.

Table 13 Aboriginal Community and Stakeholder Consultation Methods

Activity	Purpose
Agency Letters	Emails were sent to the following organisations on 19 September 2024 requesting the details of Aboriginal people who may hold cultural knowledge relevant to determining the Aboriginal significance of Aboriginal objects and/or places within the local area: - Heritage NSW; - Native Title Service Corporation (NTS Corp); - National Native Title Tribunal; - Office of the Registrar, Aboriginal Land Rights Act 1983; - Wollongong City Council; - Illawarra Local Aboriginal Land Council; and - South East Local Land Services.
Advertisement	An advertisement was placed in the NewsCorp publication 'Buy Search Sell' on the 19 September 2024 to invite all Aboriginal persons and organisations who hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the study area to register their interest.
Registration of Aboriginal Parties (RAP)	Letters and emails were sent on 4 October 2024 to all Aboriginal persons or organisations identified through responses from agencies. The letters provided details about the location and nature of the proposal and advised that their details would be provided to Heritage NSW, DPC and the Illawarra LALC. A total of 16 RAPs registered their interest in the project.

This approach follows the *Aboriginal cultural heritage consultation requirements for proponents 2010* (Department of Environment, Climate Change & Water 2010b).

It is noted that engagement will continue throughout the detailed phases of the development and into operations.

6.2 Community Views

In response to the letterbox drop, a total of 10 emails/phone calls were received. 27 responses to the survey were received in the 53 days in which the survey was live. A total of two (2) participants joined the webinar and two residents that were unable to attend requested a copy of the presentation, which was emailed.

The key issues and matters raised by the community during the preparation of the Scoping Report, SEARs and EIS are outlined in **Table 14** below.

Table 14 Community Issues Raised

Key Issues	Project Response
View Impacts	
- Impact on views from nearby residential flat buildings not adequately considered in original DA. - View impacts from existing residential properties to the ocean will be impeded and this will result in impacts for residents including impacts on property values and way of life.	- A View Impact Assessment prepared by Urbaine Design Group accompanies the application. That Assessment acknowledges that there will be view impacts for existing residences to the north of the stie, and the existing view to the coast. - The View Impact Assessment notes that while this view impact is significant, the proposal is permissible under the relevant planning controls, including height.
Traffic and Parking	

Key Issues	Project Response
- Increased congestion and traffic flow around the sites. - Concerns that there is insufficient parking provided on the site which will increase demand for on-street parking and impact traffic. - The need for one space per dwelling at a minimum especially affordable accommodation to accommodate shift workers. - Capacity of road infrastructure to accommodate additional demand.	- A Traffic Impact and Parking Assessment prepared by Genesis Traffic accompanies the application. That Assessment considers the potential traffic volumes and implications of the proposed development. - All vehicles will enter and exit the site from Burelli Street. - A Construction Traffic Management Plan will be prepared which accompanies the SSDA (Appendix T).
Affordable Rental Housing	
Why is the affordable housing limited to 15 years?	The affordable housing component will be provided for a minimum period of 15 years, consistent with the NSW Government requirements and the Housing SEPP.
Height	
- The height is not in keeping with Council's height limits. - Height out of character for the area and may set a precedent for building heights. - Overshadowing impacts to properties to the south.	- Additional height permitted under the Housing SEPP. The proposed height is not substantially different from the approved development on the site. The permissible height with the bonus provided under the Housing SEPP is significantly greater than the proposed building. - Overshadowing is illustrated on the plans accompanying the application. - The subject site has previously been assessed as a site suitable for mixed- use development including high density residential and overshadowing impacts deemed acceptable. - The siting of the buildings on the site is constrained to an extent by the need to not overshadow McCabe Park to the south-east of the site. No overshadowing of McCabe Park is generated by the proposal.
Property Values	
Concern regarding reduced property values due to view impacts.	Noted.
Infrastructure	
- Public transport demand. - Is a dedicated pull in bus lane proposed to ease traffic congestion?	- Existing social infrastructure is considered in the SIA and it is noted that the NSW Government Infrastructure anticipates significant residential growth and new homes in Wollongong area. There will be a need for additional infrastructure to cope with the anticipated growth. - Developer contributions, should the application be approved, can contribute to funding for new social infrastructure.
Constructions Related Impacts	
- Noise during staged construction. - Vibration impacts. - Air quality, dust and dirt.	Construction times and practices will be controlled through conditions of consent and application of best practice Construction Management Practices and Construction Traffic Management Practices.
Other Matters	

Key Issues	Project Response
• Why has the cinema and pool been removed? • Waste removal. • Need for more commercial and retail space. • Noise. • Concerns regarding potential conflict of interest re Minister of Planning place of residence. • Queries re next steps and further opportunities for consultation/submissions.	• The subject application responds to a broader vision for the site to enhance community benefits. The proposed retail corridor and hotel aim to stimulate the local economy, create jobs and increase tourism. • A Waste Management Plan accompanies the application. • A resident queried whether a conflict of interest had been declared by the Minister of Planning. • Information was provided regarding the next steps in the process and mechanisms for putting in submissions on the proposal once placed on exhibition on the Planning Portal.

Source: Sarah George Consulting

No comments were received from statutory bodies or community groups notified of the proposal.

6.3 Engagement to be Carried Out

The project team are committed to ongoing community consultation following the submission of the EIS. This includes during the exhibition and assessment of the project and following a determination.

Following its submission, the DPHI will exhibit the EIS on the Major Projects NSW Website and invite submissions from government agencies and the public. Once the exhibition period is complete, the DPHI may require the applicant to prepare a Submissions Report in response to issues raised. The project team will continue to liaise with the DPHI and stakeholders during the proposal's assessment to address queries that may arise.

7 Assessment of Impacts

This section of the report assesses and responds to the environmental impacts of the proposed SSD. It addresses the matters for consideration set out in the SEARs dated 8 October 2024 (see **Appendix A**). The Mitigation Measures proposed to mitigate any environmental impacts are provided at **Appendix E** and complement the findings of this section.

7.1 Built Form and Urban Design

For the purposes of comparison against the existing development consent for redevelopment of the site (DA Ref. DA-2021/95), the key numerical elements of the proposed development are compared against the approval in **Table 15** below.

Table 15 Numerical Comparison of Key Development Metrics

Element	Approved (DA-2021/957)	Proposed
GFA	- Residential: 34,643m² - Non-Residential: 24,011m² Total Approved: 58,655m²	- Residential: 52,796m² - Non-Residential: 24,093m² Total Proposed: 76,889m²
FSR	4.48:1	5.87:1
Building Height	- Tower 1: 118.5m (39 storeys) - Tower 2: 74.8m (23 storeys) - Tower 3: 57.7m (17 storeys) - Commercial: 34.9m (7 storeys) - Pool and Gym: 16.7m (4 storeys) - Grand Hotel and Exhibition: 16.7m (4 storeys)	- Building 01: 129.6m (38 storeys) - Building 2.1: 57.7m (16 storeys) - Building 2.2: 86.5m (24 storeys) - Building 2.3: 67.5m (17 storeys) - Building 03: 54.65m (16 storeys) - Commercial: 51.9m (13 storeys) - Hotel: 39.1m (10 storeys)
Basement Levels	3 basement levels	2 basement levels
Apartments	390 apartments	546 apartments (incl. 132 affordable)
Adaptable/Liveable Apartments	40 adaptable apartments 78 livable apartments	56 adaptable apartments 59 livable apartments
Retail Tenancies	60 tenancies	21 tenancies
Car Spaces	- Residential: 380 spaces - Residential Visitors: 35 spaces - Residential Accessible: 6 spaces - Car Share: 2 spaces - Commercial/Retail: 56 spaces - Commercial/Retail Accessible: 16 spaces Total Approved: 496 spaces	- Residential: 547 spaces (incl. accessible spaces) - Residential Visitors: 49 spaces - Commercial/Retail/Residential Visitor: 63 spaces - Commercial/Retail (staff): 25 spaces - Hotel (staff only): 10 spaces - Retail (supermarket): 80 spaces Total Proposed: 774 spaces
Bicycle Spaces	- Residential: 132 spaces - Residential Visitors: 33 spaces - Commercial/Retail: 66 spaces - Public: 103 spaces Total Approved: 334 spaces	- Residential: 228 spaces - Commercial/Retail: 92 spaces Total Proposed: 320 spaces
Motorcycle Spaces	- Residential: 26 spaces - Commercial/Retail: 2 spaces Total Approved: 28 spaces	- Residential: 40 spaces - Commercial/Retail: 7 spaces Total Proposed: 47 spaces
Communal Open Space	1,874m ² (33.6%)	4,601m ² (35%)
Affordable Housing	0%	15% (11,620m ² or 132 affordable apartments)

7.1.1 Building Height

Section 16(3) of the Housing SEPP permits the maximum building height for residential flat buildings and shop top housing to be an additional 30% of the maximum permissible building height under the Wollongong LEP 2009, when 15% of the additional FSR is used for the affordable housing component.

The proposed development dedicates 15% of floor space (11,620m²) towards the affordable housing component of the development and is awarded a 30% increase in FSR and building height under Section 16 of the Housing SEPP.

Building 2.2 straddles over two separate building height controls; being the 158m control and the 78m control. Building 2.2 is entirely compliant with the 158m control but deviates from the 78m control by a maximum of 8.674m. This represents an overall variation of 11.1% above the 78m building height control and occurs largely due to the layout of buildings and their relationship to the varying height planes across the site. Refer to **Figure 33** below which illustrates the proposed height breach in the context of the applicable height controls. This height variation is sought under a Clause 4.6 Variation Request included at **Appendix MM**.

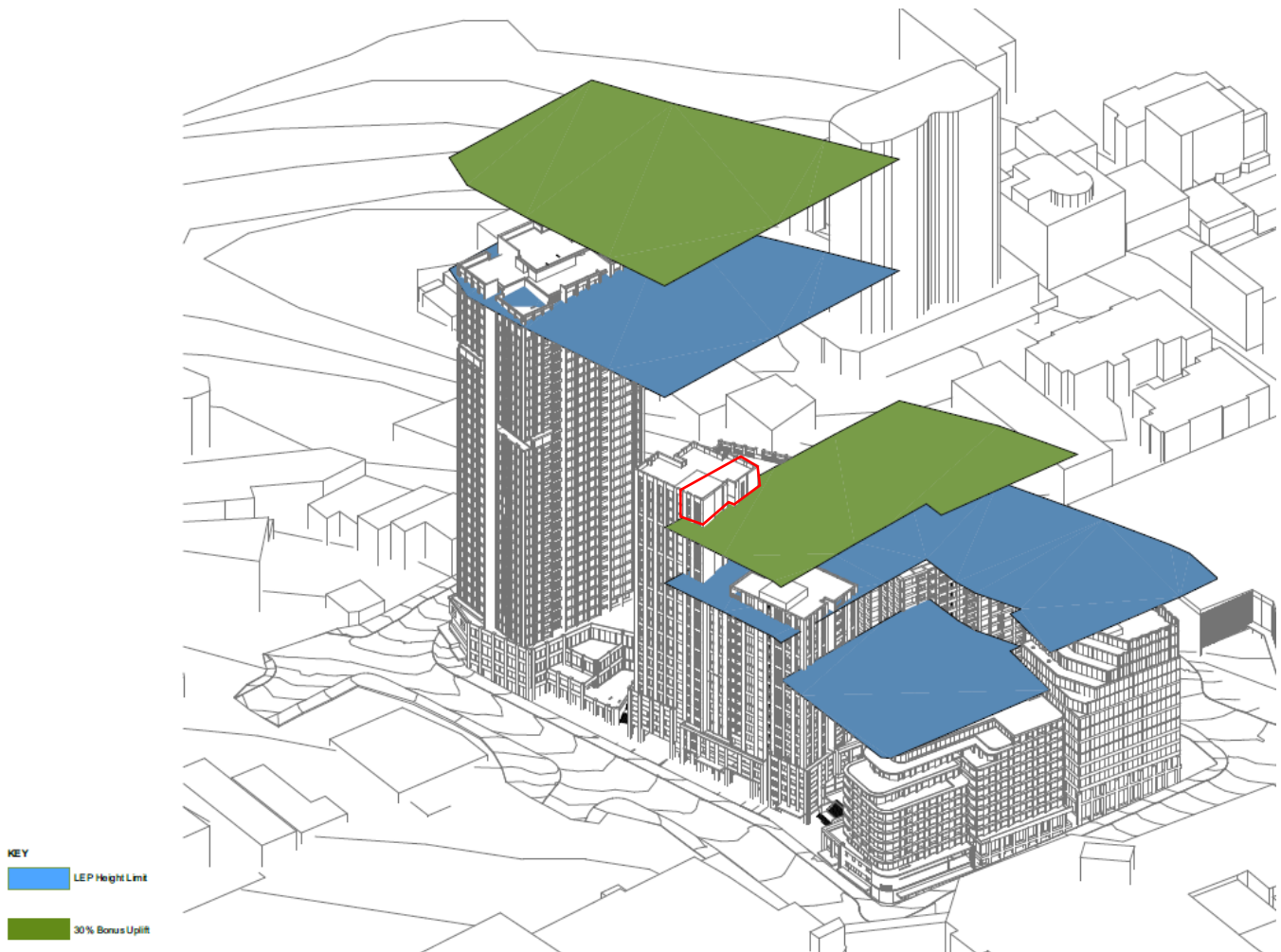


Figure 33 Building Height Diagram

Source: DKO Architects

It is noteworthy that the building does not at any instance exceed the tallest height control afforded to the site of 158m. The variation sought under this application is the result of minor sections of the building components exceeding the building height controls of 78m along the eastern portion of Building 2.2. The variation is considered acceptable as it does not result in any additional environmental impacts in terms of overshadowing to McCabe Park and impacts on private views, and the massing is considered appropriate and necessary to ensure overall continuity of design and townscape for Building 2.2.

7.1.2 Floor Space Ratio

A detailed FSR Calculation has been prepared by Ethos Urban in accordance with Clause 4.4A of the Wollongong LEP and is provided at **Appendix OO**. This provides a detailed breakdown of the methodology for determining the FSR available on the site and this has been summarised in **Table 16** below.

