

Department of Planning, Housing and Infrastructure

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Wollongong Private Hospital Expansion

State Significant Development Assessment Report (SSD-84096206)

August 2026





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Wollongong Private Hospital Expansion (SSD-84096206) Assessment
Report

Published: August 2026

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Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of the State significant development (SSD) application for the Wollongong Private Hospital Expansion located at 360, 366 and 368 Crown Street and 15, 17, 19, 21 and 23 Urunga Parade, Wollongong, lodged by AA Crown Holdings Pty Limited. The report includes:

- an explanation of why the project is considered SSD and who the consent authority is.
- an assessment of the project against government policy and statutory requirements, including mandatory considerations.
- a demonstration of how matters raised by the community and other stakeholders have been considered.
- an explanation of any changes made to the project during the assessment process.
- an assessment of the significant likely environmental, social and economic impacts of the project.
- an evaluation which weighs up the significant likely impacts and benefits of the project, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable.
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development consent for the project should be granted.

Executive Summary

This report details the Department's assessment of the State significant development application SSD-84096206 for the Wollongong Private Hospital Expansion.

This report will be provided to the delegate of the Minister for Planning and Public Spaces (the Minister) for their consideration when determining the SSD application.

Project

AA Crown Holdings Pty Limited (the Applicant) proposes to construct and operate an addition to the existing Wollongong Private Hospital, including hospital facilities, medical tenancies, a medi-hotel, basement parking, and associated works. The application also proposes retention of existing dwellings at 366 and 368 Crown Street for use as a birthing centre and medical centre.

The project is located at 360, 366 and 368 Crown Street and 15, 17, 19, 21 and 23 Urunga Parade, Wollongong in the Wollongong City Council local government area (LGA).

The project has an estimated development cost of \$127,958,872.

Strategic context

The Department considers the development somewhat consistent with the principal aims of key relevant strategies including the Illawarra Shoalhaven Regional Plan 2041, the Wollongong City Council Local Strategic Planning Statement 2025-2045 and the Wollongong Health Precinct Strategy.

The Department considers the expansion of the private hospital consistent with the strategic context in principle; however, the submitted design is inconsistent with various objectives relating to design, public domain, active transport and landscaping.

Statutory context

The project is classified as State significant development (SSD) under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is for the purposes of a hospital with an estimated development cost of more than \$30 million. Consequently, the Minister is the consent authority for the project under section 4.5(a) of the EP&A Act.

The application is permissible with consent.

Under clause 4.6 of the Wollongong Local Environmental Plan 2009 (WLEP), the application proposes a 60 per cent (19.2m) variation to the 32m height of buildings development standard, and a 38.5 per cent (10,864sqm) variation to the 3:1 floor space ratio (FSR) development standard.

Engagement

The Department exhibited the environmental impact statement (EIS) from 16 April to 13 May 2026. During the exhibition period, the Department received:

- 11 submissions from the public (one submission from special interest groups and 10 submissions from individuals).
- a submission from the local council, Wollongong City Council commenting on the project.
- advice from Sydney Water and Endeavour Energy.
- advice from the following government agencies:
 - NSW Health.
 - Transport for NSW.
 - NSW Department of Climate Change, Energy, the Environment and Water.
 - Heritage NSW.
 - Conservation Programs, Heritage and Regulation Group.
 - Civil Aviation Safety Authority.
 - NSW Department of Education.
 - Fire and Rescue NSW.
 - Airservices Australia.

Of the 11 public submissions, eight were objections, two supported the project and one provided comments.

Key concerns raised related to height and floor space ratio variations, design, traffic, access, parking, heritage, helicopter flight paths and construction impacts.

On 15 May 2026, the Department requested a response to submissions. However, on 25 June 2026, the Applicant advised it would not be providing a response to submissions.

On 2 July 2026, the Department issued a request for further information. On 9 July 2026, the Applicant advised it would not provide any further information.

Assessment

The Department's assessment concludes that:

- the project would obstruct the Wollongong Hospital emergency helicopter flight path, resulting in potentially detrimental impacts on the hospital's ability to use helicopters to respond to health care emergencies in the region.
- the Applicant has not demonstrated that compliance with the WLEP height and FSR standards is unreasonable or unnecessary, and therefore consent cannot be granted pursuant to clause 4.6 of the WLEP.
- there are insufficient environmental planning grounds to justify the height and FSR variations, and therefore consent cannot be granted pursuant to clause 4.6 of the WLEP.
- the FSR variation request is factually inaccurate given there are errors and omissions and therefore the Applicant's written request to justify the contravention of the FSR development standard is flawed and cannot be relied upon.
- the project does not exhibit design excellence under clause 7.18 of the WLEP, and therefore consent cannot be granted.
- the design of the development, as proposed, has not been reviewed by a design review panel as required under the provisions of clause 7.18 of the WLEP and therefore consent cannot be granted.
- the proposed bulk and scale is inconsistent with the character of the surrounding area, and the project would result in unacceptable visual impacts on surrounding properties to the north.
- the project would adversely impact the setting and significance of the heritage listed dwelling at 366 Crown Street.
- the project would result in unacceptable access outcomes, particularly in relation to pedestrian safety on Urunga Parade.

The Department also finds that the Applicant has failed to provide sufficient information to:

- demonstrate the project would not result in unacceptable traffic impacts.
- demonstrate the proposed car parking provision and access arrangements are adequate.
- demonstrate there would not be impacts on the heritage-listed Moreton Bay Fig at Beatson Park.
- demonstrate the project would not result in unacceptable noise and vibration impacts during construction and operation.

- determine whether the development is potentially hazardous.
- demonstrate that the project does not result in site isolation of 370 Crown Street, and that redevelopment of that site could occur if this development is approved.
- identify the extent of lot consolidation, internal demolition, and alteration works that form part of the project.
- assess proposed signage, which is required under section 3.6 of the State Environmental Planning Policy (Industry and Employment) 2021.
- detail proposed earthworks which is required under clause 7.6 of the WLEP.

Conclusion

As the Applicant did not provide a response to submissions or a response to information requests from the Department, there is insufficient evidence to assess many of the project's significant impacts. Therefore, the Department has been unable to fulfil its statutory obligations under relevant legislation and environmental planning instruments, and therefore consent cannot be granted.

Further, the Department's assessment of the available information concluded the project in its current form, would result in unacceptable environmental impacts due to unresolved bulk and scale impacts, obstruction to Wollongong Hospital's helicopter flight path, and transport impacts.

As such, the Department considers that the project is not in the public interest and is recommended for refusal.

Contents

Preface.....	i
Executive Summary	ii
1 Introduction.....	1
1.1 Project location.....	1
1.2 Project Background.....	4
2 Project.....	5
3 Strategic context	9
3.1 Key strategic issues	9
4 Statutory context.....	11
4.1 Permissibility and assessment pathway	11
4.2 Other approvals and authorisations.....	13
4.3 Planning Secretary’s environmental assessment requirements.....	13
4.4 Mandatory matters for consideration	13
5 Engagement.....	15
5.1 Exhibition of the EIS	15
5.2 Response to submissions.....	24
5.3 Request for further information.....	24
6 Assessment.....	25
6.1 Clause 4.6 variations.....	25
6.2 Built form.....	31
6.3 Design excellence.....	38
6.4 Transport	39
6.5 Helicopter operations.....	43
6.6 Other issues.....	45
7 Evaluation.....	50
8 Recommendation.....	52

9	Determination	53
	Glossary.....	54
	Appendices.....	57
	Appendix A - List of referenced documents.....	57
	Appendix B – Statutory considerations.....	58
	Appendix C – Recommended instrument of refusal.....	65

1 Introduction

AA Crown Holdings Pty Ltd (the Applicant) proposes to construct and operate an addition to the existing Wollongong Private Hospital, including hospital facilities, medical tenancies, a medi-hotel, basement parking, and associated works. The application also proposes retention of two existing dwellings for use as a birthing centre and medical centre.

The project description and mitigation measures provided in Section 3 and Appendix 4 of the environmental impact statement (EIS) are the subject of this report.

An overview of the proposed development is provided in Section 2.

1.1 Project location

The existing Wollongong Private Hospital is located at 360 Crown Street, Wollongong. The site is located at 360, 366 and 368 Crown Street and 15, 17, 19, 21 and 23 Urunga Parade, Wollongong (Figure 1).

The site is located within the Wollongong Health Precinct (Figure 2). The site is approximately 850m walking distance from Wollongong Station.

Further details of the site and the surrounding area are described in Table 1.



Figure 1 | Site map (Base source: Nearmap)



Figure 2 | Local context map (Base source: Nearmap)

Table 1 | Key aspects of the development site

Aspect	Description		
Address	360, 366 and 368 Crown Street, Wollongong 15, 17, 19, 21 and 23 Urunga Parade, Wollongong		
Legal description	Lot 1 DP1212956	Lot 2 DP1212956	Lot D DP402234
	SP73256	Lot A DP343680	Lot 47 Section 1 DP5507
	Lot 46 Section 1 DP5507	Lot B DP343680	Lot 9 Section 1 DP 5507
Site area	Existing hospital: 4,986sqm Proposed expanded hospital: 9,399sqm		
Local Government Area (LGA)	City of Wollongong		

Aspect	Description
Existing development	360 Crown Street: Wollongong Private Hospital (eight storeys) 366 Crown Street: Single storey heritage dwelling used for medical purposes 368 Crown Street: Single storey dwelling used for medical purposes 15 Urunga Parade: Single storey dwelling, appears to be used as an office 17 Urunga Parade: Three storey residential flat building 19 Urunga Parade: Single storey residential dwelling 21 Urunga Parade: Two storey residential dwelling 23 Urunga Parade: Single storey dwelling, previously used for medical purposes, but now appears vacant
Surrounding development	North: low scale residential dwellings, at-grade and multi-level carparks for Wollongong Hospital and Wollongong Hospital helipad. East: Wollongong Day Surgery, Wollongong Hospital and associated clinics. South: service station, car wash, food and drink premises and medical centre. Opposite the site at 411-417 Crown Street, a development application (DA-2022/395) has been approved for a seven-storey health services facility. West: low scale residential dwellings and Beatson Park.
Surrounding roads	Urunga Parade to the north and Crown Street (Princes Highway) to the south. Crown Street is a State and Regional classified road.
Topography	Approximate fall of 6m from the southeastern corner to the northwest corner.
Existing access	Existing private hospital underground carpark - entry from Urunga Parade and an entry/exit on Crown Street. Existing private hospital loading dock - Urunga Parade (30m wide driveway crossover). Each existing dwelling and the residential flat building has a driveway to either Urunga Parade or Crown Street.
Public transport	Approximately 850m from Wollongong Train Station. Two bus stops nearby on each side of Crown Street.

Aspect	Description
Heritage	- The dwelling at 366 Crown Street is a local heritage item ('House', Item 6243) under the WLEP. - The mature Moreton Bay Fig at Beatson Park, 10-15m west of the site, is a local heritage item under the WLEP.

1.2 Project Background

A State Significant Development application for the Wollongong Private Hospital Expansion (SSD-30240120) was previously lodged by the Applicant in 2022 for largely the same site, excluding 23 Urunga Parade.

The application sought consent for the following works:

- demolition of non-hospital buildings.
- erection of a nine-storey (above ground) hospital extension with three-level basement carpark, comprising 191 additional beds, 164 additional car parking spaces, new emergency department, expansion of operating theatres and radiology and intensive care units.
- a new connecting five-storey medical tenancy building.
- a new entry from Urunga Parade.
- removal of 11 trees.
- landscaping works.

The Applicant withdrew the application on 25 October 2023.

2 Project

The proposal seeks approval to construct and operate an addition to the existing Wollongong Private Hospital including hospital facilities, medical tenancies, a medi-hotel, basement parking, and associated works. The application also proposes retention of existing dwellings at 366 and 368 Crown Street for use as a birthing centre and medical centre.

The key aspects of the project are provided in detail in the Project Description chapter of the EIS and are outlined in Table 2.

