

FORMAL OBJECTION TO SSD-85464245

Mixed Use Development – 4–4A Flinders Street, North Wollongong

To: Department of Planning, Housing and Infrastructure
NSW Government

Via: NSW Planning Portal – Major Projects Submission

Re: Formal objection to SSD-85464245 – Mixed Use Development, 4–4A Flinders Street, North Wollongong

Project: [Mixed Use Development – Flinders St, North Wollongong](#)

1. Introduction

I write to formally object to State Significant Development application **SSD-85464245**, being the proposed mixed-use development at **4–4A Flinders Street, North Wollongong**. The proposal is described on the NSW Planning Portal as a **38-storey mixed-use development** comprising **174 co-living units, 303 residential units including 45 affordable living units, site landscaping and associated site works**. The exhibition period is stated as **19 June 2026 to 17 July 2026**.

I am the resident of **Crawford Avenue, Gwynneville**, and I object to the proposal on the basis that the application has not adequately demonstrated that the development can be carried out without unacceptable impacts on my property and the surrounding locality.

In particular, I object to the proposal having regard to:

- excessive height, bulk, scale and density;
- unacceptable transition from the existing low-rise residential context;
- overshadowing and loss of solar access;
- potential impacts on rooftop solar access, if applicable;
- adverse visual impact and visual dominance;
- inadequate assessment of private residential receivers, including my property;
- traffic, parking and transport impacts;
- cumulative impacts; and
- reliance on assumptions and deferred mitigation measures rather than demonstrated, enforceable outcomes.

For the reasons set out below, I submit that the application should be **refused**. Alternatively, the application should not be determined unless and until the Applicant provides a complete,

property-specific and independently verified assessment of overshadowing, solar access, visual impact, traffic, parking, cumulative impact and compliance with the applicable planning controls.

2. The Proposal is Excessive in Height, Scale and Intensity

The proposal is for a building of up to **38 storeys**. The Applicant's Visual Impact Assessment describes the existing site and surrounding context as including **1–2 storey retail buildings and low-density residential dwellings**.

The proposed development therefore represents an extreme and unreasonable transition from the existing low-rise built form to a high-rise tower form. The Applicant's material confirms that the development seeks consent for a **part 30 and part 38 storey mixed-use development**, including retail, co-living housing, residential apartments, basement parking, landscaping and public domain works.

Public reporting referenced in the existing submission also describes the proposal as involving approximately **477 dwellings**, a site area of **2,734 square metres**, proposed controls of up to approximately **130 metres in height**, and an FSR of approximately **13.8:1**.

This represents a scale and intensity of development that has not been demonstrated to be compatible with the existing and nearby residential environment. While the site may be located near North Wollongong Station, proximity to public transport does not, of itself, justify a development of this magnitude. Nor does it remove the obligation to protect existing residential amenity.

The proposal should be assessed not merely by reference to strategic aspirations for increased housing supply, but by reference to whether the actual built form proposed is suitable for this site, in this context, and having regard to the impacts on existing residents.

3. Failure to Adequately Assess Likely Impacts Required by the EP&A Act

State significant development is assessed under **Division 4.7 of the Environmental Planning and Assessment Act 1979**, and the Department coordinates the assessment, including agency and council input so that local and regional issues are considered.

In assessing the proposal, the likely impacts of the development must be properly considered, including impacts on neighbouring residential properties, visual amenity, solar access, the public domain, traffic and parking, and the suitability of the site.

The Applicant's material does not presently demonstrate that the proposal has adequately addressed the specific impacts on **Crawford Avenue, Gwynneville**. In particular, there does not appear to be a property-specific analysis confirming whether the proposed tower will overshadow my dwelling, private open space, roof areas or solar access enjoyed by my property.

This is a material deficiency. A development of this height and scale has the capacity to cast extensive shadows, particularly during winter. The development should not be approved in the absence of clear, accurate and property-specific analysis of overshadowing and solar access impacts on nearby residential receivers, including my property.

4. Overshadowing and Loss of Solar Access to Crawford Avenue

My primary concern is the potential overshadowing of my home at **Crawford Avenue, Gwynneville**.

The Applicant should be required to demonstrate, through accurate and independently verifiable shadow diagrams and solar access analysis, whether the proposed development will cause overshadowing to:

- habitable room windows;
- private open space;
- rear yard areas;
- outdoor living areas;
- roof areas;
- any existing or reasonably expected solar access; and
- any existing rooftop solar infrastructure, if applicable.

The relevant Wollongong planning framework recognises solar access and overshadowing as material planning considerations. Wollongong DCP 2009 Chapter D13 — Wollongong City Centre Precinct contains controls addressing **sun access planes, overshadowing, solar access, and views and view corridors**.

Further, clause 4.3 of Wollongong Local Environmental Plan 2009 identifies, as an objective of the height of buildings control, ensuring that **buildings and public areas continue to have views of the sky and receive exposure to sunlight**.

In circumstances where the Applicant has not provided a property-specific assessment of the overshadowing impacts on my property, the application has not demonstrated that the development satisfies the relevant solar access and amenity objectives.