Table 16 FSR calculation summary

Step No.	Step Description	Calculation
Step 1	Calculate percentage of non-residential and residential floor space from Maximum GFA allowed under Wollongong LEP 2009.	$24,093 / 59,122$ = 0.408 (non-residential) $35,029 / 59,122$ = 0.593 (residential)
Step 2	Calculate FSR of non-residential and residential floor space, from Maximum GFA allowed under Wollongong LEP 2009.	= 6:1 (non-residential) = 3.5:1 (residential)
Step 3	Calculate Maximum Permissible FSR under the Wollongong LEP 2009.	6×0.408 (non-residential) + 3.5×0.593 (residential) $= 2.448 + 2.076$ = 4.524 (base FSR)
Step 4	Calculate the 30% Affordable Housing bonus from the base FSR of 4.524:1.	4.524×0.30 = 1.357 (30% bonus FSR)
Step 5	Determine maximum FSR for the site, inclusive of the 30% Affordable Housing bonus, based on the 'maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30% '.	$4.524 + 1.357$ = 5.881 (base + bonus FSR)
Step 6	Calculate affordable housing component to confirm it will be over 10%.	$30\% / 2$ = 15%

The proposed development has a total FSR of 5.88:1 which is compliant with the total available FSR under the Housing SEPP (5.88:1) and translates to a total GFA of 76,889m² for the site.

15% of the total GFA (11,620m²) has been dedicated towards the affordable housing component consistent with Clause 16 of the Housing SEPP.

7.1.3 Additional Building Height and Floor Space Ratio

As discussed above, the in-fill affordable housing provisions in Part 2, Division 1 of the Housing SEPP allow for an additional 30% in building height and FSR respectively for developments which provide 15% affordable housing and meet the required standards.

In this regard, the proposal has been assessed against the in-fill affordable housing development standards in Part 2, Division 1 of the Housing SEPP, therefore confirming eligibility for the affordable housing bonuses and justifying the proposed building height and FSR of the development.

This SSDA is accompanied by a Design Report at **Appendix G**, which establishes the proposed bonuses and the building form in the context of the site and compliance with the development controls in Wollongong LEP 2009, Wollongong DCP 2009, and the Apartment Design Guide (ADG).

7.1.4 Bulk and Scale

The proposed development has adopted a massing strategy that responds to the form of the existing and future development in the surrounding context. The bulk of the proposed buildings is broken down into a number of components, being a podium with one residential tower above, a podium with four residential towers above, a hotel building and a commercial building. The design incorporates spacing between towers that allows the mass to respond to the sloping topography and provide visual relief to the form.

Critically, the massing has sought to remain as consistent as possible with the development consent for the site, in order to minimise additional overshadowing impacts to McCabe Park to the southeast.

The tower elements are set back from the site boundary to reduce bulk, with increased setbacks along Crown Street, to enable the development to sit comfortably in the streetscape without imposing on the public domain. The façade provides strong vertical articulation which is softened and offset by the relief introduced by balcony recesses. The orientation of the proposed built forms ensures ample access to sunlight to the northern and western facades in mid-winter.

Each building incorporates distinct indentations/recesses that break up the mass, bulk, and scale of the buildings to ensure they do not appear as a single mass. The buildings have a stepped massing towards the east to respond to the future surrounding context and to contribute to effective articulation and reduce the overall bulk of the development. Refer to **Figure 12**.

Furthermore, the double-height commercial, retail and lobby spaces ensure that the proposed built form preserves the existing character of Crown Street as a high street through the use of the podium reflecting the surrounding character height and scale with a similar stepped awning.

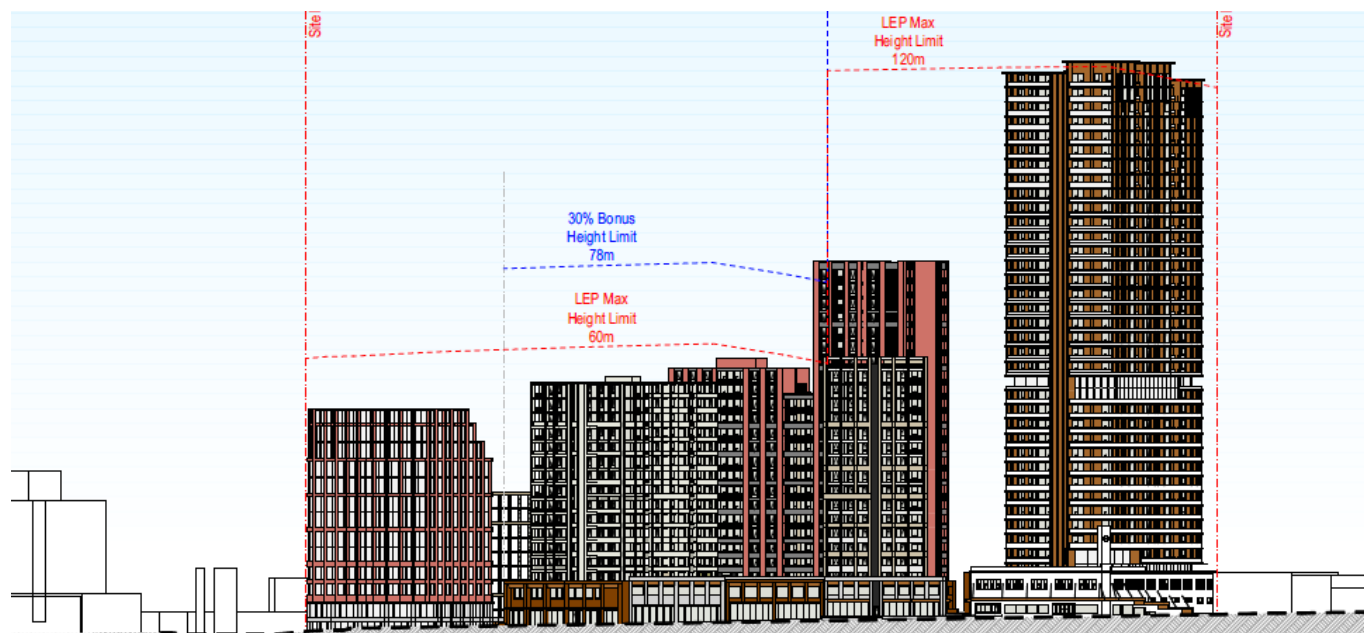


Figure 34 Crown Street elevation

Source: DKO Architects

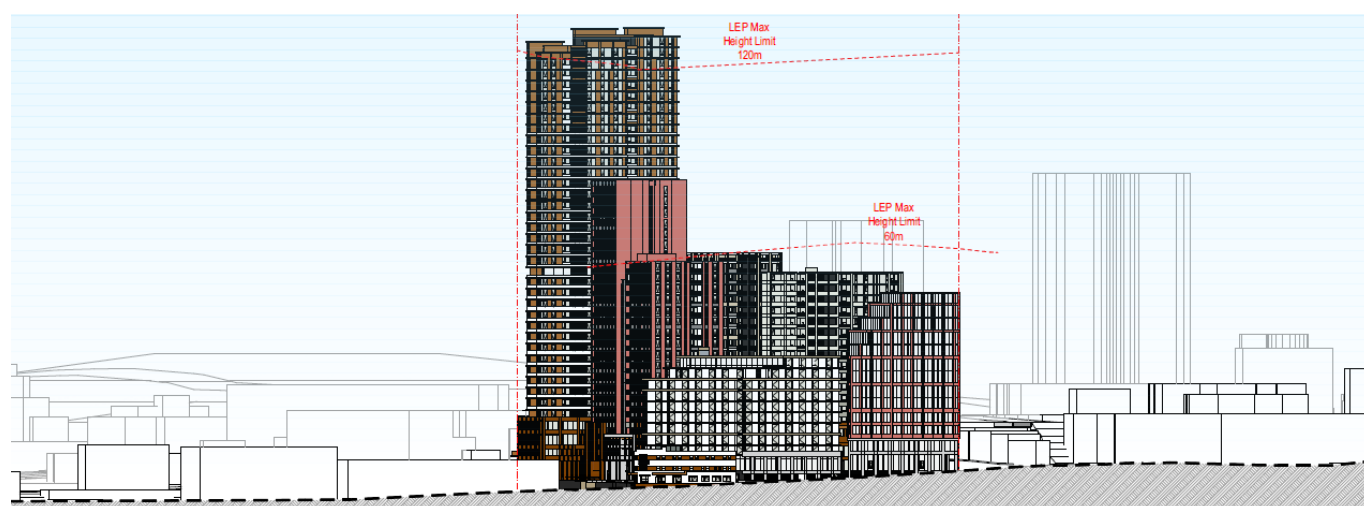


Figure 35 Kiera Street elevation

Source: DKO Architects

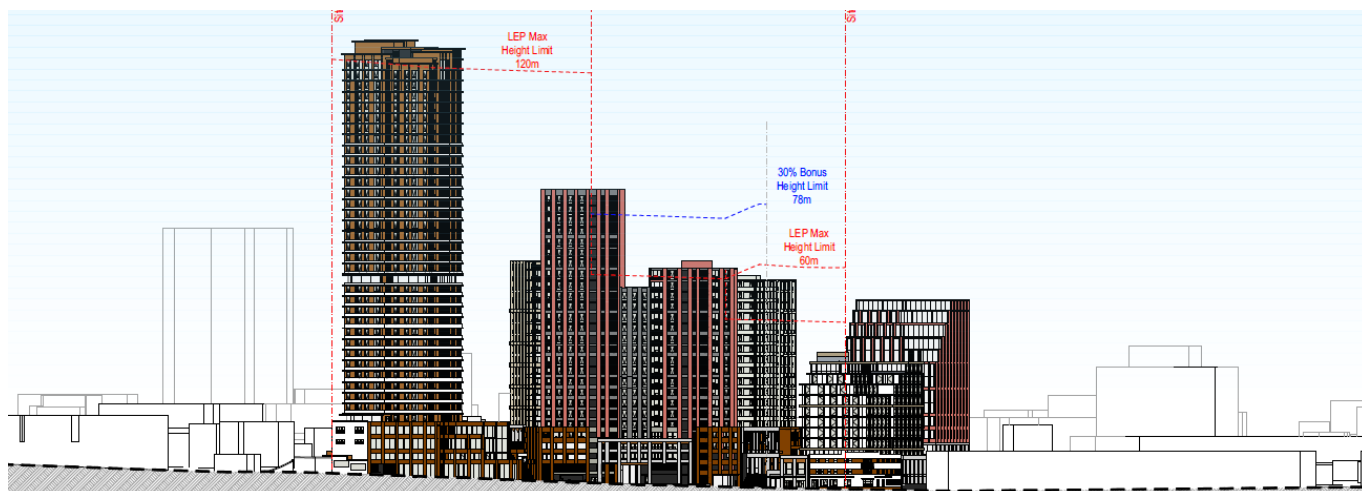


Figure 36 Burelli Street elevation

Source: DKO Architects

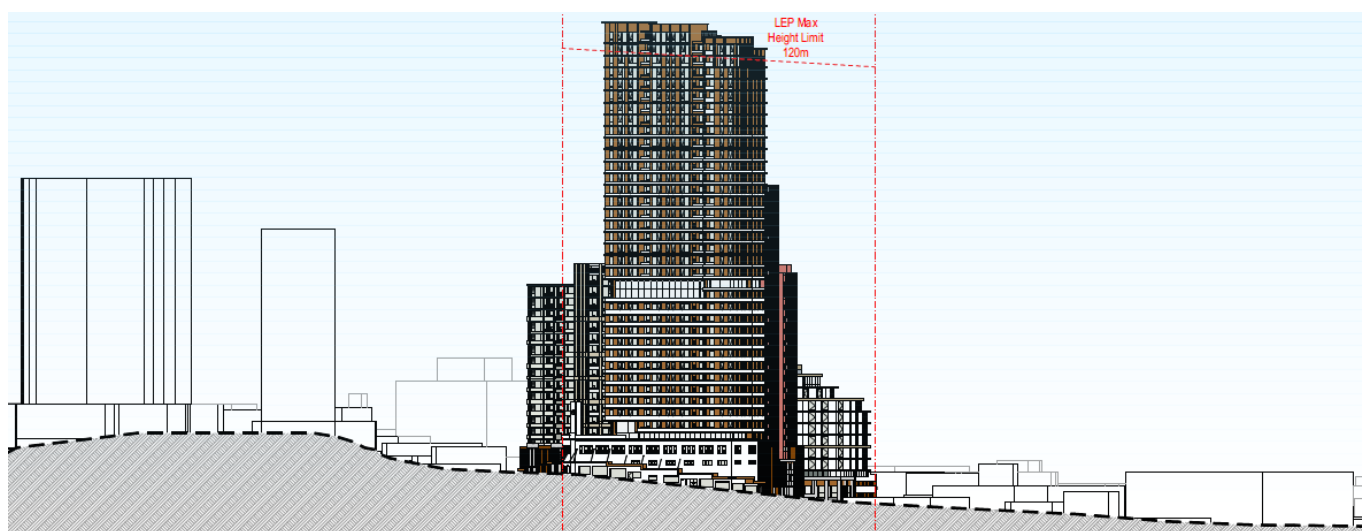


Figure 37 Atchison Street elevation

Source: DKO Architects

7.1.5 Materiality

A carefully selected material palette has been developed to respond to the surrounding landscape and architectural language of the area, including variety of materials and finishes such as bronze brick and glass.

The proposal respects and enhances the distinct character of Wollongong's city centre by retaining and restoring the facades of both the heritage-listed Marcus Clark building and the locally significant Grand Hotel.

The podium façade along Crown Street has been designed to respond sensitively to the scale, rhythm, and materiality of the adjacent heritage structures. This approach ensures a cohesive streetscape while introducing architectural variety that adds richness to the urban experience.

Further vertical facade articulations have been introduced as a key design principle to break down the overall massing into smaller components, creating a more balanced and visually coherent expression while reinforcing the architectural rhythm and clarity of the form.

Further detailing has been applied to the facades to enhance the architectural expression and develop a cohesive design language. Each building features a distinct and unique facade treatment, while maintaining visual harmony across the development to ensure a unified and well-integrated built form.

These elements contribute to the continuity of the area's historic identity, while integrating them into a contemporary development that supports thoughtful urban renewal.

The materials schedule is illustrated in **Figure 22** above.

7.1.6 Through-Site Link and Communal Open Spaces

The proposed development includes two distinct connections between Crown Street and Burelli Street, the through-site link and the plaza.

The proposed through-site link has been designed to complement Wollongong's rich network of laneways. It will serve a transitioning route from the commercial character of Burelli Street to the fine grain retail of Crown Street, offering a mix of retail tenancies as well as entry points to residential and commercial lobbies. Refer to **Figure 23**.

A public plaza with active retail edges is proposed on the interface of the commercial and hotel edges at the eastern part of the development. This plaza will serve as a key communal open space area for both the general public and residents of the development. The plaza offers a mix of retail tenancies, including a large space designated for a supermarket alongside open areas accessible to the public with generous landscaped areas and seating. Level access to the plaza is provided from Keira Street and stair connections are provided from both Crown and Burelli Streets. In addition, the plaza will accommodate the proposed hotel secondary entry, creating a vibrant and active interface between public and private uses. Refer to **Figure 24**.

Communal open space is defined in the ADG as, an *"outdoor space located within the site at ground level or on a structure that is within common ownership and for the recreational use of residents of the development. Communal open space may be accessible to residents only, or to the public."*

The ADG also identifies that a communal open space can be either:

- An outdoor space on the ground level; or
- An outdoor space on a structure in common ownership and for resident's recreational use.