Table 2 | Key aspects of the project

Aspect	Description
Uses	• Hospital building extension: ○ hospital facilities including, but not limited to, radiation oncology centre, emergency department, operating theatres and patient units. ○ medical tenancies. ○ medi-hotel. ○ café. • 366 Crown Street: birthing centre/mums and bubs clinic. • 368 Crown Street: medical centre.
Gross floor area (GFA)	20,981sqm additional GFA. 39,059sqm total GFA (includes extension, existing hospital and retained dwellings). (Note: the Applicant's GFA calculations appear to be inaccurate, see Section 6.1.1).
Building height	51.2m (13 storeys).
Basement	Six basement levels, including basement parking and radiation oncology unit.
Parking	278 additional car parking spaces. 578 total parking spaces.
Access	Pedestrian: New pedestrian access off Urunga Parade and retention of existing pedestrian access from Crown Street. Vehicle – Crown Street: convert to entry and exit for ambulances, doctors parking and a drop-off zone only.

Aspect	Description
	Vehicle – Urunga Parade: carpark access (entry/exit) relocated to Urunga Parade including with new driveway crossover and retention of the existing entry ramp. Loading – Urunga Parade: new loading dock and retention of existing loading docks.
Landscaping	Landscaping along street frontages and between structures/vehicle circulation areas. New landscaped courtyard on Level 2 and new landscaped skygarden on Level 7.
Tree removal and planting	Removal of nine existing trees and planting of an unknown number of new trees.
Heritage	The house at 366 Crown Street is proposed to be retained and used for a birthing centre/mums and bubs clinic. No changes are proposed to the existing building; however, landscaping and carpark works are proposed around the building.
Associated works	• Demolition of buildings at 15, 17, 19, 21 and 23 Urunga Parade. • Demolition of the existing shed, retaining walls and hardstand areas surrounding the building at 366 Crown Street. • Demolition and alterations to the internal areas of the existing hospital building. • Site services and utilities. • Earthworks. • Public domain works.
Lot consolidation	Lot consolidation proposed (however, no plans or details of lot consolidation provided).
Estimated development cost (EDC)	\$127,958,872.
Jobs	149 construction jobs and up to 320 additional operational jobs.

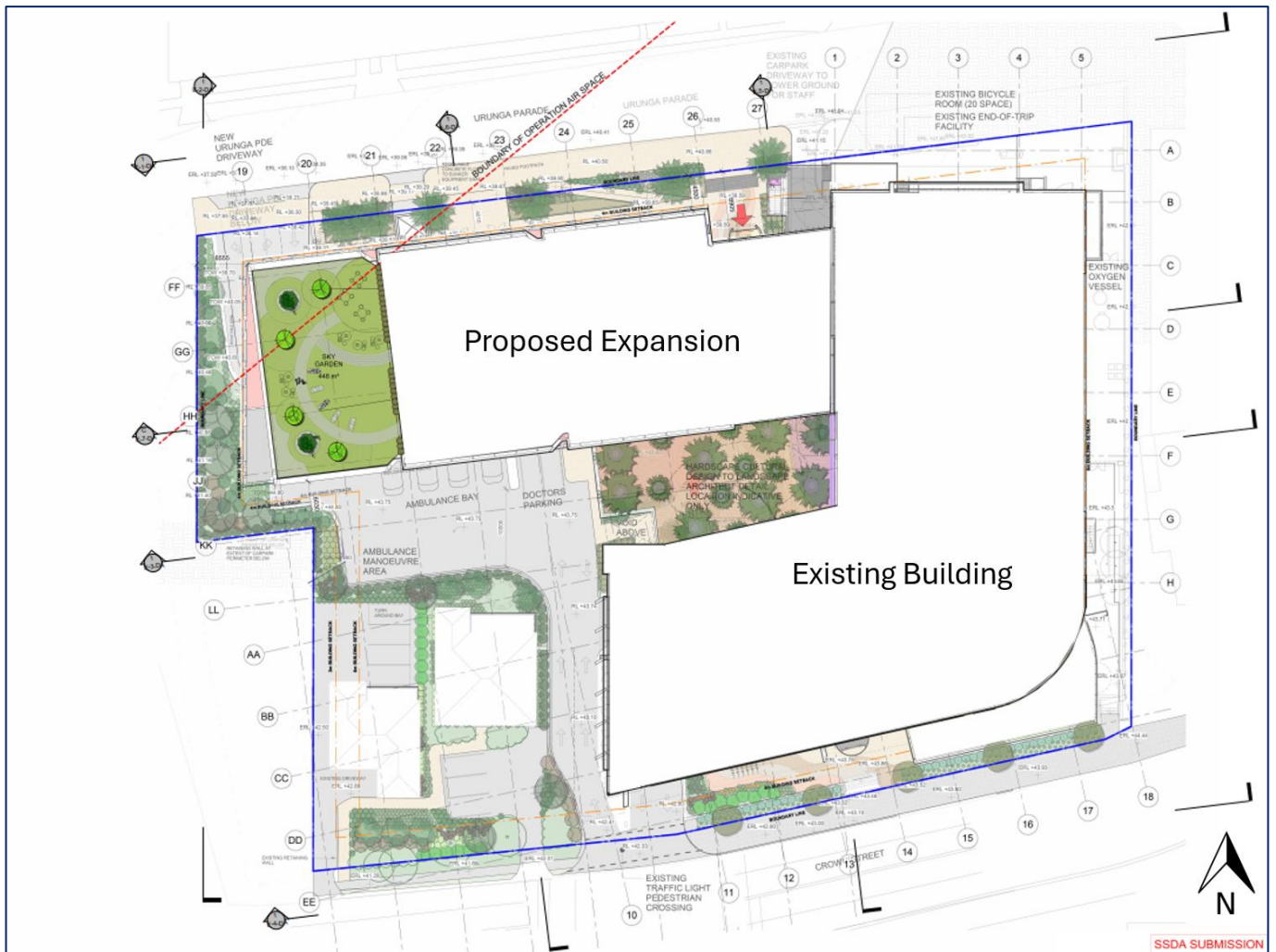


Figure 3 | Site layout (Base source: Architectural Plans)

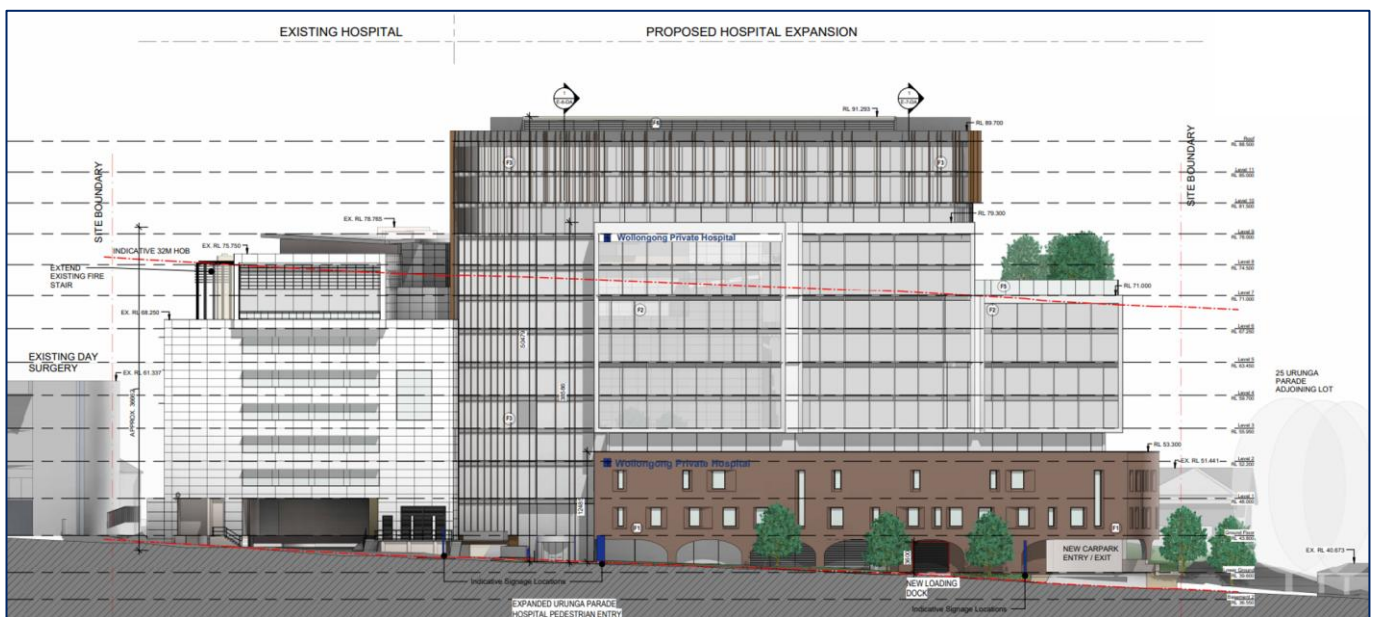


Figure 4 | North elevation showing proposed expansion (right) and existing hospital (left) (Source: Architectural Plans)



Figure 5 | Elevated visual perspective from the north-west (Source: Design Report)



Figure 6 | Elevated visual perspective from the south-west (Source: Design Report)

3 Strategic context

3.1 Key strategic issues

The project is somewhat consistent with the strategies, plans and policies outlined in Table 3.

Table 3 | Summary of government strategies, plans and policies

Strategy, plan or policy	Consistency	Comments
Illawarra Shoalhaven Regional Plan 2041 (Region Plan)	Somewhat consistent	The development would facilitate the delivery of health infrastructure, which is consistent with the following objectives of the Region Plan: - Strengthen Metro Wollongong as a connected, innovative and progressive City (Objective 1). - Grow the region's Regional Cities (Objective 2). - Activate regionally significant employment precincts to support new and innovative economic enterprises (Objective 4). However, the Department considers the development, in its current form, is inconsistent with the following objectives: - Increase urban tree canopy cover (Objective 13). - Embrace and respect the region's local character (Objective 22). - Celebrate, conserve and reuse cultural heritage (Objective 23). - Create connected and accessible walking and cycling networks (Objective 28). Tree canopy, character, heritage and active transport is considered in detail at Section 6.
Wollongong City Council Local Strategic Planning Statement 2025-2045 (LSPS)	Somewhat consistent	The development is considered consistent with the following LSPS planning priorities: - The network of Centres provides for the needs of our community (Planning Priority 6). - Employment generating uses are prioritised in Centres and Industrial areas (Planning Priority 9). However, the Department considers the development, in its current form, is inconsistent with the following LSPS planning priorities:

Strategy, plan or policy	Consistency	Comments
		- The natural, built and cultural context informs the design of places and buildings (Planning Priority 4). - Transport options are safe, reliable and accessible (Planning Priority 7). The design and transport are considered in detail at Section 6.
Wollongong Health Precinct Strategy	Somewhat consistent	The Wollongong Health Precinct Strategy was finalised on 20 February 2026, prior to lodgement of this application. The strategy aims to guide the future of the Wollongong Health Precinct, which includes the subject site. The strategy states that height and floor space controls will be reviewed, however, it does not outline proposed future controls. The structure plan within the strategy identifies 15, 17, 19, 21 and 23 Urunga Parade for ‘possible health facility expansion (subject to future planning)’ and 366 and 368 Crown Street for ‘public open space (indicative location)’. The proposal is consistent with the identified use for the Urunga Parade properties but inconsistent with the indicative use for the Crown Street properties. The strategy also identifies Urunga Parade as a ‘pedestrian focus area’ where pedestrianisation and traffic calming measures will be introduced. The proposal consolidates all carpark traffic on Urunga Parade and introduces two new driveways to Urunga Parade. The expanded hospital would then have four driveways on Urunga Parade, which combined would be over nine lanes wide. The proposal is therefore considered inconsistent with the vision for a pedestrian focused Urunga Parade. Overall, the Department considers the expansion of the private hospital consistent with the strategy in principle. However, the current design is inconsistent with the strategy’s design vision and criteria, particularly in relation to public domain, active transport, and landscaping.

4 Statutory context

4.1 Permissibility and assessment pathway

Details of the legal pathway under which consent is sought, and the permissibility of the project are provided in Table 4.