If the proposal results in material overshadowing of my property, then it is inconsistent with the objectives of the applicable height controls and should be refused or substantially reduced.

5. Visual Impact and Built Form Dominance

The Applicant's Visual Impact Assessment identifies a number of significant visual impacts, including:

- **moderate-to-severe** visual impact from Bourke Street;
- **moderate-to-severe** visual impact from the Bourke Street / Princes Highway area;
- **severe** visual impact from Achilles Avenue; and
- **moderate-to-severe** visual impact from Princes Highway.

The Visual Impact Assessment also states that, from Achilles Avenue, the proposal would introduce a substantial built presence and materially increase the vertical scale of the streetscape.

Notwithstanding those findings, the report reaches a conclusion that the overall visual outcome is acceptable in planning terms.

I object to that conclusion. It is not adequately supported by the findings identified in the body of the report. The report identifies substantial, moderate-to-severe and severe impacts, but then appears to discount those impacts by reference to the locality as transitional or lower in visual sensitivity.

That approach is not appropriate. A conclusion of acceptability cannot be sustained merely because an area is undergoing change. Transitional character does not mean that any scale of change is acceptable, nor does it justify a proposal that causes unacceptable visual dominance, loss of outlook, overshadowing or residential amenity impacts.

6. Inadequate Assessment of Private Residential Receivers

The Visual Impact Assessment focuses on selected public viewpoints. It does not appear, from the material reviewed, to provide a detailed assessment of visual or solar impacts from **Crawford Avenue, Gwynneville** or equivalent private residential receiver locations.

That omission is material.

Residential amenity is not confined to what is visible from public roads. It includes:

- views from private dwellings;
- visual outlook from homes and private open space;
- access to daylight and sunlight;
- the sense of enclosure;

- visual dominance; and
- cumulative effects of high-rise built form in proximity to established residential neighbourhoods.

The Visual Impact Assessment itself acknowledges that the context of a view differs where it is experienced from a neighbouring building or garden, where views can be considered for an extended period, as opposed to a glimpse from a moving vehicle.

That acknowledgement reinforces the need for a detailed private-residential receiver assessment. It is insufficient to rely primarily on public-domain viewpoints where the proposal may be experienced only briefly, intermittently or from materially different angles.

7. Traffic, Parking and Transport Impacts

7.1 The Traffic Impact Assessment Understates the Likely Impacts

The Applicant's Traffic Impact Assessment concludes that the proposed development will have a "**minimal impact**" on the surrounding road network and that nearby intersections have spare capacity to accommodate additional traffic. [\[Appendix L\]](#)

I object to that conclusion. The assessment does not provide a complete or robust analysis of the real-world transport impacts likely to arise from a development of this scale.

The proposed development includes **174 co-living units, 303 residential apartments, and 749 square metres of retail floor space**. The traffic assessment itself identifies the proposed mixed-use development as a **high trip generator** and estimates **209 AM peak hour trips** and **141 PM peak hour trips**. [\[Appendix L\]](#)

In those circumstances, the conclusion that the traffic impacts are minimal is not adequately supported.

7.2 Significant Car Parking Shortfall

The Traffic Impact Assessment identifies the required car parking provision as **374 spaces** and the proposed provision as **246 spaces**, representing a shortfall of **128 spaces**. [\[Appendix L\]](#)

The same assessment identifies that visitor parking is required at approximately **61 spaces**, but only **17 visitor spaces** are provided. [\[Appendix L\]](#)

The assessment also identifies **174 co-living units**, with the table showing **0 co-living parking spaces provided**. [\[Appendix L\]](#)

This is a substantial under-provision of parking. The likely consequence is that parking demand will be displaced into the surrounding streets, placing added pressure on Station Street, Stafford Street and nearby residential streets.

The Traffic Impact Assessment itself acknowledges that there are only a small number of car spaces on Station Street and Stafford Street, and that a driver will need to circulate to find a vacant car space. [\[Appendix L\]](#)

Despite that acknowledgement, the assessment does not adequately quantify:

- displaced parking demand;
- circulation traffic associated with drivers searching for parking;
- impacts on residential streets;
- illegal or informal parking risks; or
- amenity impacts arising from parking pressure.

This is a material deficiency in the assessment.

7.3 Over-Reliance on Assumed Mode Shift

The Traffic Impact Assessment seeks to justify the parking shortfall by reference to the site's proximity to public transport and assumptions about reduced car ownership among co-living residents, students, young professionals and occupants of one-bedroom apartments. [\[Appendix L\]](#)

However, those assumptions are not demonstrated by site-specific empirical evidence. They are aspirational and behavioural in nature.

The same assessment references ABS Journey to Work data for the Wollongong region, stating that **74% of travel mode share is by private vehicle** and **4% by public transport**. [\[Appendix L\]](#)

In those circumstances, the application has not demonstrated that the proposed parking shortfall can be absorbed without adverse impacts. Proximity to public transport is relevant, but it does not prove that future residents and visitors will not own or use private vehicles.