It can also be either:

- Accessible to residents only; or
- Accessible to the public.

In accordance with this definition, the proposed public plaza is a communal open space, given that it is located at ground level within the site and has equitable, unrestricted access to both the public and private residents. The other communal open spaces provided within the development are private communal open spaces within the residential buildings and will be accessible to all residents across the development. Each resident's access fob will be programmed to allow residents to access levels within the respective buildings that contain the communal open space, those being Level 4 of Building 1, Level 3 of Building 2.1 and Levels 3 and 16 of Buildings 2.2 and 2.3.

7.1.7 Building Separation

The proposal provides the following building separation between the four residential towers, Hotel and Commercial Building:

- 11.5m between Building 01 and Building 2.1
- 7.5m between Building 2.1 and Building 2.2
- 17.2m between Building 2.1 and Building 2.3
- 7.5m between Building 2.2 and Building 2.3
- 14.4m between Building 2.3 and Building 03
- 22m between Building 03 to Commercial Building
- 2.5m between Commercial Building and Hotel
- 22.2m between Hotel and Building 2.3

The proposed building separation is considered acceptable from a visual privacy perspective as the reference design includes treatments such as angled windows to protect the privacy of occupants. The design proposes considered articulation to the facade, incorporating fins to emphasise the vertical elements of the architectural language and overhang to emphasise the horizontal.

Clause 8.6(2)(a) of the Wollongong LEP 2009 applies to buildings up to the street frontage height or 24m above ground level (whichever is lesser) and requires no separation between neighbouring buildings.

The proposed podiums include street frontages lesser than 24m in height and therefore Clause 8.6(2)(a) applies to the podium levels. This control requires no building separation between non-dwelling uses lower than the street frontage height. Above podium level, there are several instances of proposed building separation distances being below the Wollongong LEP 2009 Clause 8.6(3) requirement. This is summarised in **Table 17** below.

Table 17 Summary of Reduced Building Separation for Dwelling Uses

Building	Adjoining Building	Level	Approx. Minimum Distance	LEP Control
Hotel Building (dwelling)	Commercial Building (non-dwelling)	1-9	2.5m	16m
Building 2.1 (dwelling)	Building 1 (non-dwelling)	3	11.5m	16m
	Building 2.2 (dwelling)	3	7.5m	20m
	Building 2.2 (dwelling)	4 - 17	8.9m	20m
	Building 2.3 (dwelling)	4 - 17	17.2m	20m
Building 2.3 (dwelling)	Building 3 (dwelling)	3 – 16	14.4m	20m
	Building 2.2 (dwelling)	17	7.5m	20m

These proposed building separation distances necessitate a Clause 4.6 Variation Request which is provided at **Appendix NN**. The proposed building separation is illustrated in **Figure 38** below.



Figure 38 Building separation and setbacks diagram

Source: DKO Architects

Key reasons why the proposed building separation distances are considered acceptable are as follows:

- The hotel building features a building separation of 2.5m to the adjoining commercial building. To prevent privacy impacts, the hotel use will not feature any openings or windows towards the commercial building and the hotel building is not orientated towards the commercial building which achieves protection of outlook for hotel occupiers and addresses potential privacy impacts.
- At Level 3, there is approximately 11.5m of separation distance between the main bedroom in Unit B3.01 in Building 2.1 and the commercial use in Building 1. This portion of the building will be visually separated by mature planting between the two buildings. Additionally, the main bedroom has been designed to feature multiple points of outlook to promote views to other aspects.
- Above Level 3, Building 1 is recessed inwards and the building separation is greater than 20m which complies with the relevant development control.

- At Level 3, the building separation distance between Unit B3.03 in Building 2.1 and Unit C3.02 in Building 2.2 is approximately 7.5m. However, the northern façade of Unit C3.02 which faces Unit 3.03 does not include any openings and presents as a solid wall. It is acknowledged that there is a window along the northern façade of Unit C3.02 but this only serves a storage area which will not result in an adverse privacy impact.
- Above Level 3, a building separation of approximately 11m is achieved between the lounge room in Unit 03 in Building 2.1 and the second bedroom in Unit 2 in Building 2.2. Notwithstanding the above, the buildings are orientated to prevent direct views into adjoining buildings. The southern façade of Building 2.1 and the northern façade of Building 2.2 primarily includes non-transparent material and both facades will include privacy glazing to mitigate any potential privacy or overlooking impacts.
- Above Level 3, there is a building separation distance of approximately 17.2m between Building 2.1 and Building 2.3. However, Building 2.1 and Building 2.3 are orientated to prevent direct views. Additionally, the southern façade of Building 2.1 and the northern façade of Building 2.3 involve non-transparent material and privacy film to glazing which limits the ability for residents to view into neighbouring apartments.
- Building 2.3 features a building separation distance of approximately 14.4m to Building 3 between levels 3-16. However, Building 2.3 and Building 3 are orientated to prevent direct views. Additionally, the northern façade of Building 2.3 and the southern façade of Building 3 involve non-transparent material and privacy film to glazing which limits the ability for residents to view into neighbouring apartments.
- At Level 17, a break in building massing is introduced which results in a building separation distance of approximately 7.5m between Buildings 2.3 and 2.2. Between the two facades, only one opening is provided, which is the window from the kitchen of Unit 17.03. The adjoining façade features a blank wall to prevent privacy impacts. The window allows for improved solar access to Unit 17.03.

Overall, while there are breaches to the minimum building separation distances, there can effectively be mitigated through the design through utilising privacy screens, reducing or removing outlook with blank walls, and using mature planting. The achieved building separation distances are considered to be acceptable when considered on the whole.

7.1.8 Setbacks

While the Wollongong LEP does not include a requirement for setbacks to the development boundary, the proposed development has utilised ground floor and upper-level setbacks as part of the overall design in order to provide new public open spaces at important junctions within the development, including the northeast corner fronting Crown Street. The tower elements are further set back above the street front to reduce bulk and provide a greater sense of pedestrian scale at the ground plane. The increased setbacks along Crown Street also help the proposed development sit more comfortably within the streetscape without imposing on the public domain.

The proposed setbacks are summarised as follows:

Ground Floor

Building 1:

- Partial 6m setback to Burelli Street
- 0m setback to all other boundaries

Building 2.1, 2.2 and 2.3:

- 6m setback to Burelli Street
- 3m setback to Crown Street

Building 3:

- 3m - 10.4m at Crown Street

Commercial:

- 10.4m - 11.9m setback to Crown Street

Hotel:

- 0m setback and partial 9.9m and 9.4m setback to Burelli Street

Above Podium Level

Building 1:

- 10.7m - 20.6m setback to Crown Street
- 3m setback to Atchison Street
- 0.9m - 3.7m setback to Burelli Street

Building 2.1:

- 8.5m setback to Crown Street

Building 2.2:

- 6.6m setback to Burelli Street

Building 2.3:

- 6m setback to Burelli Street

Building 3:

- 3.1m - 10.3m setback to Crown Street

Commercial:

- 10.4m - 11.9m setback to Crown Street

Hotel:

- 2.3m setback to Keira Street
- 1m - 2.1m setback to Burelli Street

7.1.9 Existing Easements

An Easement Plan has been prepared by Masters Surveying and provided at **Appendix PP**. The existing easements are proposed to be addressed through a separate process as detailed in **Table 18** below.

Table 18 Summary of Addressing Existing Easements

Easement	Legal Description	Proposed To Be Addressed
An easement / Right of Carriageway known as Findlay Place	DP 603753	Proposed to be released at consolidation of the development site- at the office of nsw land registry services. the Findlay Place right of way is currently an easement in gross and Wollongong City Council will need to consent to release.
Various Rights of Way (RoW) connecting to Findlay Place	DP 878243 and DP 17979	To be released at consolidation of the development site- it will be an automatic release upon registration of the consolidation at the Office of NSW Land Registry Services.
An easement for electricity purposes/substation	DP 1163904	To be released after the consolidation of the site- potentially just prior to demolition or prior to energisation of new reticulation substations. Most likely outcome and normal practice will be that Endeavor Energy will release this easement at the Time of approving the 88b instrument of the future substations.
An easement for RoW between 232-234 Keira Street and 236-238 Keira St	DP 551157 and DP 546125	To be released at consolidation of the development site- it will be an automatic release upon registration of the consolidation at the Office of NSW Land Registry Services.
Cross easements affecting the party walls	DP 17979	To be released at consolidation of the development site- it will be an automatic release upon registration of the consolidation at the office of nsw land registry services.

7.2 Environmental Amenity

7.2.1 Visual Impact

A Visual Impact Assessment (VIA) has been prepared by Urbaine and is provided at **Appendix N**. The intention of the VIA is to confirm that the proposed development is appropriate in terms of the site's context.

The methodology used by this VIA is derived from a consideration of a number of guidelines, including the international standard 'Guidelines for Landscape and Visual Impact Assessment', the NSW Land and Environment Court (LEC) planning principle for 'impact on public domain views' established in *Rose Bay Marina Pty Limited v Woollahra Municipal Council & Anor* [2013] NSWLEC 1046 (Rose Bay) and for 'view sharing' established in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140.

The key viewpoints considered as part of this study are mapped in **Figure 39** below and photomontages are provided in **Figure 40** to **Figure 49** below.

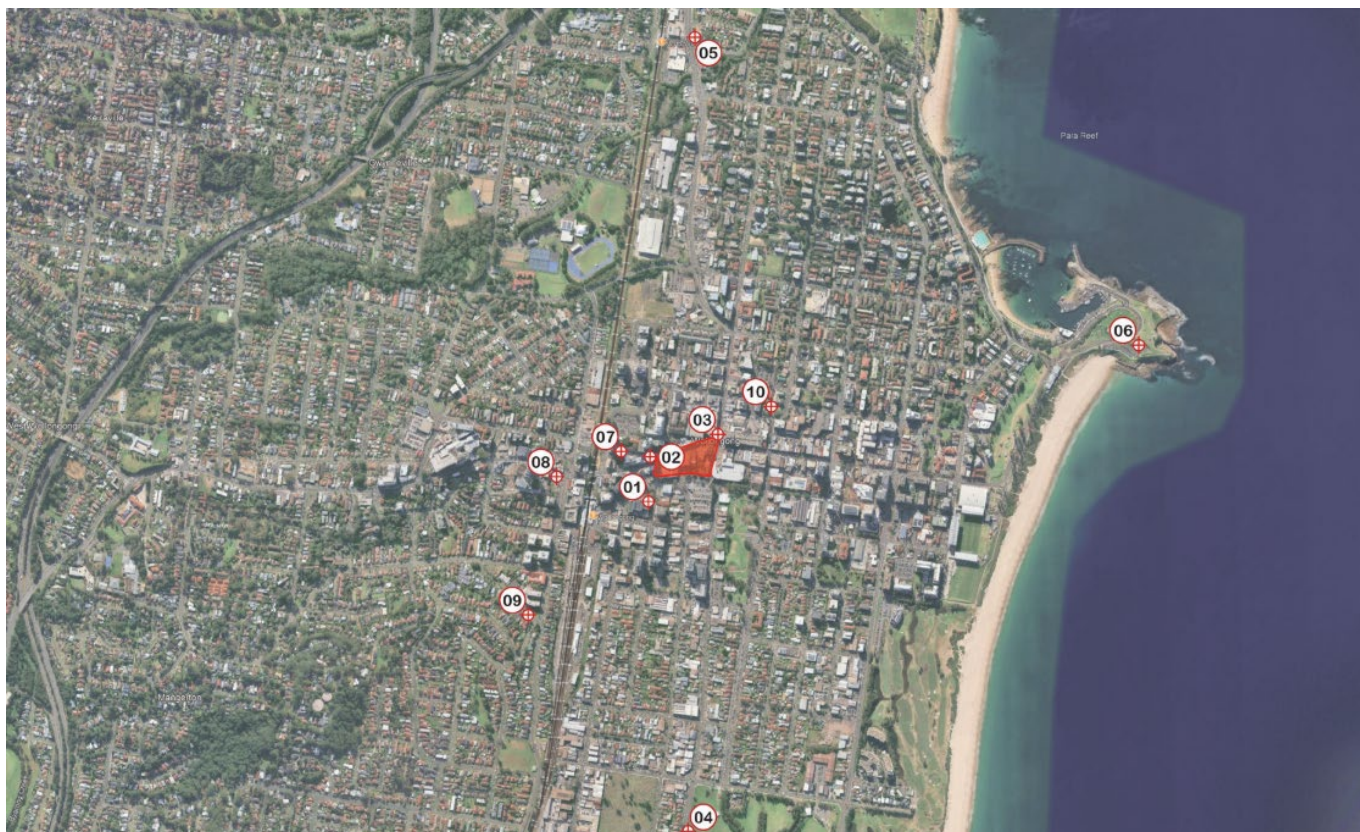


Figure 39 Key Viewpoints

Source: Urbaine

ⓘ NOT TO SCALE



Existing



Proposed

Figure 40 Viewpoint 1, view from road junction between Burelli Street and Atchison Street

Source: Urbaine



Existing



Proposed

Figure 41 Viewpoint 2, view from corner of Crown Street and Atchison Street

Source: Urbaine



Existing



Proposed

Figure 42 Viewpoint 3, view from Crown Street

Source: Urbaine



Existing



Proposed

Figure 43 Viewpoint 4, view from Kiera Street

Source: Urbaine



Existing



Proposed

Figure 44 Viewpoint 5, view from Princes Highway

Source: Urbaine



Existing



Proposed

Figure 45 Viewpoint 6, view from Flagstaff Hill car park

Source: Urbaine



Existing



Proposed

Figure 46 Viewpoint 7, view from Level 18, 3 Rawson Street

Source: Urbaine



Existing



Proposed

Figure 47 Viewpoint 8, view from road junction between Crown Street and Denison Street

Source: Urbaine



Existing



Proposed

Figure 48 Viewpoint 9, from northern pavement along the road junction between Gladstone Avenue and Rawlinson Avenue

Source: Urbaine



Existing



Proposed

Figure 49 Viewpoint 10, view from Market Street

Source: Urbaine

Visual impacts are considered to be reasonable overall given that the proposed massing from the development is broadly similar to the approved development consent and that the resultant public view impacts and view loss is therefore very similar to that of the approved building envelope.

In terms of the impact to private viewpoint 7, as shown at **Figure 46**, the proposal would result in a significant impact and lateral view loss to the southeast as a result of the proposed height and scale. Upon completion, the proposal would impact upon the greater part of coastal views, as well as the residential views in the immediate surrounding area. Sky and horizon views would be bisected by the structure, impacting many of the views from the Rawson residential flat building. The visual impact extent from this location is assessed within the VIA as severe, considering the view loss and the quality of the views obscured.