Table 4 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	State significant development • The project is declared SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of the Planning Systems SEPP. The proposed development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and the proposed development is specified in section 14 of Schedule 1 of the Planning Systems SEPP. • The Department is satisfied that the continued use of the retained dwellings as medical tenancies and the medical tenancies within the extension are sufficiently related to the State significant development for the purposes of a hospital, noting they would form part of a hospital campus under the proposed single lot consolidation and complement the hospital use.
Consent authority	Minister for Planning and Public Spaces • The Minister is the consent authority under section 4.5(a) of the EP&A Act.
Decision-maker	Executive Director, Infrastructure Assessments In accordance with the Minister for Planning and Public Spaces delegation to determine applications, dated 9 March 2022, the Executive Director, Infrastructure Assessments may determine the application as: • Council has not made an objection to the application. • there are less than 50 public submissions objecting to the application. • a political donation disclosure statement has not been made for the application.
Permissibility	Permissible with consent The project is located within the SP1 Special Activities zone under the WLEP. Under the WLEP, the 'purpose shown on the land zoning map, including any development that is

Consideration	Description
	ordinarily incidental or ancillary to development for that purpose', is permissible with consent. The purposes shown on the land zoning map are as follows: • 17, 19, 21 and 23 Urunga Parade, 366 and 368 Crown Street, part of 15 Urunga Parade and part of 360 Crown Street (Area 1): Hospital. • Remaining part of 15 Urunga Parade and 360 Crown Street (Area 2): Wollongong Hospital Precinct – Boarding houses, dwelling houses, food and drink premises, helipads, neighbourhood shops, funeral chapels, funeral homes, hostels, mortuaries, multi-dwelling housing, place of public worship, residential flat buildings, seniors housing, shop top housing. The Applicant's EIS defined the development as a hospital, with ancillary medical tenancies, café and medi-hotel. The EIS confirms that the medi-hotel would be available to hospital visitors, patients, healthcare workers, and consultants. The Department is satisfied the medi-hotel is ancillary to the hospital, subject to it only being available to health care workers, or persons receiving health care or their visitors. The Department is satisfied the café expansion is ancillary to the hospital use as it will service the hospital's staff, patients and visitors. The Department requested additional information from the Applicant demonstrating the medical tenancies are ancillary to the hospital, noting they occupy a greater proportion of the expansion than the hospital use. The Applicant did not provide a response. In the absence of any documented link between the medical tenancies and the hospital, the Department considers that the medical tenancies may be more accurately described as a health services facility, rather than as ancillary development. The SP1 zone is a prescribed zone under section 2.59 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP). Therefore, under section 2.60 of the Transport and Infrastructure SEPP, development for the purposes of a health service facility (which includes hospitals), is permitted with consent on the site. The Transport and Infrastructure SEPP overrides the prohibitions under the WLEP, and therefore the development is permitted with consent. However, despite the permissibility, the Applicant has failed to provide sufficient information to be able to definitively categorise the proposed land uses.

4.2 Other approvals and authorisations

The project will not require an environment protection licence issued by the NSW Environment Protection Authority under section 42 of the *Protection of the Environment Operations Act 1997*.

Under section 4.41 of the EP&A Act, several other authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD (e.g. approvals under section 138 of the *Roads Act 1993*). These authorisations must be substantially consistent with any SSD consent for the project.

The Department has consulted with and considered the advice of the relevant government agencies responsible for these other authorisations in its assessment of the project.

4.3 Planning Secretary’s environmental assessment requirements

The Department’s review determined that the EIS addresses each matter set out in the Planning Secretary’s environmental assessment requirements (SEARs) issued on 10 November 2025 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

4.4 Mandatory matters for consideration

4.4.1 Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department’s consideration of these matters is shown in Table 5.

Table 5 | Matters for consideration

Matter for consideration	Department’s assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	Appendix B
EP&A Regulation	Appendix B
Likely impacts	Section 6 - Assessment

Matter for consideration	Department's assessment
Suitability of the site	Section 1.1 - Project site, Section 3 - Strategic Context and Section 6 - Assessment
Public submissions	Section 5 - Engagement and Section 6 - Assessment
Public interest	Section 5 - Engagement, Section 6 - Assessment and Section 7 - Evaluation

4.4.2 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act (s 1.3), including the principles of ecologically sustainable development. Consideration of those factors is described in **Appendix B**.

As a result of the analyses in **Appendix B**, the Department is not satisfied that the development is consistent with the objectives of the EP&A Act.

4.4.3 Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department on 10 November 2025. The delegated Environment Agency Head and the Team Leader, Social Infrastructure as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 26 November 2025.

5 Engagement

5.1 Exhibition of the EIS

5.1.1 Public exhibition of the EIS

After accepting the development application and EIS, the Department:

- publicly exhibited the project from 16 April to 13 May 2026 on the NSW Planning Portal.
- notified occupiers and landowners in the vicinity of the site about the public exhibition.
- notified and invited comment from relevant government agencies and Wollongong City Council.

During the public exhibition period, the Department:

- met with NSW Health to discuss its concerns about the project on 8 May 2026.
- undertook a site visit on 11 May 2026.

5.1.2 Summary of advice received from government agencies

The Department received advice from eight government agencies on the EIS.

A summary of the agency advice is provided in Table 6. A link to the full copy of the advice is provided in Appendix A.

Table 6 | Summary of agency advice

Agency	Advice summary
NSW Health	NSW Health provided advice on behalf of its stakeholders, including Health Infrastructure, the Illawarra Shoalhaven Local Health District, NSW Ambulance and its helicopter operator. It advised: - it is supportive of the Wollongong Private Hospital Expansion in principle, subject to resolution of critical issues. - it has had limited engagement with the Applicant on the details of the project. - the proposed building protrudes into the approach and departure flight paths for the Wollongong Hospital Helicopter Landing Site (HLS) and should be redesigned to avoid the operational airspace.

Agency	Advice summary
	- the Applicant should prepare a Helicopter Operations Management Plan in consultation with NSW Health to detail how construction cranes would operate without interrupting the HLS. - the proposed access arrangements consolidate traffic on Urunga Parade and New Dapto Road, which are critical routes for Wollongong Hospital. The Wollongong Health Precinct Strategy envisages significant future development at Wollongong Hospital, which would utilise the residual traffic capacity on Urunga Parade and New Dapto Road. It recommends access for this project be relocated back to Crown Street. - no reduction to the proposed 583 car parking spaces should be permitted. Ambulance NSW provided a supplementary email advising they are rolling out new ambulances and the dimensions of the new ambulances should be considered in the Transport Impact Assessment.
Transport for NSW (TfNSW)	TfNSW advised: - it supports the relocation of main access to Urunga Parade from Crown Street. - details are required of whether ambulances would require an emergency signals phase for the Crown Street and Staff Street signalised intersection, and whether amendments are required to allow an ambulance to turn left into the development from Crown Street. - consideration should be given to updating pavement arrows to define permitted turning movements on the Staff Street approach to the Crown Street access. - the traffic modelling should be updated, and additional information should be provided to address concerns with the methodology. - the 2024 traffic surveys relied upon were affected by roadworks and do not reflect typical conditions. - consideration should be given to reducing car parking spaces to encourage sustainable modes of transport. - the 52 bicycle parking spaces is considered low. - mode share targets should be broken into short, medium and long term and the car driving mode share should be reduced.

Agency	Advice summary
	- the Travel Access Guide would need to be updated to include additional information. After exhibition, TfNSW reviewed the advice from NSW Health and advised it is open to considering retained carpark access via Crown Street. For this scenario, TfNSW advised: - shared access between ambulances and the general public may inhibit ambulance response times and create congestion. - vehicles need to be able to enter the basement carpark from the emergency department drop-off without having to leave the site. - vehicle conflicts need to be considered, and plans updated accordingly. - queuing is likely to occur within the site due to the Crown Street signals phasing and therefore alternative access via Urunga Parade is still required to give drivers an alternative.
Heritage NSW - Aboriginal Cultural Heritage	Heritage NSW, part of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) at the time of providing advice, provided the following comments on the Aboriginal Cultural Heritage Assessment Report (ACHAR): - additional documentation of the consultation process with Registered Aboriginal Parties (RAPs) should be provided. - the consultation appendix of the ACHAR includes duplicate documents that should be cleaned up. - clarification of forms of communication attempted for RAPs whose emails were undelivered should be provided.
Conservation Programs, Heritage & Regulation Group (CPHR)	CPHR, as part of DCCEEW advised: - that a BDAR waiver has been granted. - it supports the incorporation of locally indigenous plant species in the landscape plan and encourages further use of local species. - it recommends including species listed in Table 3 of the Wollongong DCP 2009 - E6 Landscaping and species forming part of a locally occurring Plant Community Type such as Illawarra Lowland Red Gum Grassy Forest (PCT 3327).

Agency	Advice summary
Civil Aviation Safety Authority (CASA)	CASA advised: • it agrees with the Aeronautical Impact Assessment (AIA) recommendation to revise the flightpath for helicopters serving Wollongong Hospital by 10 degrees. However, CASA recommends the helicopter operator confirms viability of departures to the south, specifically with the crane in place. • it has no objections to the proposed building height. • approval under the Airports (Protection of Airspace) Airspace Regulations is not required. • further assessment of the crane would be required once details are available. Measures such as markings and lighting may be required. • the helicopter operator should advise whether obstacle lights on the proposed building are advisable.
NSW Department of Education	The NSW Department of Education advised: • the site is nearby to Illawarra Hospital School, which is located within the paediatric ward at Wollongong Hospital. • the project should be supported by a construction management plan that considers impacts on the school. • noise and vibration assessments should consider the school as a sensitive receiver and include mitigation measures where necessary. • air quality impacts from construction dust should be considered and mitigated. The Department of Education also provided comments regarding construction traffic during school drop-off and pick-up times and impacts on the school's access. The Department contacted the Department of Education to clarify the comments noting the school services patients within the hospital and therefore, no transport of students occurs. The Department of Education confirmed this is correct and that their transport comments do not apply in this instance.
Fire and Rescue NSW	Fire and Rescue NSW raised no concerns and provided no comments.
Airservices Australia	Airservices Australia raised no concerns and provided no comments.

5.1.3 Summary of advice received from utility providers

The Department received advice from Sydney Water and Endeavour Energy on the EIS.

A summary of the utility provider advice is provided in **Table 7**. A link to the full copy of the advice is provided in **Appendix A**.

Table 7 | Summary of utility provider advice

Agency	Advice summary
Sydney Water	Sydney Water advised: - the existing wastewater system servicing the site is constrained and Sydney Water is undertaking an options study for growth in the Wollongong wastewater catchment. - the development has not been captured in previous Sydney Water studies for the water supply zone, and a hydraulic consultant should be engaged to identify water servicing options for the project. - if approved, conditions should be imposed requiring a Section 73 Compliance Certificate and building plan approval from Sydney Water. Detailed requirements would be provided at the Section 73 application stage.
Endeavour Energy	Endeavour Energy advised: - the types of electrical infrastructure within or adjacent to the site. - recommended conditions including obtaining advice from the Before You Dig service, requirements for earthing and easement management. - that an application for network connection would be required. - design requirements and recommendations for safe management of electrical infrastructure.

5.1.4 Summary of Council submissions

Wollongong City Council (Council) provided comments on the project.

A summary of the issues raised by Council is provided in **Table 8** and a link to all submissions in full is provided in **Appendix A**.

Table 8 | Summary of issues raised by Council

Issue	Submission summary
The Project	• Further detail of the ‘medi-hotel’ and medical tenancies should be provided, as these uses have not been sufficiently explained in the documentation or proposed plans.
Planning	• Car parking surplus to the requirements of the consent authority must be counted as gross floor area and floor space ratio. The plans indicate surplus car spaces have not been included in GFA calculations. • Retention of buildings at 366 and 368 Crown Street is supported. • A condition of consent requiring payment of local infrastructure contributions in accordance with the Wollongong City-Wide Development Contributions Plan 2025 should be imposed. • Opportunities for fee-free community parking for visitors to the hospital should be explored. • The new pedestrian footpath along Urunga Parade is supported and finishes should be in accordance with Council’s Public Domain Technical Manual. • The proposal needs to have regard to design excellence in accordance with clause 7.18 of the WLEP 2009 and clause 4.6 variations should only be supported where design excellence is demonstrated. • Recommendations of the State Design Review Panel should be resolved.
Environment	• Council considers tanked basements best practice and requests this be considered, rather than drained basements as currently proposed in the application. • The construction noise and vibration recommendations within the Noise and Vibration Impact Assessment (NVIA) are not specific to the site. • The NVIA should review geotechnical report findings and undertake a construction noise and vibration assessment. The findings should be documented in a Construction Noise and Vibration Management Plan (CNVMP) prior to determination. • Recommended conditions for a hazardous materials survey, Section J report, unexpected finds protocol and compliance with the CNVMP.