However, this viewpoint must be considered within the context of the existing Wollongong LEP and FSR controls. The expectation that a completely unobstructed view is retained is unrealistic when considered against the current controls that apply to the site. Clearly, a development of similar height and massing is envisaged on the site by virtue of the Wollongong LEP height and FSR controls and the approved development scheme. Accordingly, there is a reasonable expectation that these views would be impacted by development in the future given the CBD location and the fact that these current views are gained by looking directly across the application Site.

Secondly, the impact on this private view must be considered within the context of the approved building envelope, which would effectively result in a very similar view loss. It is acknowledged that there is additional view loss impact from the proposed scheme, primarily additional view loss to the sky and the coast, considered to be minor when considering the view as a whole. The scheme still maintains visibility of the sky and the coast either side of the main bulk of the massing within the development.

Further, while the proposed scheme utilises the height and FSR bonuses afforded by the Housing SEPP, it does not seek to utilise the full extent to the maximum permissible height that would apply, which would be 156m.

Any additional view loss impacts are outweighed through by the fact that the scheme complies with the applicable height and FSR controls and the planning benefits that the scheme would deliver. Further detailed analysis of visual impacts is contained in the Visual Impact Assessment (VIA) prepared by Urbaine and provided at **Appendix N**.

7.2.2 Overshadowing and Solar Access

Overshadowing on Surrounds

Shadow diagrams have been prepared by DKO Architects and are provided within the Architectural Drawings at **Appendix B**. The analysis illustrates overshadowing from the proposed development on the site's surrounds, and demonstrates that there are overshadowing impacts to the buildings to the south of the proposed development. Whilst this is the case these buildings are zoned within the E2 Commercial Centre and are not subject to specific solar access controls.

While the site is not directly impacted by the overshadowing controls for McCabe Park under the Wollongong LEP 2009, the proposed development has been carefully designed to avoid additional overshadowing to McCabe Park, when considered against the approved building envelope, and maintains the provision of solar access to the park between 9am and 2pm, as illustrated by **Figure 50**. The proposed scheme will not result in any additional overshadowing to McCabe Park for 5 hours between 9am-2pm during the winter solstice, achieving the objective of WLEP clause 8.3.

Figure 51 demonstrates that the proposed scheme would result in very minor additional overshadowing to McCabe Park at 3pm which is considered appropriate in comparison to the remaining shadows created by the portions of buildings which are compliant with the maximum building height control.



Figure 50 Winter Solstice Shadow Diagrams – 2pm

Source: DKO Architects

⊙ NOT TO SCALE

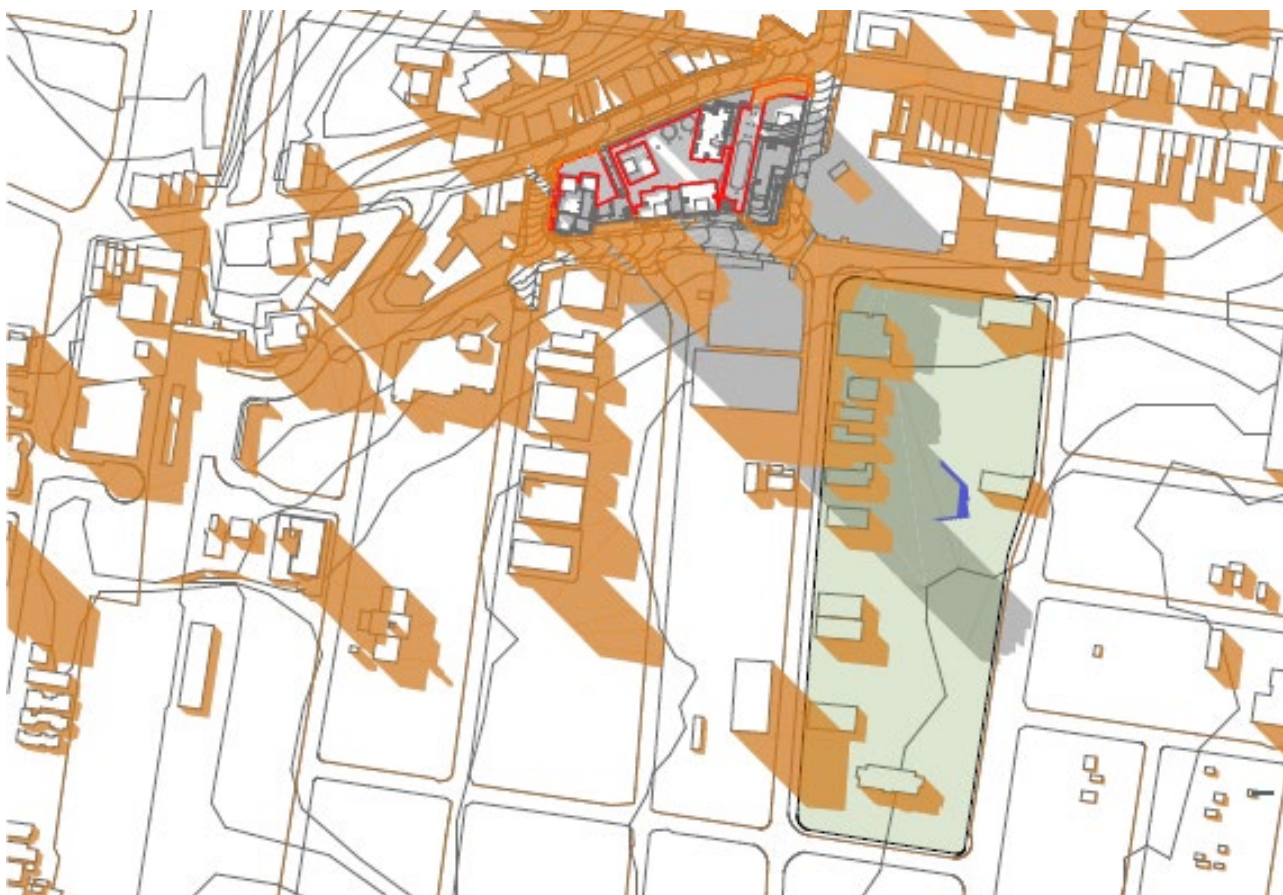


Figure 51 Winter Solstice Shadow Diagram – 3pm

Source: DKO Architects

⊙ NOT TO SCALE

Solar Access to Communal Open Space

The proposal addresses the ADG requirements of solar access. The development achieves a minimum of 50% direct sunlight to the principal usable parts of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter). Refer to the Solar Access drawings within **Appendix B**.

7.2.3 Wind Environment

A Pedestrian Level Wind Comfort Report has been prepared by Vipac Engineers & Scientists and is provided at **Appendix O**. This report provides a qualitative assessment of the site's wind conditions and conceptual wind control measures to improve wind comfort, where deemed necessary.

The critical outdoor trafficable area associated with the proposed development, which are the focus of this assessment with regards to wind effects are listed as follows:

- Ground Level trafficable area;
- Level 3 Communal Open Space;
- Level 4 Communal Open Space;

Site Suitability

It is expected that based on the existing design, the wind condition for the various trafficable outdoor areas within and around the development will be suitable for their intended uses. An overview of the assessment against the various outdoors areas is provided below, with full details provided at **Appendix O**.

Ground Level

At street level, the wind conditions were found to be within the recommended walking comfort ratings and building entrances are well protected from the prevailing winds and windspeeds. As such, no recommendations for wind amelioration were recommended around the project site.

Level 3 Communal Open Space

The communal open space on Level 3 is within the recommended walking comfort criterion for pedestrians.

Level 4 Communal Open Space

Higher wind speeds are predicted around the northwestern corner of the Level 4 terrace. In response to this, mitigation measures have been incorporated as part of the landscape design, including tall dense landscaping around the western to northwestern perimeter of the Level 4 terrace.

The proposed landscaping is expected to reduce wind speeds around the northwestern corner and achieve walking comfort criterion or better for pedestrians. Inclusion of a pergola structure and dense landscaping around the outdoor dining space will also assist with ensuring a comfortable pedestrian environment is achieved in this communal area. As a result, the communal open space on Level 4 is within the recommended walking comfort criterion for pedestrians.

7.4 Residential Amenity

The reference scheme has been designed with consideration of the relevant provisions of the Apartment Design Guide (ADG).

An assessment against the ADG is provided in **Table 19** below. A Design Report, containing a further detailed ADG compliance table has been prepared by DKO Architects and is provided at **Appendix G**, confirming that the reference scheme was designed by a registered architect and meets the design quality principles set out in the Housing SEPP.

Table 19 Assessment Against ADG

Objectives and Design Criteria		Comments	Compliance	
Part 3: Siting the Development				
3D Communal and Public Open Space				
Communal open space has a minimum area equal to 25% of the site.		The proposed development provides 4,601m ² of communal open space, which is 35% of the site area, exceeding ADG minimum requirements.	Yes	
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).		The proposed development achieves 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.	Yes	
3E Deep Soil Zones				
Deep soil zones are to meet the following minimum requirements:		The proposed development achieves a minimum of 7% deep soil.	Yes	
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			
3F Visual Privacy				
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:		Overall privacy is achieved through the development however there are instances of this criteria not being met which have been mitigated through the use of privacy screens, blank walls and planters. Refer to the Urban Design Report at Appendix G for detail and justification.	Partially Yes	
Building Height	Habitable Rooms / 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
3J Bicycle and Car Parking				
For development in the following locations:		A comprehensive Transport and Accessibility Impact Assessment has been prepared by Genesis	Yes	
on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or				

Objectives and Design Criteria		Comments	Compliance
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.		Traffic (Appendix T) which confirms that the proposed provision of car parking for both residential and commercial uses meets the requirements of the Wollongong DCP 2009 and the Housing SEPP.	
Part 4: Design the Buildings			
4A Solar and Daylight Access			
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.		72% of all apartments in the proposed development achieve at least 2 hours of direct sunlight between 9am – 3pm at midwinter.	Yes
In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.			Yes
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter.		3.6% of all apartments in the proposed development receive no direct sunlight between 9am-3pm at midwinter.	Yes
4B Natural Ventilation			
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.		61% of all apartments are naturally cross-ventilated.	Yes
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.		The maximum depth of a cross-over or cross through apartment does not exceed 18m.	Yes
4C Ceiling Height			
Measured from finished floor level to finished ceiling level, minimum ceiling heights are:		The proposed development has been designed to meet these ceiling height requirements for all rooms. Ceiling plans are provided in the Architectural Drawings at Appendix B which confirms compliance with these requirements.	Yes
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 used areas	3.3m for ground and first floor to promote future flexibility of use		
These minimums do not preclude higher ceilings if desired.			
4D Apartment Size and Layout			
Apartments are required to have the following minimum internal areas:		The proposed development comprises a mix of studio, one, two, three, and four bedroom	Yes
Apartment Type	Minimum Internal Area		
Studio	35m ²		

Objectives and Design Criteria		Comments	Compliance	
1 Bedroom	50m ²	apartments, each designed to comply with the minimum internal area requirement		
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.		External glazing to all habitable rooms is greater than the minimum 10% required.	Yes	
Habitable room depths are limited to a maximum of 2.5 x the ceiling height.		All habitable room depths comply with this control.	Yes	
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.		All apartments generally comply with the maximum 8m depths of apartments with open plan living.	Yes	
Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).		Bedrooms and master bedrooms have been designed to be equal to or greater than the minimum sizes required.	Yes	
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).			Yes	
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.		All living rooms or combined/living dining rooms comply with the minimum width requirements.	Yes	
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.		Cross through apartments are proposed with a minimum width of 4m.	Yes	
4E Private Open Space and Balconies				
All apartments are required to have primary balconies as follows:		All balconies meet the minimum areas and dimensions required.	Yes	
Dwelling Type	Minimum Area			Minimum Depth
Studio apartments	4m ²			-
1 Bedroom apartments	8m ²			2m
2 Bedroom apartments	10m ²			2m
3+ Bedroom apartments	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.		All podium level apartments comply with this requirement.	Yes	
4F Common Circulation and Spaces				
The maximum number of apartments off a circulation core on a single level is eight.		Maximum number of apartments off a single core on a level is 10 units. This only occurs on building A1. The proposal still achieves compliance with the design guidance. Daylight	Partially Yes	

Objectives and Design Criteria	Comments	Compliance
	and natural ventilation is provided and the corridor is design to reduce its length as it is not linear. Finally, the number of apartments of this circulation core is under the 12 apartments maximum set out under the design criteria.	
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	Buildings 2.1 and 2.3 are compliant and all lift cores have a minimum of two lifts. The slight exceedances to this requirement will be mitigated through the provision of lifts specified to achieve compliance with relevant ISO standard [ISO 8100-32:2020]. This will ensure an adequate level of service is provided. • Building 01: 55.5 apartments per lift • Building 2.2: 42 apartments per lift • Building 03: 51.5 apartments per lift	Partially Yes

4G Storage		
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:	All apartments meet the ADG minimum requirements for 50% of storage located within the apartment and 50% located in the basements.	Yes
Dwelling Type	Storage Size Volume	
Studio apartments	4m ²	
1 Bedroom apartments	6m ²	
2 Bedroom apartments	8m ²	
3+ Bedroom apartments	10m ²	
At least 50% of the required storage is to be located within the apartment.		

7.4.1 Affordable Dwelling Amenity

The proposed development includes the provision of 132 affordable apartments being 15% of the overall GFA of the proposed development. These designated apartments boast equivalent amenities, adhering to the Design Quality Principles outlined in both the Housing SEPP and the ADG.

Ground Level to Level 4 in Buildings 2.1 and 2.2 and Ground Level to Level 16 in Building 03 are indicatively allocated for affordable housing units. Approximately 49% of affordable apartments (37 out of 76) feature cross ventilation, while 60% receive over three hours of direct sunlight during mid winter (79 out of 132). The affordable units are afforded a range of unit typologies, ranging from one, two and three bedroom apartments, in addition to NDIS adaptable apartments, the exact typologies and layouts of the units are detailed in **Appendix B**.

7.5 Safety and Security

A Crime Prevention Through Environmental Design (CPTED) Report has been prepared by Lote Consulting and is provided at **Appendix P**. This report identifies the potential crime concerns in and around the site and provides recommendations to guide crime prevention, safety, and security arrangements as part of the detailed design of the development. The report includes a detailed assessment, which comprises:

- A review of the Safer by Design Manual by the NSW Police Force.
- Collection and analysis of local and NSW State crime statistics from Bureau of Crime Statistics and Research (BOCSAR).
- A crime risk assessment, in accordance with the current NSW Policy and practice, of matters of surveillance, access control, territorial reinforcement and space management.

The CPTED Report outlines recommendations, which are summarised below and provided in the Mitigation Measures at **Appendix E**. Subject to the implementation of the recommendations in **Table 20** below, the proposed development is capable of achieving CPTED objectives.

Table 20 CPTED Recommendations

Principle	Recommendation
1. Surveillance	• Ensure any blind corners at the carpark/loading dock entrance, lift lobbies, and within the basement are well lit with bright and even lighting and are well-covered by CCTV. • Ensure building entrances, common open spaces and areas within the building are well lit with bright and even lighting and are well-covered by CCTV. • Ensure building entrances have sufficient security. • Install lit wayfinding signage and maps at all pedestrian and vehicle entrances. • Carefully consider the landscaping design and plant schedule to ensure that plants are not able to be climbed, do not hinder sight lines, and do not obstruct light. • Ensure the provision of effective lighting day and night to facades, pedestrian and vehicle entrances/exits, signage, mailboxes, approach vectors, carparks, interiors, corridors, and perimeters, pedestrian walkways.
2. Access Control	• Restrict public access to buildings on the site, ensuring access to: – residential buildings are limited to residents and authorised visitors. – the hotel is limited to authorised staff and guests. – the commercial building is available to the public during business hours. • Install a security door or secure electronic access (card / key controlled entries / lifts etc.) to all private entrances and facilities such as the residential lift lobby, commercial tenancies, boom gates within the basement car park and building maintenance facilities to prevent unauthorised individuals from entering restricted areas not intended for public use. • Install video intercoms at all authorised access points. • Install a roller shutter door, secure electronic access card and video intercom to the carpark to restrict after hours access from the public. • Carefully consider the landscaping design and plant schedule to ensure that plants are used to deter access from private residential space. • Install signage to clearly identify and separate different elements on the site. • Ensure restrictions to lifts for residents, hotel guests and retail workers. • Ensure building access and parking are provided to emergency personnel at all times. • Control access to common areas and access to floor levels. • Install reed switches on fire doors to alert when fire doors have been left open or are used for a non-emergency purpose. • Restrict building access to solely residents and visitors, building management and tradespeople. • Ensure privacy of individual unit's basement storage. • Do not use of dummy cameras. • For buildings over 25m, install a fail-safe electronic door release system that is linked to the fire alarm. • Ensure mains and power distribution boards are locked. • Restrict access to utility rooms to authorised personnel only.

Principle	Recommendation
	• Ensure external doors are of a solid construction and hinges cannot be removed and install lock sets to restrict access when not in use. • Install lock sets to storerooms restrict unauthorised access. • Ensure balconies and railings are not able to be climbed. • Install lock sets and a sliding security screen door for balconies to restrict unauthorised access. • Install peep holes for each unit's front door. • Install self-closing doors at all fire exits. • Ensure external windows are of a solid construction and install lot sets. • Permanently secure any unused windows.
3. Territorial Reinforcement	• Ensure entrances are well maintained, with appropriate lighting, CCTV and signage to give impression of ongoing security. • Install well-lit wayfinding and street number signage, day and night, to direct pedestrians and vehicles. • Ensure signage for carpark restrictions and warnings for roller door are clearly visible. • Ensure unit block identification signage is visible from the street frontage. • Install wayfinding signage at common area entrances to direct users. • Install planters or other landscape design features to separate pedestrian and vehicle zones, as well as public and private zones. • Ensure appropriate separation of common areas from private spaces.
4. Space Management	• Ensure landscaping is well maintained to give impression of ongoing maintenance. • Prepare a Total Security Management Plan that addresses the following: – All exit doors must be free from obstructions and/or rubbish. – The locks must be in good working order. – All high risk doors must be locked at all times. – The access control system must be regularly purged to remove any old owners from the database. – The landscaping is regularly cared for and pruned to ensure that it does not impede sightlines. – Lighting around the premises should be regularly checked and replaced as required. – Walk-throughs of the premises should be regularly carried out to identify any left objects. – Gutters must be kept clean. – Use anti-graffiti paint at certain key locations and institute a rapid graffiti removal policy. • Install vandal-resistant material. • Ensure floors, walls and ceilings are constructed of solid materials. • Install Australian Standard bollards (as an alternative to planters) to separate pedestrian and vehicle zones, as well as public and private zones. • Implement a Security Risk Register in conjunction within ongoing security management. • Ensure security staff undergo police checks and inductions/training.

7.6 Sustainability

Ecologically Sustainable Development (ESD) Report has been prepared by Eco Engineering Group and is provided at **Appendix Q**. The report outlines the relevant sustainability principles and targets applicable to the site, as well as how the proposed development will meet the relevant industry recognised building sustainability and environmental performance standards.

The project sets a number of commitments in relation to relevant industry recognised building sustainability and environmental performance requirements, which will help with minimising greenhouse gas emissions and consumption of energy, water and material resources.

The sustainability targets for the development will be achieved in an integrated and staged approach through minimising the need for energy consumption (via passive measures) and then consumption optimisation (energy efficiency) and use of renewable resources where required.

The ESD Report outlines a number of design initiatives implemented to help meet the abovementioned environmental benchmarks established for the project. A summary of these is provided below:

- **Greenhouse gas emission reduction:** Energy consumption will be reduced through the efficient design of lighting, air-conditioning and ventilation systems, as well as energy efficient water heating and renewable energy technologies (where feasible).
- **Façade:** high performance façade systems and shading systems to reduce load on the heating, ventilation and air conditioning (HVAC) system.
- **Hot water:** an energy efficient heat pump system to provide hot water and reduce energy consumption.
- **Appliances and equipment:** apartment appliances and equipment to be selected with high energy rating to ensure reduced consumption in line with BASIX energy targets and Green Star requirements. Additionally, the proposed development will be fully electric with no gas combustion, allowing for operational net zero.
- **Waste Management System:** dedicated waste recycling rooms allow space for the separation and storage of recyclable waste during the building's operation.

Further detail is provided in the ESD Report at **Appendix Q**, which also includes detail regarding the project's incorporation of the ESD principles set out in Section 193 of the EP&A Regulation 2021. Additionally, a BASIX Certificate has been prepared by Eco Engineering and is provided at **Appendix R**.

7.7 Traffic and Parking

A Traffic Impact Assessment (TIA) has been prepared by Genesis Traffic and is provided at **Appendix T**. The TIA involves an assessment of the operational traffic generation including cumulative impacts. A summary of the assessment and proposed mitigation measures are provided below.

7.7.1 Existing Traffic Conditions

Based on data published by RMS the Average Annual Daily Traffic, and the most recently recorded Crown Street traffic flows in the site's vicinity are shown in **Table 21**.

Table 21 Average Annual Daily Traffic

Location / Year	Eastbound	Westbound
Crown Street, 40m West of Railway Parade		
2020	8,835	7,473
2021	8,253	7,171
2022	6,294	5,849

It is noted that the traffic volume on Crown Street has gradually decreased between 2020 and 2022.

Traffic surveys undertaken by Genesis Traffic have received the AM peak and PM peak traffic follows at the following key intersections within the surrounding road network comprise:

- Keira Street and Crown Street
- Keira Street and Burelli Street
- Crown Street and Atchison Street
- Atchison Street and Burelli Street
- Burelli Street, Kenny Street and Findlay Place

These intersections were selected based on their proximity to the site and as they formed the intended route of vehicle travel to and from the site. The operational performance of the key surrounding intersections under the existing traffic flows, geometry and traffic signal phasing circumstances have been assessed using SIDRA modelling, with **Table 22** below summarising the results of the modelling.

Table 22 Existing Intersection Traffic Circumstance

Intersection	Period (peak)	Level of Service (LOS)	Average Delay (s/veh)	Degree of Saturation (DOS)
Crown Street / Atchison Street	AM Peak	A	13.4s	0.524
	PM Peak	A	10.7s	0.455
Crown Street / Keira Street	AM Peak	B	23.9s	0.645
	PM Peak	C	29.1s	0.601
Keira Street / Burelli Street	AM Peak	C	35.4s	0.792
	PM Peak	C	37.6s	0.638
Burelli Street / Atchison Street	AM Peak	A	10.0s	0.240
	PM Peak	A	11.5s	0.251
Burelli Street / Kenny Street / Findlay Place	AM Peak	B	16.8s	0.275
	PM Peak	B	22.8s	0.294

The results of the SIDRA assessment indicate that these intersections have spare capacity under existing traffic demand (including the site's existing traffic movements, with lower levels of performance experienced at the

Crown Street / Atchison Street intersection and the Burelli Street / Atchison Street intersection during the AM and PM peaks.

7.7.2 Traffic generation and intersection performance

The proposed development’s traffic generation has been assessed with reference to the existing approval obtained in 2022 (DA-2021/957), based on the approved Traffic Impact Assessment prepared by Stantec. Stantec noted that the existing site would generate 48 trips during AM peak and 26 trips during PM peak. Conservatively, this assessment will not discount these existing development traffic.

Under DA-2021/957 approval, the residential and commercial/retail traffic generation rates are as follows:

- Residential: 0.25 to 0.30 trips per apartment during peak periods
- Commercial/Retail: 50% of the commercial spaces during peak periods

The Guide to Transport Impact Assessment (2024) does not specify a trip generation rate for hotels. Hotel parking will be restricted to staff only, the assessment conservatively assumes that all parking spaces will be occupied and vacated during the AM and PM peak periods. However, the Guide to Transport Impact Assessment (2024) provides regression formulae for supermarket during the PM peak period. The relevant formula is as follows:

- $0.017 (S) + 0.003 (F) + 0.137 (SM) + 0.032 (SS) + 0.164 (OM) - 0.011 (C)$

Based on Genesis Traffic’s calculations, the future traffic generation of the proposed development during the morning and evening peak periods is summarised in **Table 23** below

Table 23 Traffic Generation

Land Use	Unit/GFA	AM Peak (vtph)	PM Peak (vtph)
Residential	546 units	164	164
Hotel	10 car spaces	10	10
Commercial / Residential	51 car spaces	26	26
Retail (Supermarket)	1,510m ²	-	207
Total		200	407

The peak hourly activity associated with the approval 2022 scheme under DA-2021/957 was projected to generate 225 trips during the AM Peak and 305 trips during the PM peak. As demonstrated in **Table 23**, the proposed yield is expected to generate a total of 200 trips during the AM peak and 407 trips during the PM peak.

By comparison, the proposed scheme reflects 25 less trips generated during the AM peak and 102 more trips generated during the PM peak. The differences in trip generation are due to the changes in the development mix and yield sought as part of the scheme. The approved scheme featuring a higher yield of retail, commercial and leisure uses that would have generated a greater frequency of peak AM trips.

Genesis Traffic conclude these minor differences in traffic generation is not considered to have a significant impact on the road network.

7.7.2.1 Future Intersection Upgrade

The development and neighbouring traffic movements are added to the base traffic and reanalysed using SIDRA, to quantify the extent of the development impact on road intersections. The detailed results of the of the SIDRA assessment are provided in **Appendix T**. Genesis Traffic have concluded that the traffic assessment found the following:

- The existing road network currently operates with spare capacity and satisfactory levels of service.
- This satisfactory performance is expected to be maintained in both 2024 and 2034 with the addition of the subject development, except for a minor downgrade at the Keira Street / Burelli Street intersection (from LOS C to LOS D) under 2034 background traffic demand.
- The assessment also confirmed that, on a cumulative basis, the network can accommodate traffic from both the subject development and the neighbouring development with similarly satisfactory outcomes.

7.7.4 Access

Two (2) vehicular access points are located at Burelli Street providing separate access for cars and trucks/service vehicles. The proposal seeks to retain the car park access arrangement as approved under the existing development consent via integration with the existing signal intersection of Burelli Street, Kenny Street and Findlay Place. A separate service vehicle access will be provided further east on Burelli Street.

7.7.5 Bus Stop Relocation

The approved development consent included the relocation of a bus stop on Crown Street. In accordance with DA-2021/957, the proposed scheme seeks to also relocate the bus stop on Crown Street further east, providing 55m long bus bay. The consented location and design specification, which is retained as part of this SSDA, was in alignment with TfNSW's requirements.

It should be noted that TfNSW agreed to the proposed bus stop location and configuration approved under DA-2021/957. A minimum of 5.3 metres has been provided between the kerb and the building line from the front of the first bus, refer to **Appendix B**.

7.7.6 Parking

Car Parking Rates

The Housing SEPP provides car parking rates for dwellings used for affordable housing and for dwelling not used for affordable housing (market), which are non-discretionary standards. The Wollongong DCP 2009 sets out the standard for visitor parking, hotel, retail, commercial and supermarket land uses. **Table 24** provides the relevant parking rates applicable to the development under the Housing SEPP in addition to the Wollongong DCP 2009.

Table 24 Car Parking Rates

Land Use	Source	Parking Rates	
Affordable Units	Housing SEPP, Chapter 2 Affordable Housing, Division 1, Section 19.	1 Bedroom	0.4 space(s) per unit
		2 Bedroom	0.5 space(s) per unit
		3 Bedroom	1.0 space(s) per unit
Market Units	Housing SEPP, Chapter 2 Affordable Housing, Division 1, Section 19.	1 Bedroom	0.5 space(s) per unit
		2 Bedroom	1.0 space(s) per unit
		3 Bedroom	1.5 space(s) per unit
Visitor	Wollongong DCP, Part E, Schedule 1	0.2 space(s) per dwelling	
Hotel	Wollongong DCP, Part E, Schedule 1	0.5 space per room for guest plus 1 car parking space per 4 staff for employees	
Commercial / Retail	Wollongong DCP, Clause 7.5 of Chapter E3.	1 space per 330m ²	
Supermarket	Guide to Traffic Generating Developments 2002 (GTGD)	42 spaces per 1,000m ²	

The proposed development is compliant with the above rates as it includes a car parking provision of 774, comprising of:

- 547 x Residential Spaces (including Accessible Spaces)
- 49 x Residential Visitor Spaces
- 63 x Commercial/Retail/Residential Visitor Spaces
- 25 x Commercial/Retail (Staff) Spaces
- 10 x Hotel (Staff Only) Spaces
- 80 x Retail (Supermarket) Spaces

It should be noted that the Housing SEPP does not specify whether the parking rates are a minimum or maximum and therefore should not be applied as such, as well as it also being a non-discretionary standard, meaning that

the development is non-refusable on the basis of carparking. The proposed development is compliant with this rate as it includes 547 residential car parking spaces, equating to a rate of 1.0 per dwelling.

Bicycle and motorcycle parking

Part E of the Wollongong DCP 2009 established the minimum rates for motorcycle and bicycle parking. As detailed in **Appendix T**, 320 bicycle spaces are required to comply with the Wollongong DCP 2009 requirements, the proposed development is proposing to provide 320 bicycle spaces.

A total of 47 motorcycle spaces is proposed to be included, which is compliant with the Wollongong DCP 2009 requirement, however, this is offset by the surplus residents parking, occupants who own motorcycles in lieu of cars will be able to utilise their corresponding car parking spaces to accommodate their motorcycles.