Issue	Submission summary
Transport	- Analysis is required to demonstrate how the medi-hotel would not generate additional parking demand or trip generation. - The adequacy of the number of patient pick-up and drop-off spaces must be justified.
Wollongong Health Precinct Strategy	Alignment with the final version of the Wollongong Health Precinct Strategy should be determined during assessment.

5.1.5 Summary of public submissions

The Department received 11 submissions during the public exhibition period of the EIS (one submission from special interest group and 10 submissions from individuals). Eight submissions objected to the project, two submissions supported the project, and one provided comment. Further detail is provided in **Table 9** and a link to all submissions in full is provided in **Appendix A**.

Table 9 | Key issues raised in submissions on the EIS

Issue	Summary	# of Submissions
Height and Floor Space Ratio	- The height and floor space ratio (FSR) exceeds the planning control, and results in a poor planning outcome that is not adequately justified by the clause 4.6 variation statements. - The height and FSR should be amended to comply with the current control, or to be consistent with the height of the existing hospital. - The height of the building would impact the amenity of surrounding low-density dwellings and Beatson Park due to overshadowing and visual impacts from the bulk and scale. - The height and FSR would set an undesirable precedent that is not in the public interest. - The calculation of floor space ratio is inconsistent with clause 4.5(6) of the WLEP as the land at 366 and 368 should not be included in FSR calculations noting that significant development is not occurring on these lots. - The clause 4.6 variations undermine the strategic planning process that is occurring to implement the Wollongong Health Precinct Strategy.	7 (64%)

Issue	Summary	# of Submissions
	- The height is 13 storeys rather than 12 storeys as stated in the exhibition material. - The 13-storey tower adjacent to the heritage item at 366 Crown Street results in unacceptable bulk within the heritage curtilage.	
Traffic and access	- Urunga Parade and Crown Street are functioning beyond capacity. - Surrounding roads have not received appropriate upgrades and experience congestion. - The project should be amended to ensure most vehicles access the development from Crown Street, noting Urunga Parade is a narrow local road. - The additional loading dock on Urunga Parade would impact the amenity of nearby residences and should be relocated to Crown Street. - The development would increase traffic and impact pedestrians and cyclist safety. - The development would impact ease of access to Wollongong Public Hospital. - The development is inconsistent with the Wollongong Health Precinct Strategy, which indicates Urunga Parade as a Pedestrian Focus Area. - The existing loading dock does not comply with its permitted hours (7am to 4pm, daily). - Additional pedestrian footpaths are needed.	6 (55%)
The Project	- The project should be split and distributed over several sites. - The project would be more appropriate closer to the Wollongong CBD. - Private hospitals do not reduce strain on the public system and offer poor care. - The project would limit Wollongong Public Hospital's ability to expand.	5 (45%)

Issue	Summary	# of Submissions
	- The project would isolate 370 Crown Street and significantly affect its redevelopment potential. - The continued use of 366 and 368 Crown Street is not sufficiently related to the SSD.	
Design	- The project is inconsistent with the character of the surrounding area which features mostly low density residential dwellings. - The design does not exhibit design excellence. - The project has not addressed concerns raised by the State Design Review Panel in a meaningful way. - The design is not sustainable and does not support animal and plant life in the area. - The design does not complement the local topography.	5 (45%)
Parking	- On-street parking is limited in the surrounding area, which impacts resident's amenity. - Additional basement parking is required. - Time limits should be imposed for on street parking surrounding the hospital. - The existing carpark's fees are excessive, which creates additional street parking demand.	3 (27%)
Heritage tree	- The project would impact the roots of the heritage listed Moreton Bay Fig in Beatson Park and result in its death. - The building would overshadow the tree and impact its health. - The tree is of historical and educational significance. - Concerns regarding the wildlife that depend on the tree.	3 (27%)
Construction impact	- Concern drilling would impact structural integrity of surrounding dwellings. - Construction noise would be disruptive to the local community and wildlife. - Measures need to be in place to manage noise and dust impacts during construction.	3 (27%)

Issue	Summary	# of Submissions
	Any damage to surrounding roads must be repaired after construction.	
Helicopter flight paths	- Any change to helicopter flight paths should ensure helicopters do not fly directly over houses. - The building should be revised to avoid existing helicopter flight paths.	2 (18%)
Stormwater	The development would impact run-off down-hill creating flood and stormwater pollution risks.	1 (9%)

5.1.6 Summary of issues raised outside of the exhibition process

Feedback was received from a nearby landowner outside of the formal public exhibition period via an emailed letter on 16 July 2026. Concerns related to the proposed adjustment of the Wollongong Hospital helicopter flight and the subsequent impact on noise levels and development potential at their properties on Dudley Street, Wollongong. The feedback was provided for the Applicant for comment on 16 July 2026, however no response has been received.

5.2 Response to submissions

Following the public exhibition period, the Department asked the Applicant to respond to the issues raised in submissions and the advice received from government agencies. On 20 May 2026, the Department wrote to the Applicant providing detailed comments and concerns to be addressed as part of the response to submissions.

On 25 June 2026, the Applicant wrote to the Department, informing the Department that they will not be providing a response to submissions. The Department published the letter on the NSW Planning Portal on 29 June 2026.

5.3 Request for further information

On 2 July 2026, the Department asked the Applicant to provide further information to address additional traffic and parking concerns.

On 9 July 2026, the Applicant wrote to the Department informing the Department that they will not be providing additional information. The Department published the letter on the NSW Planning Portal on 13 July 2026.

6 Assessment

6.1 Clause 4.6 variations

The project involves significant exceedances to the height of buildings development standard under clause 4.3 of the WLEP and the FSR control under clause 4.4 and 4.4A of the WLEP. Accordingly, the EIS is supported by two variation requests under clause 4.6 of the WLEP.

The details of the proposed variations are outlined in Table 10.

Table 10 | Proposed development standard variations (Source: Clause 4.6 variation requests)

Standard	Control	Proposed	Exceedance	% Variation
Height of building	32m	51.2m	19.2m	60 per cent
Floor space ratio	3:1	4.15:1 39,061sqm GFA	1.15:1 10,864sqm GFA	38.5 per cent

(Note: appears inaccurate given errors and omissions in the Applicant's information. See **Section 6.1.1**.)

Under clause 4.6(3) of the WLEP, consent must not be granted unless the consent authority is satisfied that the Applicant has demonstrated that:

- (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Department's consideration of how the variation requests were prepared is provided in Section 6.1.1 and consideration of subclause 4.6(3)(a) and (b) is provided in Section 6.1.2 and 6.1.3 respectively.

6.1.1 Preparation of the clause 4.6 variations

The Department, Council and some public submissions identified concerns with how the GFA and associated FSR was calculated by the Applicant. Inconsistencies in the stated height and FSR/GFA were also identified across the various application documents (e.g. EIS, Architectural Plans, Transport Impact Assessment).

Only significant development to be included

Clause 4.5 of the WLEP establishes how floor space ratio and site area should be calculated. Subclause 4.5(6) of the WLEP is replicated below:

- (6) *Only significant development to be included. The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.*

A public submission raised concern that the Applicant has not demonstrated that significant development is occurring at 366 and 368 Crown Street, which have been included in the site area calculation and are occupied by dwellings that are proposed to be retained.

The Department requested the Applicant respond to the submission, however the Applicant declined to respond.

The Department notes that both 366 and 368 Crown Street are already used for medical purposes, and therefore the application does not propose a change of use. The application also states that both buildings would be retained and leased to the Illawarra Aboriginal Medical Service (IAMS) and would therefore operate independently from the private hospital.

The physical works proposed on these properties is limited to minor demolition, landscaping, construction of parking for use by IAMS, and construction of part of the access and manoeuvring areas for the new ambulance bay. The EIS states no changes are proposed to the existing buildings at 366 and 368 Crown Street.

The Department's LEP Practice Note - Height and Floor Space Ratio (PN 08-001) provides an example for how to consider whether significant development is proposed on a lot. The example identifies that complete refurbishment of an existing building would be considered significant development.

In *Antoniades Architects Pty Ltd v Canada Bay City Council* [2014] NSWLEC 1019, Commissioner Brown considered this issue and found that construction of an access driveway and garbage bin storage area on a lot did not constitute significant development in relation to a mixed-use development.

With consideration of the above guidance, the Department considers that there is insufficient evidence to support including 366 and 368 Crown Street in the site area, noting that no new built form is proposed on these lots and that no works are proposed to the retained dwellings.

Car parking in excess of requirements

Under the WLEP, gross floor area is defined as follows:

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and*
- (b) habitable rooms in a basement or an attic, and*
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,*

but excludes —

- (d) any area for common vertical circulation, such as lifts and stairs, and*
- (e) any basement —*
- (i) storage, and*
- (ii) vehicular access, loading areas, garbage and services, and*
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and*
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and*
- (h) any space used for the loading or unloading of goods (including access to it), and*
- (i) terraces and balconies with outer walls less than 1.4 metres high, and*
- (j) voids above a floor at the level of a storey or storey above.*

Council's submission identified that the Applicant's GFA plans do not appear to include the surplus car spaces beyond the requirements of the Wollongong Development Control Plan 2009 (WDCP) in the GFA calculations.

The Applicant's Transport Impact Assessment states that the project includes 111 car parking spaces above what the WDCP requires (noting the Department also identified significant concerns with how car parking rates were calculated, see **Section 6.4.2**).

The Department requested the Applicant respond to Council's submission and include any car parking spaces beyond the requirements in the WDCP as GFA. The Applicant declined to respond.

In the absence of any response, the Department cannot support the proposed FSR variation.

6.1.2 Compliance with the development standard is unreasonable or unnecessary

Under clause 4.6(3)(a) of the WLEP, to grant consent the Department must be satisfied that the Applicant has demonstrated that compliance with the development standards is unreasonable or unnecessary in this circumstance. The Department has had regard to the tests arising from *Wehbe v Pittwater Council* [2007] NSWLEC 827 in the assessment below.

Height of Building

The Applicant's written request argues that compliance with the height of building development standard is unreasonable or unnecessary as the objectives of the development standard are achieved.

The objectives of clause 4.3 of the WLEP are as follows:

- (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*

- (b) to permit building heights that encourage high quality urban form,*
- (c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.*

The Department does not consider the Applicant's written request has sufficiently demonstrated that the development standard is unreasonable or unnecessary, and that the objectives of the development standard are achieved. In particular, the Applicant has not demonstrated that the variation to this development standard encourages or results in high quality urban form, as outlined in objective (b). The Department considers that the bulk and scale of the development and the proposed design result in unacceptable impacts and a poor-quality urban form. These impacts are discussed in detail at Section 6.2 and 6.3.

Therefore, the Department cannot recommend that consent be granted for the development as it is not satisfied that the Applicant has demonstrated that compliance with height standard is unreasonable or unnecessary.

Floor Space Ratio (FSR)

The Applicant's written request argues that compliance with the FSR development standard is unreasonable or unnecessary as the objectives of the development standard are achieved.

The objectives of clause 4.4 of the WLEP are as follows:

- (a) to provide an appropriate correlation between the size of a site and the extent of any development on that site,*
- (b) to establish the maximum development density and intensity of land use, taking into account the availability of infrastructure to service that site and the vehicle and pedestrian traffic the development will generate,*
- (c) to ensure buildings are compatible with the bulk and scale of the locality.*

The Department does not consider that the Applicant's written request has sufficiently demonstrated that the development standard is unreasonable or unnecessary and considers that the variation does not achieve the objectives of the development standard as:

- significant development is not occurring on all lots (Section 6.1) and therefore the extent of development does not appropriately correlate to the size of the site.
- the bulk and scale of the development, as currently designed is incompatible with the locality (Section 6.2).
- the application does not demonstrate that the site can accommodate the intensity of the land use in relation to traffic generated by the development (Section 6.4).

Therefore, the Department cannot recommend that consent be granted for the development as it is not satisfied the Applicant has demonstrated that compliance with the height standard is unreasonable or unnecessary.

6.1.3 Environmental planning grounds to justify the contravention of the development standard

Under clause 4.6(3)(b) of the WLEP, to grant consent the Department must be satisfied the Applicant has demonstrated there are sufficient environmental planning grounds to justify the contravention of the development standard.

Height of Building

The Applicant's written request argues that the following environmental planning grounds justify the height of building variation:

- *The height variation is a product of the distribution of floor space away from the heritage item.*
- *The building height responds to the transitional context of the site.*
- *The building height responds to the existing and emerging scale of development within the health precinct.*
- *The building height aligns with the strategic vision for the health precinct.*
- *The building height addresses an existing shortfall/demand for health care services.*
- *The subject site is the most suitable for the provision of additional medical floor space.*
- *The building height allows for medical accommodation.*
- *There will be an absence of adverse environmental impacts on the surrounding locality resulting from the height variation.*
- *The proposed scale is sympathetic to the existing hospital building which already exceeds the building height limit.*
- *Orderly and economic use of the land.*
- *The non-compliances achieve a high level of design excellence, based on site analysis.*
- *The topography contributes to the extent of non-compliance.*
- *The proposal meets aims and objectives of key planning documents.*

Floor Space Ratio

The Applicant's written request argues that the following environmental planning grounds justify the FSR variation:

- *The existing hospital exceeds the FSR development standard.*
- *The extent of the FSR non-compliance is increased by the retention of the heritage item.*
- *The bulk and scale responds to the existing and emerging scale of development within the health precinct.*

- *The FSR aligns with the strategic vision for the health precinct.*
- *The FSR addresses an existing shortfall/demand for health care services.*
- *The subject site is the most suitable for the provision of additional medical floor space.*
- *The FSR allows for medical accommodation.*
- *There will be an absence of adverse environmental impacts on the surrounding locality resulting from the FSR variation.*
- *Orderly and economic use of the land.*
- *The non-compliance is mitigated through the careful design of the built form.*
- *The proposal meets aims and objectives of key planning documents.*

Department's consideration

The Department does not consider that the Applicant's written request has demonstrated that there are insufficient environmental planning grounds to justify the height and FSR variations for the following reasons:

- the height and FSR variations directly contribute to the unacceptable intrusion into the operational airspace for the Wollongong Hospital Helicopter Landing Site (Section 6.5).
- the built form results in unacceptable bulk and scale impacts, including visual impacts and overshadowing (Section 6.2).
- the project does not exhibit design excellence (Section 6.3).
- there is insufficient evidence to demonstrate that the site can accommodate the proposed intensity of development, particularly in relation to traffic and access impacts (Section 6.4).
- the Applicant has not demonstrated demand for the proposed quantity of medi-hotel and medical tenancy floor space in its Economic Impact Assessment. The new medi-hotel and medical tenancy levels comprise over 12,700sqm of the proposed additional GFA (over 60 per cent) and contribute to the majority of the proposed height and FSR variations.
- a significant proportion of other sites within the Wollongong Health Precinct that are zoned SP1 (Wollongong Hospital Precinct) (Figure 7) have not been redeveloped in line with current planning controls and are suitable for supporting additional medical and medical related floorspace. These sites are capable of providing additional medical floor space without resulting in the same adverse impacts as this project, thus demonstrating that the proposed exceedances on this site are not necessary or justified.

Therefore, the Department considers there are insufficient environmental planning grounds to enable a recommendation of approval for the development.

The proposed bulk and scale would also result in visual impacts and overshadowing (see Section 6.2.1).

6.2.1 Visual impact

The Applicant submitted a Visual Analysis and Visual Impact Assessment (VAVIA) that considers the visual impacts from the development on surrounding areas.

The VAVIA assessed nine views towards the site from the surrounding area, as shown in Figure 8.

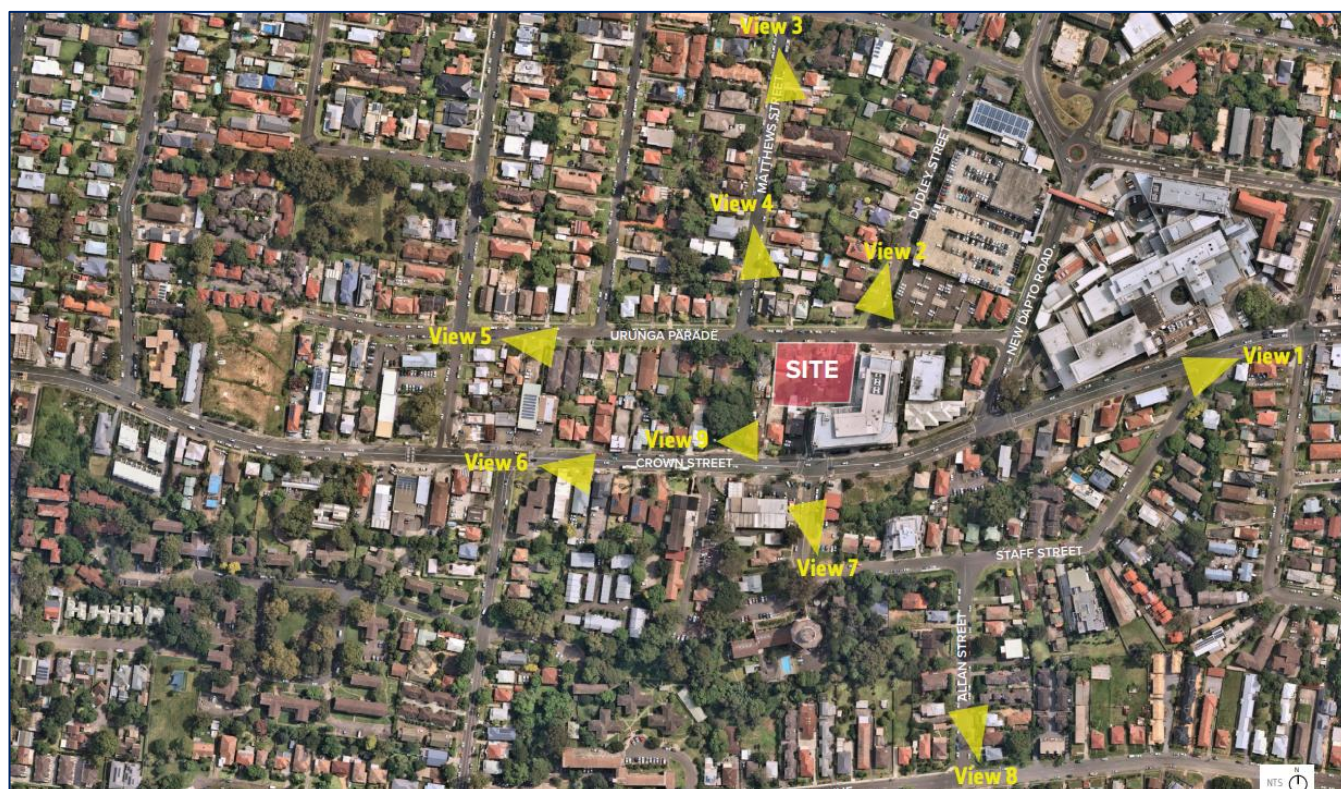


Figure 8 | Views assessed in the VAVIA (Source: VAVIA)

The Department agrees that some views only experience low visual impacts such as viewpoints further south (View 7 and 8) and views that are heavily screened by existing vegetation and buildings (View 1 and View 9).

However, the Department considers that the visual impact is significant at many other locations, particularly low-density residential areas to the north. Views 2, 3 and 4, pre and post-development are shown in Figure 9, Figure 10 and Figure 11.



Figure 9 | View 2 existing and proposed (Source: VAVIA)



Figure 10 | View 3 existing and proposed (Source: VAVIA)



Figure 11 | View 4 existing and proposed (Source: VAVIA)

The Department considers the visual impacts on receivers to the north unacceptable as:

- the building is large, bulky and there is inadequate articulation or design measures to break down and reduce the massing.
- the building is not of a human scale, as it obstructs sky views and the scale dwarfs pedestrians, as well as the surrounding single and two storey dwellings.

- the bulk and scale is further exacerbated by the topography which makes the building appear significantly taller than it is.
- there are minimal mature street trees to screen the visual impacts on surrounding areas.
- the building dominates the existing skyline.

6.2.2 Overshadowing

The Applicant provided shadow diagrams for the development in mid-winter (Figure 12).

Based on the diagrams provided, the Department identified most overshadowing impacts would be contained within the site, notably overshadowing the retained heritage dwelling for most of the day in mid-winter.

Outside the site boundaries, residential properties and Beatson Park to the west would be likely to experience additional overshadowing at 9am and 10am in mid-winter. The Department requested the Applicant quantify the number of sunlight hours lost and retained for affected residential properties to enable an assessment of amenity impacts on neighbouring properties.

Several public submissions raised concerns that overshadowing may impact the health of the heritage listed Moreton Bay Fig at Beatson Park. The Department requested the Applicant provide advice confirming the development would not impact the health of the tree.

The Applicant did not provide any additional information.

The Department considers there is insufficient evidence to determine the project would not result in unacceptable overshadowing impacts the adjoining properties, including the heritage listed Moreton Bay Fig in Beatson Park.

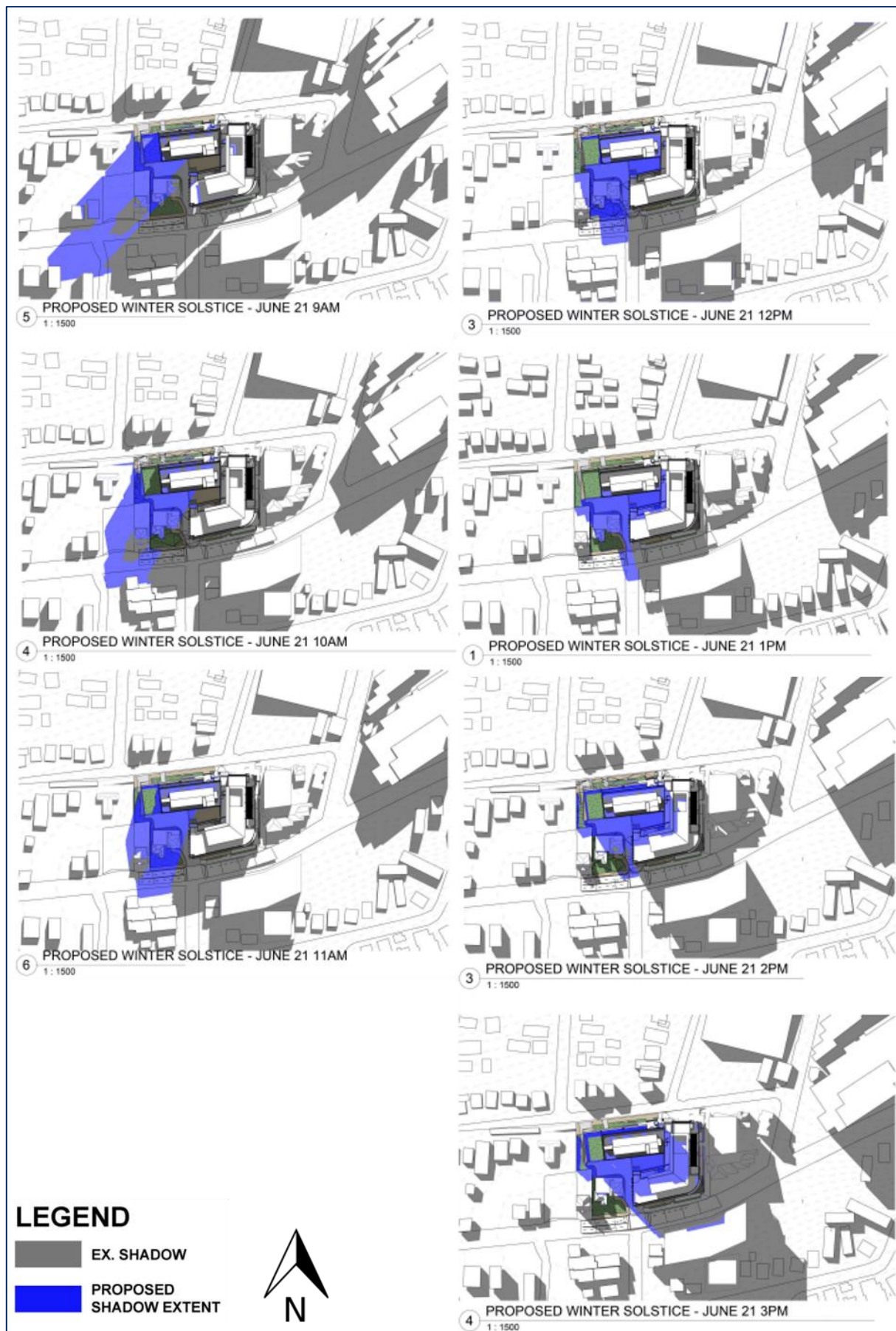


Figure 12 | Shadow diagrams for mid-winter (Source: Architectural Plans)

6.3 Design excellence

Design Review Panel

Clause 7.18 of the WLEP requires a design review panel to review the proposed development. The State Design Review Panel (SDRP) reviewed the project on 14 May 2025 and recommended the project return to SDRP prior to lodgement.