7.7.7 Loading and Servicing

The proposed development will provide a separated loading area for five (5) loading bays capable of accommodating:

- 17.5m semi-trailer bays, dedicated for the supermarket
- HRV bays for the remaining commercial and residential uses
- Utility van bays for miscellaneous courier deliveries

7.7.8 Freight & Delivery Management Plan

A preliminary Freight & Delivery Management Plan (FDMP) has been provided at Section 6 of **Appendix T**, and will ensure the efficient and safe movement of goods and services for the proposed mixed-use development.

This FDMP outlines the vehicle access strategy, delivery schedules, and operational guidelines to ensure the effective servicing of the site. Refer to the Traffic Impact Assessment at **Appendix T** for further details.

7.7.9 Preliminary Construction Traffic Management Plan

Construction Traffic

A Preliminary Construction Traffic Management Plan (CTMP) has been provided at Section 9 of **Appendix T**, it provides an overview of initiatives to be implemented as part of the construction works associated with the proposed development. Specifically, this Preliminary CTMP considers the following:

- Provides details of construction programs detailing the anticipated construction duration, construction truck movement and number of workers.
- Identifies heavy vehicle routes to and from the site that have the minimal impact on the surrounding local road network.
- Identifies heavy vehicle access points to and from the site.
- Identifies any major construction activities of other developments in the surrounding area.
- Identifies temporary on-street parking for construction workers.
- Assesses potential impacts on existing traffic, pedestrian, and bicycle networks.

It is noted however that a detailed CTMP will be provided upon final design selections and appointment of a contractor. The preliminary CTMP is intended to provide a framework as basis for the subsequent detailed CTMP.

7.7.10 Green Travel Plan

A Green Travel Plan (GTP) has been prepared and is provided at Section 9 of **Appendix T**. The GTP has been designed to reduce impact of the development by maximising the use of sustainable travel modes.

The primary objectives of the GTP are to:

- reduce single-occupancy motor vehicles trips to and from the site.
- set future travel mode share targets.
- promote active transport such as walking and cycling.
- promote public transport and car-sharing/pooling.
- improve amenity, facilities, accessibility and safety of sustainable transport modes to/from the site.

7.7.11 Conclusion

- The site location is well-served by local transport services and benefits convenient walking distances to train and bus services. A comprehensive cycle network is also available within the immediate and wider site context, affording further opportunities to encourage active travel.
- The proposed car parking provision meets the Housing SEPP and the Council's DCP and is consistent with the basis that underpinned the approved development scheme.
- The proposed shared visitors parking (up to 63 spaces) is a suitable arrangement that complements both user groups with minimal overlapping peak usage. Appropriate provision has been made in the residential visitor car park to accommodate any occasional overlapping demand between the two (2) user groups.
- The existing road network intersections operate with a satisfactory level of service. The SIDRA assessment found the intersections' levels of service retained post-development.
- The proposed development includes the relocation of a bus stop on Crown Street, in accordance with what was approved as part of DA-2021/957.
- A preliminary CTMP has been documented providing a basis for the detailed CTMP during the construction documentation phase.
- A GTP has been documented providing a basis for the building's travel management during the occupation phase.

7.8 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Artefact and is provided at **Appendix U**. The ACHAR documents the process that has been undertaken for consulting with the local Aboriginal community, investigating and assessing Aboriginal cultural heritage associated with the site and surrounds and was prepared in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents Guidelines (OEH 2010). The ACHAR outlines that the proposed development is assessed as having the following potential impacts on Indigenous cultural values:

- **Social values:** Social values of the site can only be identified through consultation with First Nations people. Although unlikely, if archaeological deposits are found on the site, this would represent a tangible and meaningful connection for the local Dharawal community to their ancestors.
- **Historic values:** It is unlikely that the site holds historical value or significance to the Dharawal people.
- **Scientific values:** No Aboriginal objects were identified within the study area, which has been subject to extensive disturbance associated with construction of the current industrial building. Due to this extensive disturbance the study area has nil scientific significance.
- **Aesthetic values:** Due to the site's central location within the Wollongong CBD, the site contains moderate aesthetic value. In the unlikely event that Aboriginal stone tools are recovered within the area these may have potential aesthetic values.

Overall, the ACHAR concludes that the site is unlikely to contain Aboriginal objects and no specific cultural values were identified in association with the site. However, it is recommended that following removal of the existing concrete in the carpark, an inspection of exposed ground is undertaken by a site officer from the Illawarra Local Aboriginal Land Council or South Coast People registered native title group. This is considered in the mitigation measures at **Appendix E**.

Additionally, an Unexpected Finds Policy is recommended to be prepared to provide guidance on further assessment, consultation, and approvals, that may be required in the event of any unexpected finds of Aboriginal sites, objects, or archaeological deposits are identified during construction. This is considered in the mitigation measures at **Appendix E**.

7.9 Post-Settlement Heritage

A Statement of Heritage Impact has been prepared by Weir Phillips and is provided at **Appendix W**. It provides an assessment of the proposed development's potential impact on the heritage item within the site, being the former Marcus Clark Building, and those heritage items in the surrounds, specifically the 'row of shops' at 230-264 Crown Street and 'Caldwell's building' at 280-282 Crown Street.

The recent approval on the site provided consent for the removal of all but part of the façade of the former Marcus Clark Building. By comparison, the proposed development seeks to retain a greater portion of the building's façade than the recent approval. In doing so it seeks to reinforce the former presence of Marcus Clark Building on all three street frontages by adding substance to the most important part of the façade, being the Crown Street/Atchinson Street corner. Given the proposal retains more of the façade of this heritage item, it is considered to be an acceptable outcome for its heritage significance.

Additionally, it is proposed to retain the façade of the Grand Hotel. While the building does not benefit from any statutory heritage status or protections, it is considered to have some historical significance and retention of its façade is therefore considered to be a positive outcome for the site. Retention of the façade recognises that the building has architectural merit, and that the hotel has played an important role in the social life of Wollongong.

The site is separated from the two nearby heritage items by Crown Street and the proposed buildings maintain the setback of the existing buildings on the site from Crown Street. The proposed development will also maintain the two-storey wall height, in the form of podiums, along Crown Street, complementing the heritage listed buildings on the opposite side of the street. Therefore, it is concluded that the proposed works will have not result in an unacceptable impact on the fabric or significance of these items, nor will it block the principal view corridors towards them obtained from the public domain.

Overall, the proposed development is sympathetic to the nearby heritage items whilst also responding to the desired future character of the Wollongong CBD. For the reasons stated above, the proposed works are recommended for approval from a heritage perspective.

7.10 Tree Protection and Removal

An Arboricultural Impact Assessment has been prepared by Seasoned Tree Consulting and is provided at **Appendix X**. The report assesses the trees located directly within the building footprints.

A total of 23 trees were assessed within the site and its surrounds, 14 of which were granted approval to be removed under the previous development consent on the site (DA-2021/957).

To facilitate the proposed works, consent is sought for the removal of three (3) additional trees on the site that were identified within the Arboricultural Impact Assessment. It is proposed to retain and protect the six (6) remaining trees on site in accordance with the tree protection and management recommendations are provided in the Arboricultural Impact Assessment. These recommendations form mitigation measures that are included in **Appendix E**.

Through the retention of key existing trees within the public domain and the provision of additional 208 trees, the proposed development will establish an increased tree canopy to mitigate the urban height island effect. Additional trees are proposed along each street frontage as well as in the plaza and along the through site link.

7.11 Contamination

The assessment of contamination is based on the Preliminary Site Investigation that was prepared by Douglas for the approved development (DA-2021/957) in June 2022 (refer to **Appendix AA**). It is considered to still be relevant as no works have started on the site and it remains in the same state as in June 2022. It was concluded in this assessment that the site exhibits a low to moderate potential for contamination to be present associated to:

- Fill across the site of unknown quality and origin;
- Fill across the site potentially impacted by hazardous building material; and
- Fill underlying car park areas that may be impacted by coal tar from old asphaltic concrete pavement materials.

The Preliminary Site Investigation provides recommendations for the site preparation and construction stages. These measures are included in the proposal's consolidated list of mitigation measures at **Appendix E**.

7.12 Biodiversity

A Biodiversity Development Assessment Report (BDAR) has been prepared by Narla and is provided at **Appendix Y**. Narla have confirmed that the Site contains no land mapped as having areas of outstanding biodiversity value. No matters of National Environmental Significance were found to occur within the site.

The proposed development seeks to remove vegetation as outlined. As a consequence, the proposed development will moderately impact habitat connectivity and native vegetation. However, this is specific to PCT 3191 South Coast Ranges Moist Gully Forest and whilst vegetation may provide occasional foraging habitat to a small range of mobile ecosystem credit species, it is unlikely that the proposed development, including the removal of the proposed 17 trees, will have a significant impact for these species.

Overall, Narla have confirmed that none of the impacts which will occur as a result of the development are considered likely to have a significant impact on any threatened entity.

7.13 Flooding

A Flood Desktop Review Report has been prepared by SGC and is provided at **Appendix BB**. The site is not directly affected by flooding, as indicated in the Wollongong City Flood Study (2019), however it is located within a flood control area due to the inundation occurring at the opposite corner of Keira Street and Burelli Street.

Based on the available flood data, the site does not appear to be directly impacted by the 1% AEP flood extent, which is confined to the road reserve. The existing site levels are such that the site falls within the flood freeboard extents, therefore the floor levels will be set at minimum 500mm above the 1% AEP flood level.

As a result, the site triggers the relevant flood control measures, including the establishment of Flood Planning Levels, evacuation protocols, and flood risk management strategies, as required by the local council. With regards to increased flood risk associated with the intensification of the site, a flood risk management plan is proposed based on off-site evacuation in a westerly direction along Burelli Street to higher areas or alternatively a shelter in place strategy.

Overall, as the existing flooding is confined within the road reserve, the proposed development is not likely to impact on the flooding extents and as such would not cause any adverse impact on flooding. The proposed development will not reduce the existing flood storage volume and will not adversely impact existing flood hazard and flood behaviour.

7.14 Integrated Water Management

An Integrated Water Management Report has been prepared by SGC and is provided at **Appendix CC**. It details the stormwater strategy for the site, which has been prepared in accordance with the Wollongong DCP 2009, Wollongong City Council's Water Sensitive Urban Design Policy and the Wollongong LEP 2009.

On-Site Stormwater Detention is not required under the Wollongong DCP 2009 and is therefore not proposed. The proposal has provided the following items to accommodate Council's water quality requirements, being:

- A 10,000L rainwater tank 01 for building 01 roof catchment;
- A 7,500L rainwater tank 02 for building 2.3 roof catchment;
- A 7,500L rainwater tank 03 for hotel building roof catchment;
- Storm-filter 01 (includes 10x690mm Psorb Storm-filter cartridges) - catchment area 1 - discharge to existing KIP E/1 Burelli St;
- Storm-filter 02 (includes 14x690mm Psorb Storm-filter cartridges) - catchment area 2 - discharge to existing KIP E/5 Keira St; and
- Storm-filter 03 (includes 10x690mm Psorb Storm-filter cartridges) - catchment area 3 - discharge to existing KIP E/4 Burelli St.

Water runoff from roof areas is to be collected and drained to Rainwater tanks and to be overflowed to storm filter chamber tanks. The rest of the roof areas and surface runoff is to be collected and drained to storm filter chamber tanks.

An Erosion and Sediment Control Plan has also been prepared as part of the development application documentation and is included in Appendix A of the Integrated Water Management Report.

7.14.1.1 Soil and Water Management

A Soil and Water Management Plan (SWMP) has been prepared in Section 5 of **Appendix CC**. The implementation of the SWMP shall be in accordance with the guidelines of the NSW Department of Housing publication "Managing Urban Stormwater: Soils & Construction" (The Blue Book) and Sections 6.3 & 6.4 of Part A of the Wollongong DCP 2009.

A summary of the key recommendation under the Soil and Water Management Plan are:

- Rainwater tanks and overflows from the tank to be constructed at correct levels;
- Storm-filter chamber including cartridges to be installed correctly; and
- Ensure timely and periodic maintenance of all stormwater elements

7.16 Waste Management

7.16.1 Operational Waste

An Operational Waste Management Plan has been prepared by Elephants Foot and is provided at **Appendix FF**. The proposal outlines the strategies for residential, retail and commercial waste generated by the proposed development, in accordance with relevant NSW policy as well as the Wollongong DCP 2009 and Wollongong LEP 2009.

The waste management measures are included in the proposal's consolidated list of mitigation measures at **Appendix E**.

Residential Waste Management

Each building core is provided with a single chute for residents to dispose of general waste and a separate 240L recycling bin. A dual chute is provided for Building 1. General waste will discharge from the chute into 1100L bins on linear tracks in the chute discharge rooms located on Basement 1 Level, and recycling will be decanted into 1100L bins via a bin lifter.

Table 25 below provides the proposed bin quantities for each waste stream within each residential building.

Table 25 Bin Sizes and Quantities Required at Basement Levels

Waste Stream	Bin Size	Collection	Building 01	Building 2.1	Building 2.2	Building 2.3	Building 03	Total
General Waste (Compacted)	1100L	1 per week	13 bins	3 bins	5 bins	5 bins	6 bins	32 bins
Recycling	1100L	2 per week	13 bins	3 bins	5 bins	5 bins	6 bins	32 bins
FOGO	240L	1 per week	11 bins	3 bins	4 bins	4 bins	5 bins	27 bins

General waste is proposed to be compacted into a 2:1 ratio to reduce the quantity of bins.

Each building manager will be responsible for monitoring the bin capacities of recycling bins on each level and general waste bins under the chutes. If these bins are full, the building manager is then responsible for transferring recycling waste to the larger bins on Basement 1 Level and replacing the general waste bins under the chutes.

Residential common areas will be supplied with suitably branded source separation receptacles where considered appropriate. Receptacles should be placed in convenient locations. Organic garden waste will be the responsibility of the designated landscaping contractor, otherwise residents will dispose any organic garden waste into FOGO bins located in numerous locations on Basement 01. Numerous areas for disposing of bulky waste items are available on Basement 01.

To service the bins, a Council collection vehicle will enter the site from Burelli Street and park in the loading bay on Basement 1 Level. Collection frequencies detail in **Table 25** above are in accordance with Council's collection schedule. Each building manager will provide the collection staff with access to the waste collection point and the bin holding room. Once the bins are serviced, the collection vehicle will exit the site onto Burelli Street in a forward direction. When waste collection is complete, each building manager will return the bins to resume operational use.

Commercial and Retail Waste Management

The commercial office development is provided with the following bin quantities:

- General Waste: 2 x 1100L bins collected 3 x weekly
- Recycling: 3 x 1100L bins collected 3 x weekly

Retail tenancies are provided with the following bin quantities:

- General Waste: 11 x 1100L bins collected 6 x weekly
- Recycling: 9 x 1100L bins collected 6 x weekly

Noting, bin size, quantity and collection frequency could be modified once operational.

On completion of each trading day, or as required, nominated staff or contracted cleaners will transport all general waste and recycling to the appropriate retail or commercial bin room and placed into the appropriate collection bins.

The collection of commercial and retail bins will occur on separate days from the collection of residential bins to ensure proper segregation of waste streams.

A private waste collection contractor will be engaged to service the retail and commercial general waste and recycling bins per an agreed collection schedule. On the day of service, a private waste collection vehicle will enter the site from Burelli Street and park in the loading bay. Each building manager will provide the collection staff with access to either the commercial bin room or the retail bin room. Once the bins are serviced, the collection vehicle will exit the site onto Burelli Street in a forward direction.

The future supermarket tenant will be fully responsible for developing a separate waste management plan in accordance with their nationwide store policies and procedures.

Hotel Waste Management

The hotel is provided with the following bin quantities:

- General Waste: 4 x 1100L bins collected 3 x weekly
- Recycling: 2 x 1100L bins collected 3 x weekly

Noting, bin size, quantity and collection frequency could be modified once operational. Hotel management is responsible for monitoring waste volumes as this may fluctuate according to occupancy rates.

Hotel rooms will be provided with general waste and recycling source separation receptacles suitable for two (2) days' storage capacity. This will be collected daily by designated hotel cleaners and transferred via the links into the hotel bin room on Basement 01. Kitchens will be provided with source general waste and recycling separation. Hotel common areas will be supplied with suitably branded source separation receptacles where appropriate. Receptacles should be placed in convenient locations. Organic garden waste will be the responsibility of the designated landscaping contractor.

A private waste collection contractor will be engaged to service hotel general waste and recycling bins per an agreed collection schedule. On the day of service, a private waste collection vehicle will enter the site from Burelli Street and park in the loading bay. Hotel management will provide the collection staff with access to the hotel bin room. Once the bins are serviced, collection vehicle will exit the site onto Burelli Street in a forward direction. When waste collection is complete, hotel management will return the bins to resume operational use.

7.16.2 Construction and Demolition Waste

A Construction and Demolition Waste Management Plan has been prepared by Elephants Foot and is provided at **Appendix GG**. This plan assesses the type, volumes and disposal methods for waste during the construction and demolition phase of the project in accordance with relevant legislation and guidance. It also provides site-specific operational methods around training and inductions, materials selection and ordering, waste avoidance opportunities, and relevant site procedures to ensure waste is appropriately disposed. The report also recommends the location and design of waste management facilities on site.

Waste collection for construction works will be conducted between approved hours as per Council requirements and will be transported to an approved and appropriately licensed resource recovery facility and/or landfill site. Frequency of collections is depended on waste volume generated and will be monitored daily.

Table 26 below details the proposed management of expected waste types generated during the demolition and construction phases of the development. This is considered in the mitigation measures at **Appendix E**.

Table 26 Management of Construction and Demolition Waste

Material	Management Method
Excavation	Reuse and recycle where possible or dispose to landfill in an appropriate manner
Green	Reuse and recycle where possible or dispose to landfill in an appropriate manner
Bricks	Reuse and recycle
Tiles	Recycle
Concrete	Reuse and recycle
Timber	Recycle where possible or dispose to landfill in an appropriate manner

Material	Management Method
Plasterboard	Recycle where possible or dispose to landfill in an appropriate manner
Metals	Recycle
Asbestos	Dispose appropriately
Other	Reuse and recycle where possible or dispose to landfill in an appropriate manner

7.17 Infrastructure and Utilities

An Infrastructure Delivery, Management and Staging Plan has been prepared by Neuron and is provided at **Appendix HH**. The report has been undertaken to address the potential impact of the redevelopment of the site on the relevant services on the site, including any impacts on existing utility infrastructure and service provider assets, and any infrastructure upgrades required to facilitate the renewal. A summary of the assessments is provided in the following sections.

7.17.1 Electrical

Electricity

There are a number of existing substations located on the site that must be decommissioned and removed via an application to Endeavour Energy. Additionally, there is a low voltage cable running through middle of the site below ground that will be removed prior to construction works.

Based on the electrical demand calculations, it is anticipated that the preliminary maximum demand for this site is 9,934 amps (6,882 kVA). The preliminary maximum demand for Stage 1 is 4,927 kVA and will require two new chamber substations each containing two 1,500 kVA transformers. The preliminary maximum demand for Stage 2 is 1,850 kVA and will require two new mini-chamber substations each containing one 1,000 kVA transformer.

Telecommunications

NBN carriers and Telstra carrier services have a high bandwidth infrastructure in the vicinity of the site and can easily cater for the proposed new development. NBN and Telstra pits are located along the boundary of the site, particularly clustered along Crown Street. A new fibre connection is proposed off Crown Street to better connect the site. A number of telecommunications infrastructures will need to be removed prior to excavation.

It is recommended that further consultation with NBN and Telstra are undertaken prior to commencement of construction.

7.17.2 Hydraulic

Gas

The site is currently not serviced by gas mains. However, low to medium pressure gas mains run adjacent to the site and if required, there is ample capacity in the nearby mains on Burelli Street that the proposed development is able to connect to, to service the site.

Water Supply

The site is currently not serviced by water mains. However, mains run adjacent to all four boundaries of the site, including the 300mm water main along Crown Street and the 150mm water main along Keira Street which are both likely capable of supporting the proposed developments new water subject to the below.

Based on the preliminary calculations, this site is likely to require a new 250mm mains water connection. It is recommended that a new 250mm water main connections be implemented to meet the demand of the proposed development on the existing network. Further consultation with a Sydney Water Coordinator will be undertaken as part of the SSDA assessment process and a mains connection is anticipated to be agreed prior to commencement of construction.

Sewerage

There is an existing 400mm sewer main running along Keira Street and a 225mm main along Burelli Street and Crown Street. Based on the preliminary calculations, this site is likely to require multiple new 225mm connections,

including to the 225m main on Burelli Street, the 150mm main off Auburn Street and the 400mm main on Keira Street. Additionally, amplification works are proposed for the 150mm section of the Burelli Street main to 225mm. The existing sewer vent shaft will be retained. It is recommended that further consultation with a Water Coordinator is undertaken prior to commencement of construction.

7.18 Noise and Vibration

A Noise and Vibration Impact Assessment has been prepared by Pulse White Noise Acoustics and is provided at **Appendix II**. This assessment has been prepared in accordance with the NSW Environmental Protection Authority (EPA) guidelines and the Transport and Infrastructure SEPP to provide an assessment of operational noise and construction noise, respectively.

7.18.1 Existing Noise Environment

An overview of the most affected noise receivers is provided in **Table 27** below.

Table 27 Surrounding Noise Receivers

Receiver ID	Location	Type
R1	East of the site, on Keira Street	Commercial
R2	South of the site, on Burelli Street	Carpark
R3	South of the site, on Burelli Street, inclusive of the restaurant at 1-5 Atchison Street	Commercial
R4	West of the site, on Atchison Street, inclusive of the restaurant and retail occupancies at 2 Atchison Street and 293 Crown Street.	Commercial/Retail
R5	North of the site, on Crown Street.	Commercial

Figure 52 below identifies the nearest and therefore, most affected receivers to the site.

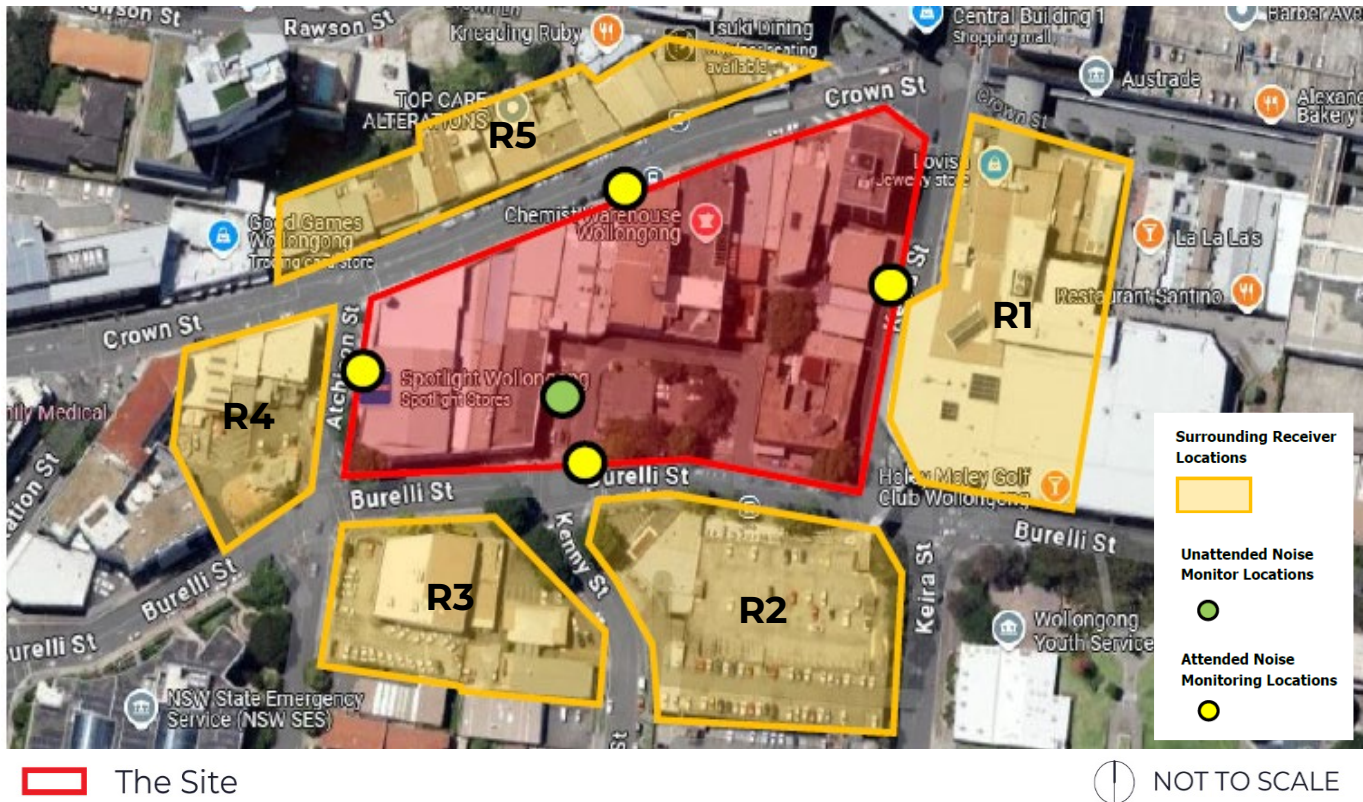


Figure 52 Location of surrounding noise receivers and noise monitors

Source: Pulse White Noise Acoustics, edits by Ethos Urban

Ambient noise monitoring utilising an unattended noise monitor was undertaken by Pulse White Noise Acoustics between the 20th of September and the 1st of October 2024, inclusive of attended measurements and results are detailed in **Table 28** below. Noise measurements were carried out in the closest and most potentially affected areas surrounding the development. The location of the loggers installed is outlined in **Figure 52** above.

Table 28 Measure Noise Levels at Attended Noise Monitors

Monitor Location	Time	Noise Level (dBA) LA90, 15 min	Noise Level (dBA) LAeq, 15 min	Comment
Unattended Monitor	7:00am - 6:00pm	47	59	-
	6:00pm - 10:00pm	43	57	-
	10:00pm - 7:00am	39	55	-
Crown Street	9:30am - 9:45am	68	51	Noise dominated by traffic noise
Keira Street	9:50am - 10:05am	67	49	Noise dominated by traffic noise
Burelli Street	10:10am - 10:25am	66	50	Noise dominated by traffic noise
Atchison Street	10:30am - 10:45am	66	49	Noise dominated by traffic noise

Source: Pulse White Noise Acoustics

Based on the above base noise environment surrounding the site, the following sections outline the potential operational and construction noise impacts.

7.18.2 Operational Noise

Mechanical Services

The final design of mechanical services will be undertaken in subsequent design stages. Mitigation measures in respect of the design development of mechanical services is included at **Appendix E**.

Loading Dock Operation

Noise resulting from the removal of waste and garbage from the site, including garbage trucks and the like will be undertaken in accordance with Council's waste management requirements. The resulting noise impact resulting from the site will be similar to noise levels currently experienced by existing receivers from existing waste collection services.

Retail Tenancies

As the proposed use of the lower ground and ground level retail tenancies is envisaged to be a typical retail occupier, all operational noise and services associated with the tenancy are anticipated to comply with the Project Trigger Noise Levels. It is unlikely noise impacts associated with the tenancies would affect the existing acoustic amenity of the surrounding residential receivers.

Recommended Noise Levels and Mitigation

The recommended amenity noise levels for the development and mitigation measures are detailed within **Appendix E**. The mitigation measures include:

- Utilising specified laminated glazing for residential living spaces, hotels, retail and commercial floorspace.
- Recommended external wall construction for all western orientated facades.
- External roof constructions which are constructed from a concrete or masonry construction will be acoustically sufficient.
- The internal design sound levels detailed above are achieved with external operable building openings closed. As internal noise levels with windows open will result in noise levels which are greater than 10 dB(A) with windows open to 5% of the floor area for ventilation an alternative method of providing outside air ventilation will be required to all units within the development.

7.18.3 Construction

Noise

The proposed construction and demolition activities to be undertaken on the site include the strip out of the existing areas of the existing building and limited external demolition of the existing building on the site. The development will then be constructed using normal construction processes.

The assessment of construction noise impacts generated from the site has been undertaken in accordance with the requirements of the EAP Interim Construction Noise Guideline. The recommended standard hours for construction are shown below.

Table 29 EAP Interim Construction Noise Guideline

Work Type	Recommended standard hours of work
Normal construction	- Monday to Friday 7 am to 6pm - Saturday 8 am to 1 pm - No work on Sundays or Public Holidays
Blasting	- Monday to Friday 9 am to 5pm - Saturday 9 am to 1 pm - No blasting on Sundays or Public Holidays

Source: PWNA

Appendix E provides a comprehensive suite of mitigation measures to address proposed construction noise and vibration, impacts, including:

- Attended vibration measurements of typical demolition, excavation and construction activities should be undertaken at site. Attended construction vibration measurements at representative locations to the neighbouring building structures should be undertaken at commencement of hydraulic hammering works within 30m of neighbouring buildings.
- Attended noise level measurements of typical demolition, excavation and construction activities should be undertaken at site. Attended construction noise surveys of the site and surrounding impacts on neighbours should be undertaken in response to ongoing complaints.