The Applicant did not attend a second SDRP session, and the project was amended to include three additional storeys for the medi-hotel which were not reviewed by the SDRP.

Given the significant increase in scale of the development since it attended SDRP, the Department considers that the proposed design presented at the SDRP on 14 May 2025 is not entirely representative of the proposal lodged with the Department, and key elements have not been reviewed by a design review panel, and therefore consent cannot be granted.

Exhibits Design Excellence

Clause 7.18 also states the consent authority cannot grant development consent to this project unless it is satisfied the proposed development exhibits design excellence.

In determining whether a development exhibits design excellence, clause 7.18 requires the consent authority to consider a variety of matters including:

- the form and appearance of the development (Section 6.2.1).
- amenity of the public domain (Section 6.4.1).
- overshadowing (Section 6.2.2).
- impacts on view corridors.
- ecologically sustainable development (Appendix B).
- pedestrian, cycle, vehicle and service access (Section 6.4).
- landscape design.
- appropriate interfaces at ground level between buildings and the public domain.

While the project scale increased since it attended SDRP, the bottom 10 levels remained mostly unchanged and therefore, comments provided at the first session remain relevant to the assessment of design excellence. Key comments include:

- *...the proposed building massing does not adequately transition between the low-rise residential context to the west, existing health precinct to the east, and future conditions to the north. The current proposal breaches both height and FSR controls without sufficient justification, resulting in a bulk and scale that is not responsive to context and therefore is not supported.*

- *The intention for a fine-grain and warm material expression of the podium is positive; however, the building expression appears large scale and commercial with an inactive ground level. The previous scheme proposed a finer-grain expression that sat more comfortably in its context (Section 1.2).*
- *The current proposal aims to address heritage concerns by retaining both houses, which has resulted in a redistribution of the building mass to Urunga Parade. However, the retention of the houses in their current state and function (medical tenancies) fails to capitalise the opportunity to transform the buildings into valuable community assets and form part of an integrated precinct.*

The Department reviewed the EIS and identified the above issues had not been satisfactorily addressed, nor the other finer grain issues raised by the SDRP detailed in their advice letter. The Department requested the Applicant address the SDRP comments, and the following key comments:

- the bulk and scale of the development would create significant visual impacts that are not mitigated by the proposed design, particularly due to the additional three storeys for the medi-hotel introduced after presentation to the SDRP.
- the treatment to Urunga Parade is dominated by driveways and would provide poor pedestrian amenity and safety for pedestrian movements, which is inconsistent with the 'pedestrian focus area' identified under the Wollongong Health Precinct Strategy (Section 6.4.1 and Figure 14).
- the site is dominated by hardstand areas particularly around the retained dwellings, with no landscaped areas for use by staff and patients at the ground plane.

The Applicant advised they would not be providing a response.

Noting the above unresolved design concerns and the consideration of the relevant matters prescribed by clause 7.18 in other sections of this report, the Department considers that the development does not exhibit design excellence, and therefore consent cannot be granted.

6.4 Transport

6.4.1 Access

The application proposes to convert the existing Crown Street vehicle access to facilitate entry and exit for ambulances, doctors parking, and a drop-off zone only. All basement carpark access is proposed to be relocated to Urunga Parade, including a new driveway crossover and retention of the existing entry ramp.

The application proposes a new loading dock from Urunga Parade, in addition to the existing loading docks on Urunga Parade. Separate vehicle access for the retained dwellings at both 366 and 368 Crown Street is retained.

NSW Health raised concerns that the proposed access arrangements consolidate traffic on Urunga Parade and New Dapto Road, which are critical routes for Wollongong Hospital. The submission states the Wollongong Health Precinct Strategy envisages significant future development at Wollongong Hospital, which would utilise the residual traffic capacity on Urunga Parade and New Dapto Road. NSW Health requested access for this project be relocated back to Crown Street.

NSW Health's submission included the below figure which shows the redistribution of traffic resulting from the revised access arrangements.



Figure 13 | Existing and proposed egress routes (Source: NSW Health's submission)

TfNSW advised it supports the relocation of the carpark access to Urunga Parade from Crown Street but notes it is open to retained carpark access via Crown Street. TfNSW's position regarding Crown Street access is subject to managing vehicle conflict between public vehicles and ambulances, and providing an alternative access via Urunga Parade, noting queuing is likely to occur within the site due to the Crown Street signals phasing.

The Department also raised concerns that the proposed access arrangements would impact pedestrian and cyclist safety along Urunga Parade. The Wollongong Health Precinct Strategy identifies Urunga Parade as a ‘pedestrian focus area’ where pedestrianisation and traffic calming measures will be introduced.

The expanded hospital would have four driveways on Urunga Parade which combined would be over nine lanes wide, as shown in Figure 14. The Department considers that the access design would result in vehicles dominating Urunga Parade, creating an unsafe environment for pedestrians and cyclists.

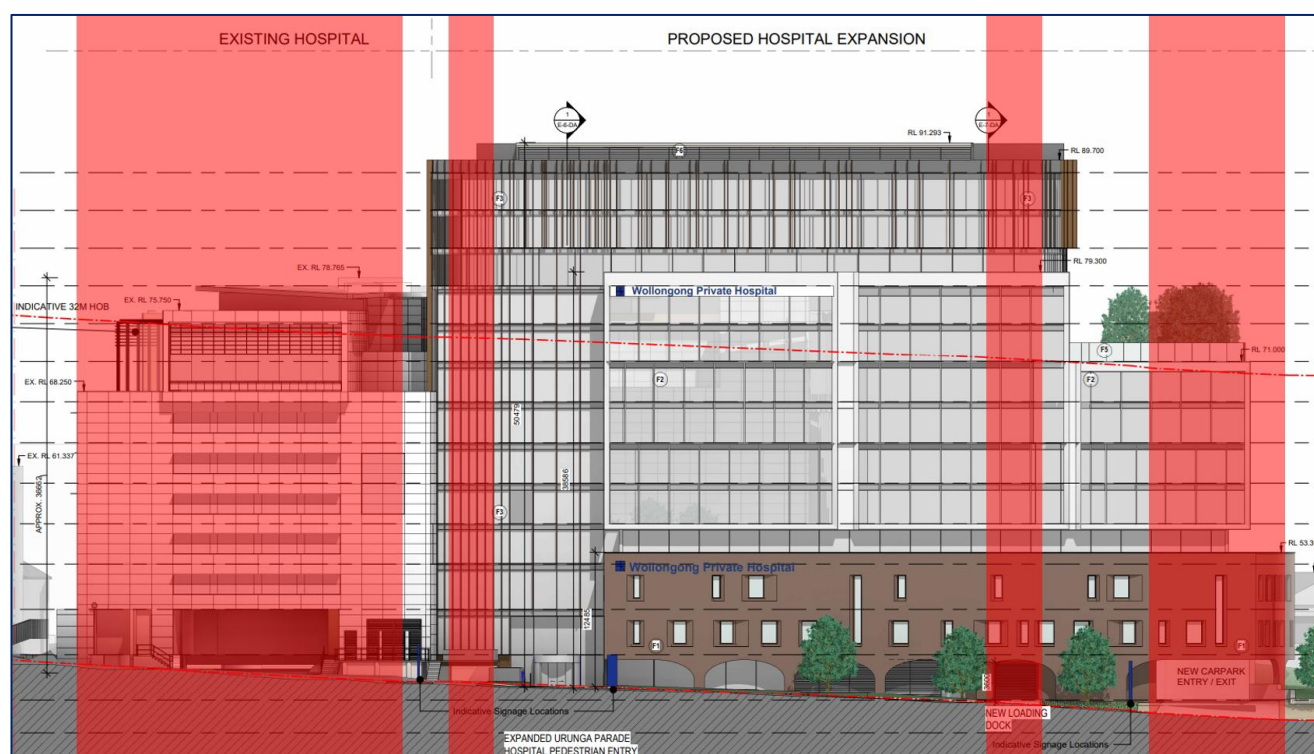


Figure 14 | Extent of the Urunga Parade frontage occupied by driveway crossovers highlighted red (Base source: Architectural Plans)

The Department requested the Applicant address the above issues and work with NSW Health, Council and TfNSW to resolve the access design. The Applicant declined to do so and requested the assessment be finalised based on the EIS documentation.

The Department considers that, in its current form, the proposed development results in unacceptable outcomes in relation to access that warrant refusal of the application.

6.4.2 Traffic

The Department identified significant deficiencies with the Applicant’s traffic modelling from the Transport Impact Assessment (TIA). The Department detailed its concerns and requested they be

addressed in letters dated 20 May 2026 and 1 July 2026 (**Appendix A**). The Applicant declined to provide a response.

Specifically, the Department identified the following key issues with the traffic modelling:

- the traffic survey data from 2024 is unreliable as:
 - the entrance driveway via the Crown Street signalised intersection was closed and a traffic management solution was in place at the time background counts were taken.
 - Dudley Street was operating as a two-way road, whereas it is now one way.
- the TIA was prepared using data captured from turning movements into the existing hospital's driveways. The Department considers this results in underestimated traffic generation as many staff and visitors may not utilise the driveways and onsite parking due to high costs.
- the traffic generation rate adopted in the TIA is based on the existing private hospital. This approach is flawed as the existing hospital has a significantly different breakdown of uses with a greater number of hospital beds and a smaller proportion of medical centre suites/consulting rooms.
- the GFA used to calculate traffic generation (34,632sqm) in the TIA is inconsistent with the GFA from the plans and the EIS.

Due to the above concerns, the Department considers it does not have sufficient reliable traffic data to assess the proposal's traffic impacts and access arrangements. Under section 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021, the consent authority must be satisfied that the safety, efficiency and ongoing operation of the classified road (Crown Street) will not be adversely affected by the development.

The Department considers there is insufficient evidence to demonstrate the proposal would not result in unacceptable traffic impacts, including to Crown Street, and as such, warrants refusal of the application in its current form.

6.4.3 Parking

The Department identified significant deficiencies with the Applicant's parking assessment in the TIA. The Department detailed its concerns and requested they be addressed in letters dated 20 May 2026 and 1 July 2026 (**Appendix A**). The Applicant declined to provide a response.

The Department identified the following key issues with the parking assessment:

- the car parking assessment contained in the TIA does not align with the EIS and does not consider the full scope of the development. For example, the EIS references 90-100

additional beds provided as part of the development that are not captured in the car parking assessment.

- the WDCP allows for a 20 per cent reduction in car parking for sites within 800m of the railway station. The TIA states that the site is within 800m of the rail station and therefore qualifies for a 20 per cent reduction under the DCP. The walking distance between the development site and station appears to be over 800m. Further, the mode shift to support this reduction is not substantiated within the submitted Green Travel Plan.
- the TIA references an approved car parking rate, however, does not offer a reference to prior development consent or previous TIAs to support this.
- no information is provided on whether car parking would be free or fee based.

The Department considers there is insufficient evidence to demonstrate the proposed car parking provision is adequate and therefore recommends refusal of the application.

6.5 Helicopter operations

The proposed development would occupy operational airspace that is part of the south-west flight path for the Wollongong Hospital Helicopter Landing Site (HLS).