External noise emissions to and from the site have been assessed and detailed in accordance with the NSW Environmental Protection Authorities Noise Policy for Industry. The future design and treatment of all buildings and services can be acoustically treated to ensure all noise emissions from the site comply with the necessary acoustic and noise levels.

7.19 Building Code of Australia

A Building Code of Australia (BCA) Assessment Report has been prepared by EBS Consultants and is provided at **Appendix JJ**. The report reviews the capability of the proposed design to meet the requirements of the BCA. Overall, it is considered that the design is generally capable of meeting the deemed to satisfy provisions and performance requirements of the BCA, subject to all matters for further consideration identified in this report being addressed in the design.

7.20 Accessibility

An Access Assessment Report has been prepared by East Coast Accessibility and is provided at **Appendix KK**. This report provides an analysis of the nature and extent that the project achieves the spatial requirements to provide access for people with disability under the relevant standard and codes.

Specifically, 56 adaptable apartments and 59 livable apartments are NDIS rental units that will provide much needed accommodation for people with disabilities in the Wollongong region. These apartments have been designed under AS 4299.

Overall, East Coast Accessibility concluded that the design is consistent with the relevant access provisions, subject to only minor amendments and compliance with specific accessibility requirements.

7.22 Economic Impacts

A preliminary impact assessment has been undertaken to determine the demand for the proposed commercial floorspace of 24,115m². Employment estimates have been prepared by Archi-QS and is provided at **Appendix F**.

The planned commercial floorspace comprises the following:

- 7,257m² of commercial floorspace comprising a 13-storey commercial building;
- 8,064m² of retail floorspace comprising of 21 ground floor tenancies; and
- 8,794m² of hotel floorspace comprising a 10-storey building.

The non-residential floorspace overall is estimated to provide 833 ongoing FTE jobs. Additionally, construction of the proposed development is estimated to provide for 1,213 construction jobs.

The proposed development is aligned with the objectives of the E2 Commercial Centre Zone, noting that the proposed uses will not compromise the economic viability of surrounding commercial centre.

7.23 Social Impacts

A Social Impact Assessment has been prepared by Sarah George Consulting and is provided at **Appendix LL**. This assessment was prepared in accordance with the Social Impact Assessment Guidelines for State Significant Projects (2023).

The report assessed the impacts of the development, both positive and negative, for all stages of the project lifecycle for key stakeholders and the broader affected community. The report concludes that the development represents an overall positive impact. A summary of the social impacts is provided below.

The most significant social benefits of the proposal relate to:

- Construction of a mixed-use development on a site with previous development consent for a similar development.
- Provision of a diverse housing with a range of dwelling sizes and types.
- Provision of affordable housing for those on very low, low to moderate incomes in a location that is close to public transport, employment, shops and services.
- Introduction of a supermarket, retail and food and beverage offerings for the community.
- Activating the ground floor area and introducing a public plaza for community uses and to create links through the site.
- Introduction of a new tourist hotel in the Wollongong CBD attracting tourists and visitors.
- Employment generation in the planning, implementation, and construction of the proposed development, and in the operation of the retail, hotel and commercial spaces.
- Access to a range of communal open spaces and opportunities for recreation on site contributing to health and wellbeing for residents, and site visitors through communal open and private open spaces.

Key negative residual impacts identified with the proposed development relate to:

- Impacts during demolition, excavation and construction works in respect of noise, disturbance, vibration, dust and air quality.
- Impacts during construction on traffic and truck movements.
- Increased population on the site.
- Increased traffic on local roads.
- Increased height, bulk and scale of buildings on site, changing views, outlook, and solar access for immediate neighbours.

Recommendations have been provided within the report to further manage the potential social impacts arising from the proposal. These are summarised in the Mitigation Measures table at **Appendix E**. Overall, the proposed development will have a positive social impact on the community.

7.25 Public Benefit and Contributions

7.25.1 Contributions

The proposed development does not propose any alternative public benefits or a departure from an existing contributions framework. Contributions will be provided in accordance with the Section 7.12 Contributions set out in the Wollongong City-Wide Development Contributions Plan 2023 – Schedule 2 – Wollongong City Centre Commercial Core, which involves a levy that represents 2% of the cost of the development for development with an estimated cost of development exceeding \$250,000.

Housing and Productivity Contributions

The proposal will also be subject to the Housing and Productivity Contribution (HPC). This contribution will apply the following rates to the development:

- \$6,000 per dwelling /lot (excluding affordable housing dwellings)
- \$30 per square metre of new retail GFA
- \$30 per square metre of new commercial GFA

The HPC is to be paid before the issue of the first construction certificate in relation to the development and the rates are indexed quarterly based on the Producer Price Index.

Under the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024, development for the purposes of affordable housing is exempt from the Housing and Productivity Contributions. The proposed development includes the provision of 132 affordable dwellings, these dwellings would therefore be exempt.

7.25.2 Public Benefit

The proposal would result in the delivery of a significant package of public benefits, including:

- the delivery of 546 new high-quality residential dwellings (including 132 affordable dwellings). This delivery the proposed development represents a significant quantum of overall supply within Wollongong, positively contribute to alleviating the current housing crisis in NSW;
- the provision of a new supermarket, retail units and commercial floorspace which would establish the site as a mixed-use precinct, attracting pedestrian footfall and activating this part of Wollongong through the provision of new ground floor retail uses;
- the provision of a new, high-quality hotel which will enhance the visitor accommodation offer within Wollongong, further enhancing this area as a mixed use precinct;
- retention of the Marcus Clark Building heritage façade, and incorporation of this into the proposed redevelopment. The retention of the Grand Hotel façade is also a public benefit that will contribute to the character and appearance of the area;
- the delivery of new, permeable and attractive ground floor plane that provides areas of public open space including the public plaza on the eastern part of the site which will provide a significant new area of high quality, usable open space for residents, employees and visitors. A new north-south link is also proposed on the western part of the site, as a retail street connecting Crown Street to Burelli Street;
- significant site greening and biodiversity improvements, including providing 20.7% of the overall site area as new landscaped areas (2,716.85m²), a 35.9% increase in tree canopy coverage across the site secured through the provision of 208 new trees;
- the provision of 320 bicycle parking spaces which will contribute to achieving active and sustainable transport goals;
- the creation of new employment opportunities in Wollongong, including an estimated 833 operational FTE jobs and an estimated 1,213 construction jobs; and
- financial contributions in the form of Wollongong City-Wide Development Contributions and the Housing and Productivity Contribution.

8 Project Justification

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves the design, construction and operation of the proposed mixed use shop top housing, hotel and commercial development, as outlined in **Section 4**. The assessment must, therefore, focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

In considering the justification of the proposed development and in reference to Section 4.15 of the EP&A Act which specifies matters for consideration a consent authority must consider in determining a development application, the following matters have been considered:

- Design of the proposed development, including actions taken to avoid or minimise the impact of the proposed development while still achieving the objectives of the project;
- Consistency with the strategic context;
- Consistency with the statutory requirements;
- 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; and
- The public interest.

8.1 Design of the Proposed Development

The alternatives considered and actions taken to avoid or minimise the impacts of the project have been set out in the preceding sections of this EIS. The proposed mitigation measures are set out in **Appendix E** of this EIS. Subject to the implementation of these mitigation measures, in addition to the considered and thoughtful design response, it is considered that any potential impacts of the proposal will be acceptable.

8.2 Consistency with the Strategic Context

The strategic context for the proposal has been discussed at **Section 3** of this EIS, and the proposal is considered to be consistent with the relevant strategic context.

8.3 Consistency with the Statutory Requirements

The relevant statutory requirements have been discussed in **Section 5** and assessed in **Appendix C**.

Specifically, this EIS has addressed all of the matters specified in the issued SEARs dated 8 October 2024 (refer to **Appendix A**) and Section 190 and 192 of the EP&A Regulation (refer to **Appendix C**).

8.3.1 Consistency with the Objects of the Act

The Proposal is consistent with the relevant Objects of the Act as listed under Section 1.3 of the EP&A Act and will not result in any unjust or significant environmental impact. Specifically, the Proposal is consistent with the Objects of the Act as it will:

- Facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;
- Facilitate the orderly and economic use and development of land;
- Promote the delivery and maintenance of housing, including affordable housing;
- Promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);
- Facilitate good design and amenity of the built environment; and
- Promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.

8.3.2 Principles of Ecologically Sustainable Development

Section 193 of the EP&A Regulation outlines four (4) principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity;
- Improved valuation, pricing and incentive mechanisms; and
- An analysis of these principles is provided in the following sections.

Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This EIS and its supporting reports and studies has not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the proposal.

Intergenerational Equity

Intergenerational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations by:

- Delivering significant additional housing supply in a strategic location, consistent with numerous federal, state and local government initiatives to alleviate the housing supply and affordability crisis in NSW.
- Ensuring the health, diversity and productivity of the environment are maintained through the implementation of passive and active design measures that reduce operational energy and water use from the project.
- Reducing energy, water and waste to ensure that the health, diversity and productivity of the environment is maintained for the benefit of future generations.
- Facilitating job creation in close proximity to homes and public transport.
- The consolidated list of mitigation measures at **Appendix E** outlines measures to safeguard and protect the environment.

The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

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 proposal would not have any significant effect on the biological diversity and ecological integrity of the study area.

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. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance.

8.5 Likely Impacts of Development

Having regard to the natural environment, built environment and economic and social impacts of the proposed development, the likely impacts of development are considered acceptable as outlined in the following sections.

Additionally, the proposed mitigation measures detailed within **Section 7** and **Appendix E** outlined mitigation and management measures that will minimise the impact of the proposed development.

Biophysical

The assessment of impacts at **Section 7** demonstrates that:

- the Proposal will not have any significant effect on threatened species, populations or ecological communities or their habitat arising from the construction or uses of the proposed development. The Proposal will not have an impact on any matters of national environmental significance under the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)*, or *Biodiversity Conservation Act 2016 (NSW)*; and
- the Proposal will not result in any undue adverse environmental impacts. Potential sources of risk associated with the construction works and operation of the proposed development can be managed with the appropriate safeguards and mitigation measures as outlined at **Appendix E**.

Social and Economic

The likely social and economic impacts of the proposal will generally be positive, as detailed in **Section 7.21** and **7.23**. This includes:

- Facilitating the delivery of 546 high quality apartments, including 132 affordable apartments, in an accessible and amenity-rich location in the Wollongong CBD to support the shortfall of housing stock in NSW.
- Strengthening the role of Wollongong CBD's as a commercial and strategic centre by creating a truly mixed-use development that will generate employment and economic growth and reinforce the primacy of the centre.
- Deliver a development with a public domain outcome that has a high level of accessibility and amenity, comprising comprehensive landscape design principles, CPTED principles, and streetscape activation articulation.
- Creating new and attractive public spaces, including a new high quality public plaza and an activated through-site link to connect pedestrians between the site's boundaries, allowing for improved pedestrian access to active transport options.
- Retention of the Marcus Clark Building heritage façade, and incorporation of this and the Grand Hotel building façade into the proposed redevelopment ensuring important heritage and character is retained and celebrated as part of the redevelopment.
- Facilitating a residential population at the site to support increased activation in the locality beyond business hours. This has the potential to subsequently benefit Wollongong's nighttime economy and status as a strategic centre within which people can live, work, and play.
- Contribute to direct employment during construction and operation of the development.

8.6 Suitability of the Site

Having regard to the characteristics of the site and its immediate surrounding context, the proposed development is suitable for the site for the following reasons:

- It responds to the strategic vision for the delivery of additional housing supply in key locations, including those with locational proximity to key transport nodes such as Wollongong train station.
- It provides a mix of uses that will enable the population growth of both residents and workers in a strategic area, reinforcing the role of Wollongong LGA as a residential community and stimulating a competitive employment market through creating a more active and attractive precinct.
- It delivers high quality housing at a key site, improving housing stability and diversity in Wollongong as well as supporting the creation of a series of mixed-use buildings, including 15% affordable housing.
- The site is not affected by critical constraints, such as flooding, bush fire hazards, endangered species and contamination or hazardous material.
- The proposal is consistent with the objectives of the E2 Commercial Centre zone and the proposed land uses are permissible with consent on the site.

8.8 Public Interest

Having regard to the public interest, the proposed development is in the public interest for the following reasons:

- Revitalise a strategically located site within walking distance of existing transport infrastructure, retail, social, cultural, open space and employment opportunities.
- Improve the public domain within and around the site, including provision of a new public plaza and an activated through-site link to create a public thoroughfare.
- Foster social connectedness and cultural expression through a high-quality public domain, Connecting with Country-inspired landscape design, and activated ground floor tenancies.
- Demonstrate excellence in both design and ecologically sustainable development initiatives.
- Deliver 546 dwellings, which will take advantage of this accessible location, proximity to services and existing networks with direct connections to major employment destinations.
- Deliver 132 affordable dwellings which directly addresses the critical need for affordable housing in the area.
- Retain important local heritage through the retention of the Marcus Clark and Grand Hotel facades.
- Create a more vibrant and activated precinct that provides a range of day-to-day services and offerings for employees, visitors, and the local community, tailored to support existing creative and diverse offerings in Wollongong.
- Create new jobs during the construction and operational phases of the development, providing employment and amenities for residents on site and in the greater precinct.
- Include 4,601m² of publicly accessible open space, with a diverse array of landscaped, passive and active recreational spaces.
- The public interest is best served by the orderly and economic use and development of land for permissible purposes in a form which is cognisant of and does not unreasonably impact on surrounding land uses and which satisfies a market demand.

The proposed development is in the public interest for the reasons outlined above.

9 Conclusion

The Environmental Impact Statement (EIS) has been prepared to consider the natural environment, built environment and social and economic impacts of the proposed shop top housing development including infill affordable housing as well as a hotel and commercial development on land at 221-291 Crown Street, 216-238 Keira Street and 86-90 Burelli Street, Wollongong. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with section 190 and 192 of the EP&A Regulation.

Having regard to environmental, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the Housing SEPP and the Wollongong LEP 2009;
- The proposed development will not result in significant adverse environmental impacts, with appropriate mitigation measures implemented where necessary to will minimise any potential impacts;
- The proposed development exhibits a high standard of architectural, urban and landscape design, and provides a recognition and high-quality contribution to the built form of Wollongong;
- The proposal is anticipated to generate a total of 1,213 construction jobs and 833 operational FTE jobs which will have broader social and economic benefits to the region;
- The proposal creates an improved pedestrian environment to create a safe and welcoming public domain that exhibits CPTED principles;
- Traffic and parking impacts associated with the proposed development can be managed in such a way that encourages active transport and alleviates any increased pressure on the local road network;
- The proposal is consistent with the principles of ecological sustainable development as defined by Section 190 of the Environmental Planning and Assessment Regulation 2021; and
- The proposed development is suitable for the site and in the public interest.

Given the merits described above, and the significant benefits associated with the proposed development, it is requested that the application be approved.