The EIS was supported by an Aeronautical Impact Assessment (AIA) that considers impacts on the Wollongong Hospital HLS from the proposed building and from construction cranes. The proposed intrusion into the operational airspace from cranes and the building footprint is shown in **Figure 15**.

To resolve the proposed intrusion, the AIA recommends the flight path for the Wollongong Hospital HLS be rotated by 10 degrees to the north as shown in **Figure 16**. The rotation would remove any conflict between the proposed private hospital development and the operational airspace.

NSW Health reviewed the proposal and provided a submission raising concerns with the impact on its helicopter operations (**Appendix A**). It advised that the Wollongong Hospital HLS is highly constrained and that the proposed 10-degree rotation to the flight path cannot be accommodated.

NSW Health referred to guidance from CASA and the International Civil Aviation Organisation, which requires HLSs to have two independent approach and departure paths, separated by at least 135 degrees. The existing flight paths for the Wollongong Hospital HLS are separated by exactly 135 degrees, and a corresponding rotation of the northern flight path cannot be accommodated due to existing obstacles in this area.

Figure 17 shows the extent of the intrusion into the operational airspace as identified by NSW Health. NSW Health's submission requested the building be redesigned to avoid the operational airspace and that a Helicopter Operations Management Plan be prepared to address the impact of construction cranes.



Figure 15 | Extent of intrusion into the existing operational airspace (light blue lines) from the ground level footprint and operating area for crane booms (circles) (Source: Aeronautical Impact Assessment)



Figure 16 | Proposed flight path after 10-degree rotation (Source: AIA)

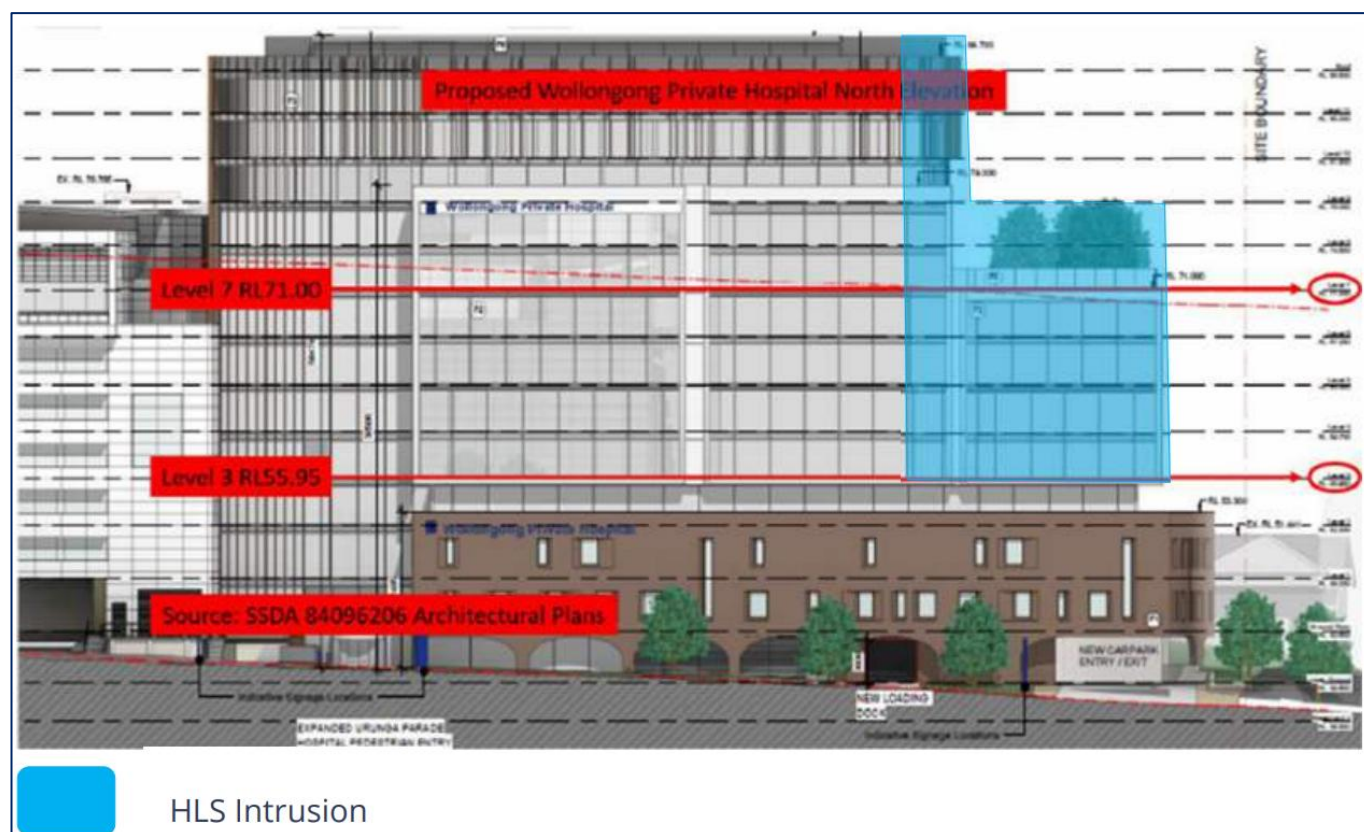


Figure 17 | Extent of intrusion into operational airspace as identified by NSW Health (Source: NSW Health’s submission)

The Department requested the Applicant respond to the submission from NSW Health and amend the design if the flight path rotation is not agreed with NSW Health. The Applicant declined to provide a response.

The Department considers that the project, in its current form, would result in potentially detrimental impacts on the important operations of Wollongong Hospital and its ability to use helicopters to respond to healthcare emergencies in the region. On this basis, the Department considers the project is contrary to the public interest and therefore warrants refusal.

6.6 Other issues

The Department’s consideration of other issues is summarised in Table 11.

Table 11 | Assessment of other issues

Issue	Findings and conclusions
Noise and vibration	The Department identified significant deficiencies with the Applicant’s Noise and Vibration Impact Assessment (NVIA). The Department detailed the shortcomings of the NVIA submitted, including methodology of acoustic testing and inconsistencies in

Issue	Findings and conclusions
	documentation, and requested they be addressed in its letter dated 20 May 2026 (Appendix A). The Applicant declined to respond. The Department considers there is insufficient evidence to demonstrate the proposal would not result in unacceptable noise and vibration impacts during construction and operation.
Heritage	The EIS states that no changes are proposed to the heritage house at 366 Crown Street other than the demolition of the rear extension. The Department observed that the condition of the heritage item could be improved and identified that there are intrusive elements not proposed for removal. The Department requested the Applicant consider restoring the heritage item as part of this application. The Applicant declined to respond. Under clause 5.10(5) of the WLEP, the consent authority must consider the effect of the proposed development on the heritage significance of the heritage item. The Department considers that the proposal to construct a large building immediately behind the heritage house would impact the setting and significance of the item. This is further exacerbated by the decision to not restore the item as part of this application. Further, several public submissions raised concerns that the project would impact the health of the heritage listed Moreton Bay Fig at Beatson Park. The concerns relate to potential root damage from earthworks and reduced sunlight to the tree. The Department requested the Applicant provide advice confirming the proposed works would not impact the health of the tree and identifying any mitigation measures needed to protect the tree. The Applicant declined to respond. The Department considers there is insufficient evidence to demonstrate that the proposed development would not result in unacceptable impacts to heritage listed items.
Site isolation	The project has the potential to isolate 370 Crown Street as that property would adjoin this site to the north and east, Crown Street to the south and Beatson Park to the west. This prevents any alternative site amalgamation opportunities for 370 Crown Street. The owner of 370 Crown Street provided a submission objecting to the project on the basis that their property would be isolated and that their redevelopment potential would be significantly affected. Their submission contends that orderly and economic redevelopment would not be possible due to the property's narrow frontage and interface with the adjoining heritage listed Moreton Bay Fig.

Issue	Findings and conclusions
	The EIS included a valuation report for 370 Crown Street dated 12 December 2023 and an offer to purchase dated 20 December 2023. On two occasions, the Department requested a more recent valuation report and offer be provided. The Applicant did not respond. Therefore, the Department considers that no meaningful attempt was made to acquire 370 Crown Street. The Department is not satisfied that the Applicant has acted in accordance with the requirements set out in the relevant case law (Karavellas vs Sutherland Shire Council [2004] NSWLEC 251 and Melissa Grech v Auburn Council [2004] NSWLEC 40) to demonstrate that site isolation has been addressed. The potential site isolation of 370 Crown Street remains unresolved.
Hazards	The Department requested information regarding storage of dangerous goods from the Applicant to verify and confirm that the SSD is not potentially hazardous under Chapter 3 (Hazardous and offensive development) of State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP). The Applicant advised they would not respond. The Department considers there is insufficient evidence to determine whether the development is potentially hazardous and therefore cannot assess the proposal against Chapter 3 of the Resilience and Hazards SEPP. The Department considers that it would be inappropriate to grant consent to the development without assessment of potential hazards and associated risks.
Signage	Under section 3.6 of State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP), the consent authority must not grant consent to signage unless it is satisfied signage is consistent with the objectives set out in section 3.1(1)(a) and satisfies Schedule 5 of the SEPP. To enable assessment under section 3.6, the Department requested signage plans, illumination details, and an assessment against the criteria at Schedule 5 of the Industry and Employment SEPP. The Applicant did not provide the requested information. The Department considers there is insufficient evidence to demonstrate the proposed signage is consistent with the objectives set out in section 3.1(1)(a) and to satisfy Schedule 5 of the SEPP.
Demolition and alterations to the existing hospital	The Department requested demolition plans for each level of the existing hospital building so that the scope of alterations to the existing building is clear. The Applicant did not provide the requested plans.

Issue	Findings and conclusions
	The Department cannot grant consent to the proposed internal demolition and alteration works to the existing hospital building as it is unclear what works consent is being sought for.
Demolition	The Department requested a Hazardous Materials Survey on two occasions, noting it is required by the SEARs. Further, the Applicant's Preliminary Site Investigation also recommended a Hazardous Materials Survey be prepared. The Applicant has not provided the survey and therefore, the Department cannot assess demolition and contamination risks associated with any hazardous building materials.
Lot consolidation	The application seeks consent for 'lot consolidation' but does not provide any further details of the proposed lot layout. The Department requested a lot consolidation plan and further details, including how the consolidation interacts with the stratum subdivision of the existing hospital building. As such, insufficient information has been provided to grant consent to the application in its current form.
Earthworks	Clause 7.6 of the WLEP requires the consent authority to consider a range of matters prior to granting consent for earthworks, including the destination of any excavated material. The Applicant's EIS and assessment of clause 7.6 does not address all matters that the consent authority must consider. The Department requested the Applicant: • provide an earthworks plan including cut and fill volumes and the import/export balance. • provide details of the destination and number of truck movements should export of fill be required. • update the assessment of clause 7.6 of the WLEP to include all information the consent authority must consider under subclause 3. The Applicant did not provide the requested information. The Department has insufficient information to consider all the matters prescribed under clause 7.6 of the WLEP and therefore, cannot grant consent to the application.
Construction impact	The Application does not confirm whether the existing private hospital and medical uses at the Crown Street dwellings would continue to operate while the expansion is constructed.

Issue	Findings and conclusions
	The Department requested this be clarified and if concurrent operation and construction is proposed, that the Applicant detail how this would occur and how construction impacts on the hospital functions including loading docks and parking would be managed. Noting the site contains an operational hospital that currently provides important health services to the area, the Department considers it inappropriate to grant consent to the application without knowing if it is proposed to continue operating or how impacts on its operations would be managed.
National Construction Code (NCC)	The Building Code of Australia (BCA) Report identifies compliance matters that need to be addressed through design changes or through additional information provided to the BCA consultant (page 7 and 8, items 10, 11 and 12). The Department requested that the Applicant provide the BCA consultant the required information, update the design where required, and submit an updated BCA Report. The Department also requested confirmation whether it is intended that the existing private hospital building and retained dwellings would be made compliant with current building regulations as part of the expansion. The Applicant did not provide the requested information or clarifications. The Department considers there is insufficient evidence to demonstrate that the submitted design is capable of compliance with the NCC.
Landscaping	The application does not specify how many trees are proposed to be planted to offset impacts resulting from tree removal. Furthermore, no information on canopy coverage is provided, which is relevant to urban heat objectives for the precinct established by the Wollongong Health Precinct Strategy. As noted in Section 6.3, the site is dominated by hardstand areas particularly around the retained dwellings, with no landscaped areas for use by staff and patients at the ground plane. The Department requested the Applicant provide tree planting and canopy coverage information, and address concerns regarding the limited extent of landscaped areas. The Applicant did not provide the requested information or clarifications. There is insufficient evidence to demonstrate the proposed landscaping arrangements are adequate.

7 Evaluation

The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development (**Appendix B**), advice from government agencies, local council and public submissions (**Section 5**), strategic government policies and plans (**Section 3**) and the Applicant's EIS.

The Department has assessed the project and has identified it would result in unacceptable environmental impacts.

The Department's assessment concludes that:

- the project would obstruct the Wollongong Hospital emergency helicopter flight path, resulting in potentially detrimental impacts on the hospital's ability to use helicopters to respond to health care emergencies in the region.
- the Applicant has not demonstrated that compliance with the WLEP height and FSR standards is unreasonable or unnecessary, and therefore consent cannot be granted pursuant to clause 4.6 of the WLEP.
- there are insufficient environmental planning grounds to justify the height and FSR variations, and therefore consent cannot be granted pursuant to clause 4.6 of the WLEP.
- the FSR variation request is factually inaccurate given there are errors and omissions and therefore the Applicant's written request to justify the contravention of the FSR development standard is flawed and cannot be relied upon.
- the project does not exhibit design excellence under clause 7.18 of the WLEP, and therefore consent cannot be granted.
- the design of the development, as proposed, has not been reviewed by a design review panel as required under the provisions of clause 7.18 of the WLEP and therefore consent cannot be granted.
- the proposed bulk and scale is inconsistent with the character of the surrounding area, and the project would result in unacceptable visual impacts on surrounding properties to the north.
- the project would adversely impact the setting and significance of the heritage listed dwelling at 366 Crown Street.
- the project would result in unacceptable access outcomes, particularly in relation to pedestrian safety on Urunga Parade.

Further, as the Applicant has not provided a response to submissions or a response to any of the requests for further information from the Department, there is insufficient evidence to assess many of the project's key impacts and therefore consent cannot be granted.

The Department finds that the Applicant has failed to provide sufficient information to:

- demonstrate the project would not result in unacceptable traffic impacts.
- demonstrate the proposed car parking provision and access arrangements are adequate.
- demonstrate there would not be impacts on the heritage-listed Moreton Bay Fig at Beatson Park.
- demonstrate the project would not result in unacceptable noise and vibration impacts during construction and operation.
- determine whether the development is potentially hazardous.
- demonstrate that the project does not result in site isolation of 370 Crown Street, and that redevelopment of that site could occur if this development is approved.
- identify the extent of lot consolidation, internal demolition, and alteration works that form part of the project.
- assess proposed signage, which is required under section 3.6 of the State Environmental Planning Policy (Industry and Employment) 2021.
- detail proposed earthworks which is required under clause 7.6 of the WLEP.

As such, the Department considers that the project is not in the public interest and should be refused.

8 Recommendation

It is recommended that the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

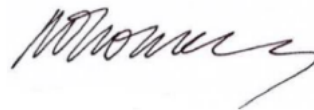
- considers the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to refuse consent to the application
- agrees with the key reasons for refusal listed in the notice of decision
- refuses consent for the application in respect of the Wollongong Private Hospital Expansion (SSD-84096206)
- signs the attached instrument of refusal (**Appendix C**).

Recommended by:



Cameron Thomson
Senior Planning Officer
Social Infrastructure

Recommended by:



Madeline Thomas
A/Director
Social Infrastructure Assessments

9 Determination

The recommendation is adopted by:

A handwritten signature in black ink, appearing to read 'D Walther', with a stylized flourish at the end.

18 August 2026

Douglas Walther
Executive Director
Infrastructure Assessments

Glossary

Abbreviation	Definition
BDAR	Biodiversity Development Assessment Report
BCA	Building Code of Australia
Biodiversity and Conservation SEPP	State Environmental Planning Policy (Biodiversity and Conservation) 2021
CASA	Civil Aviation Safety Authority
Council	Wollongong City Council
CNVMP	Construction Noise and Vibration Management Plan
CPHR	Conservation Programs, Heritage & Regulation Group (CPHR) part of DCCEEW
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
Department	Department of Planning, Housing and Infrastructure
EDC	Estimated Development Cost
EIS	Environmental impact statement
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental planning instrument
ESD	Ecologically sustainable development
FRNSW	Fire and Rescue NSW

Abbreviation	Definition
FSR	Floor Space Ratio
GFA	Gross Floor Area
Heritage	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
HLS	Helicopter Landing Site
IAMS	Illawarra Aboriginal Medical Service
Industry and Employment SEPP	State Environmental Planning Policy (Industry and Employment) 2021
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
Minister	Minister for Planning and Public Spaces
NCC	National Construction Code
NVIA	Noise and Vibration Impact Assessment
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
RAP	Registered Aboriginal Party
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021
SDRP	State Design Review Panel
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEPP	State environmental planning policy

Abbreviation	Definition
SSD	State significant development
TIA	Transport Impact Assessment
T&I SEPP	State Environmental Planning Policy (Transport and Infrastructure) 2021
TfNSW	Transport for NSW
VAVIA	Visual Analysis and Visual Impact Assessment
WDCP	Wollongong Development Control Plan 2009
WLEP	Wollongong Local Environmental Plan 2009

Appendices

Appendix A - List of referenced documents

The following supporting documents and supporting information for this report can be found on the Department's website as follows:

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>

2. Submissions and agency advice

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>

3. Request for response to submissions and Department comments

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>

4. Letter confirming no Response to Submissions will be provided

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>

5. Request for additional information

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>

6. Letter confirming no additional information will be provided

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>

Appendix B – Statutory considerations

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in Table 12.

Table 12 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The Department did not receive responses to the issues raised by the Department, agencies and the community, or the required updated technical studies to demonstrate the proposal would result in the social and economic welfare of the community and a better environment.
(b) to promote the supply, delivery and maintenance of housing, including affordable housing,	The project does not involve new housing.
(c) to promote productivity through the development and management of the State and its resources,	While the development may increase productivity of Wollongong Private Hospital, the obstruction to operational airspace for the Wollongong Hospital Helicopter Landing Site would impact delivery of emergency care by the public hospital.
(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,	The project is supported by a BDAR waiver as the development is not likely to have any significant impact on biodiversity values. Nonetheless, the project includes tree removal and may result in impacts on the heritage listed tree at Beatson Park. It is unknown how many trees would be planted to offset impacts on the environment.
(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,	The site is not bush fire or flood affected. The project does not include information on canopy coverage. The Department considers that the project does not adequately promote resilience to climate change as urban heat is not sufficiently addressed, noting it is unknown how many trees would be planted to

Object	Consideration
	provide canopy cover and the project provides minimal landscaped area.
(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,	The Applicant did not respond to concerns regarding the project's impacts on the heritage dwelling at 366 Crown Street and the heritage listed tree at Beatson Park. The Department is not satisfied the project promotes the sustainable management of heritage.
(g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,	The Department is not satisfied the project promotes good design and amenity, particularly due to the significant height and floor space ratio variations without sufficient environmental planning grounds. Design and amenity are addressed in Section 6.1, 6.2 and 6.3.
(h) to provide opportunities for participation in environmental planning and assessment,	The Department exhibited the application and has considered public submissions received in its assessment. The Department also consulted with other government agencies on the project.
(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	See below.
(j) to promote a proportionate and risk-based approach to environmental planning and assessment	The Department has taken a proportional and risk-based approach to its assessment of this application.
(k) to promote the orderly and economic use and development of land.	The Department does not consider that the project promotes orderly and economic use of the site, as there is insufficient evidence or justification to demonstrate that the site can accommodate the proposed development.

Ecologically sustainable development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD

requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

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

The Department required the Applicant to demonstrate how the principles of ESD have been incorporated into the project, including how it addresses:

- national best practice sustainable building principles to improve environmental performance and reduce ecological impact.
- projected climate change impacts.

The Applicant is targeting the equivalent of a 5 Star Green Star Buildings rating and includes the following ESD initiatives and sustainability measures:

- LED lights which have a longer life, are more efficient and consume less energy.
- efficient use of water through low-flow fittings and reuse of potable water.
- diverting 90 per cent of construction and demolition waste from landfill.
- use of low or zero ozone depleting and low global warming potential insulants in walls.

The Applicant does not propose to formally obtain Green Star certification but outlined how the development would achieve equivalent ESD performance. The ESD Report provided to the Department outlines that the design is targeting 35 points and could potentially achieve 69 points under the Green Star Buildings tool. 35 points are required for a 5 Star rating.

If the project was recommended for approval, the Department would consider it consistent with ESD principles subject to a condition requiring equivalency to a 5 Star rating be achieved and certified by a suitably qualified person.

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section. 4.15(a)(i) of the Environmental Planning and Assessment Act 1979 (EP&A Act), this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's assessment.

EPIs considered relevant to the project are:

- State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP).

- State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP).
- State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP).
- State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP).
- State Environmental Planning Policy (Sustainable Buildings) 2022.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP).
- Wollongong Local Environmental Plan 2009 (WLEP).

Various sections of the above EPIs are considered within the body of the report at **Section 4 and 6**.

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 of the Planning Systems SEPP identifies State significant development (SSD). An assessment of the development against the relevant provisions of the Planning Systems SEPP is provided in Table B2.

Table B2 | Planning Systems SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
2.1 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as SSD.	Yes
2.6 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with development consent and specified in Schedule 1.	Yes
Schedule 1 State significant development – general 14 Hospitals, medical centres and health research facilities (1) Development that has an estimated development cost of more than \$30 million for any of the following purposes – (a) hospitals,	Development is for the purpose of a hospital and has an estimated development cost of more than \$30 million.	Yes

Relevant Sections	Consideration and Comments	Complies
(b) medical centres, (c) health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute). (2) Subsection (1)(b) does not apply to development on land within the area of the City of Sydney.		

Wollongong Local Environmental Plan 2009

The Department has considered all relevant provisions of the WLEP. Consideration of the relevant clauses of the WLEP is provided in Table B3.

Table B3 | Consideration of the WLEP

Clause	Department Consideration
Land Use Table – SP1 Special Activities	See Section 4.1.
2.7 Demolition requires development consent	The application seeks consent for demolition.
4.3 Height of buildings	See Section 6.1.
4.4 Floor space ratio	See Section 6.1.
4.4A Floor space ratio – Wollongong city centre	See Section 6.1.
4.5 Calculation of floor space ratio and site area	See Section 6.1.

Clause	Department Consideration
4.6 Exceptions to development standards	See Section 6.1.
5.10 Heritage conservation	See Section 6.6.
Clause 5.21 Flood planning	The site is not flood affected.
Clause 5.22 Special flood considerations	The site is not flood affected.
7.1 Public utility infrastructure	Sydney Water advised the development has not been captured in their studies for the water supply zone, and that a hydraulic consultant should be engaged to identify water servicing options for the project. The Applicant did not respond to Sydney Water's submission. The Department considers there is insufficient information to determine that sufficient public utility infrastructure is available.
7.9 Airspace operations	The proposed development would not penetrate the Limitation or Operations Surface for Illawarra Regional Airport.
7.6 Earthworks	See Section 6.6
7.18 Design excellence in Wollongong city centre and at key sites	See Section 6.3
8.1 Objectives for development in Wollongong city centre	The project, being expansion of an existing hospital, is somewhat consistent with the objectives established in clause 8.1 relating to economic revitalisation and strengthening Wollongong as an employment and economic centre. However, the project is inconsistent with objectives relating to design excellence, heritage and ensuring sustainable social and environmental outcomes.

Other matters

In accordance with clause 2.10 of the Planning Systems SEPP, Development Control Plans do not apply to SSD. Notwithstanding, objectives of relevant controls under the Wollongong Development Control Plan 2009, where relevant, were considered in **Section 6**.

Appendix C – Recommended instrument of refusal

<https://www.planningportal.nsw.gov.au/major-projects/projects/wollongong-private-hospital-expansion-0>