7.4 Green Travel Plan is Not an Adequate Mitigation Measure

The Traffic Impact Assessment relies on a Framework Green Travel Plan. [\[Appendix L\]](#)

However, the Green Travel Plan is not a completed, enforceable mitigation strategy. The report states that the plan is expected to be developed further as the project progresses and that surveys should be undertaken after occupation to identify travel behaviour. [\[Appendix L\]](#)

The assessment also states that targets and actions are to be reviewed following future data collection and monitoring. [\[Appendix L\]](#)

Accordingly, the Green Travel Plan is not a sufficient basis to justify approval of a development that already proposes a significant parking shortfall. A future behavioural management framework cannot substitute for a proper assessment of current and foreseeable impacts.

7.5 Limited Scope of Traffic Modelling

The Traffic Impact Assessment assesses three intersections:

- Princes Highway / Ajax Avenue;
- Princes Highway / Station Street; and
- Princes Highway / Bourke Street. [\[Appendix L\]](#)

This is a narrow assessment. It does not adequately address the local street network where the impacts of parking displacement, access movements, drop-off activity, deliveries and congestion are likely to be most directly experienced.

In particular, the assessment does not adequately analyse:

- Station Street and Stafford Street local operating conditions;
- queue spillback;
- turning conflicts at site access points;
- cumulative traffic growth;
- parking search circulation;
- interaction with North Wollongong Station movements; or
- impacts on residential amenity arising from increased local traffic.

The assessment therefore does not provide a sufficient evidentiary basis for the conclusion that the proposal will have minimal impact.

7.6 Construction Traffic Impacts

The Traffic Impact Assessment identifies that construction may involve up to **35 trucks to and from the site per day** during peak construction heavy vehicle activity. [\[Appendix L\]](#)

The assessment also states that heavy vehicles may include **19.0 metre Truck and Dog vehicles, 12.5 metre Heavy Rigid Vehicles, 8.8 metre Medium Rigid Vehicles**, smaller trucks, utes and vans. [\[Appendix L\]](#)

However, detailed construction traffic arrangements are deferred to a later Construction Traffic Management Plan. [\[Appendix L\]](#)

Given the constrained road environment, proximity to residential areas, proximity to North Wollongong Station and the anticipated heavy vehicle movements, construction traffic impacts should be more comprehensively assessed prior to determination.

8. Non-Compliance with Wollongong Local Environmental Plan 2009

8.1 Clause 1.2 – Aims of the Plan

The aims of Wollongong Local Environmental Plan 2009 include improving the quality of life, social well-being and amenity of residents, and ensuring development is consistent with land constraints and can be appropriately serviced by infrastructure.

The proposed high-rise form is not consistent with those aims where it creates, or has the potential to create, unacceptable impacts on existing residents including overshadowing, visual dominance, traffic impacts, parking pressure and loss of amenity.

8.2 Clause 4.3 – Height of Buildings

Clause 4.3 of Wollongong Local Environmental Plan 2009 provides that the objectives of the height control include establishing maximum height limits, encouraging high quality urban form, and ensuring buildings and public areas continue to have views of the sky and receive exposure to sunlight.

The proposal does not adequately demonstrate compliance with those objectives. A 38-storey tower that gives rise to admitted moderate-to-severe and severe visual impacts, and which has not adequately demonstrated its shadow impacts on my property, should not be accepted as satisfying the objectives of clause 4.3.

8.3 Clause 4.4 / 4.4A – Floor Space Ratio

Wollongong Local Environmental Plan 2009 includes floor space ratio controls and specific provisions for the Wollongong City Centre. Clause 4.4A applies to land within the Wollongong City Centre and sets out FSR controls for different zones and site circumstances.

The proposal appears to rely on significant uplift in density and intensity. Public reporting referenced in the existing submission identifies a proposed FSR of approximately **13.8:1**.

The Applicant has not demonstrated that this level of floor space can be achieved without unacceptable impacts on the surrounding residential environment.

8.4 Clause 7.18 – Design Excellence

Clause 7.18 of Wollongong Local Environmental Plan 2009 applies to development in the Wollongong City Centre and key sites, and requires the consent authority to be satisfied that development exhibits design excellence.

Clause 7.18 requires consideration of matters including urban design, bulk, massing, overshadowing, wind, reflectivity, pedestrian access, public domain impacts, tower relationships, setbacks, amenity, street frontage heights and whether the development improves the quality and amenity of the public domain.

On the material available, the proposal has not demonstrated design excellence. A development producing significant visual impacts, with unresolved private receiver impacts, unresolved solar access impacts and unresolved traffic and parking impacts, should not be accepted as satisfying the highest standard of architectural, landscape and urban design.

9. Non-Compliance with Wollongong Development Control Plan 2009

The City of Wollongong describes Wollongong Development Control Plan 2009 as a set of Council policies explaining how developments need to be designed to meet the conditions of the LEP and State-wide rules.

Relevant DCP chapters include controls dealing with residential development, mixed-use development, development in centres and the Wollongong City Centre precinct.

Chapter D13 includes controls relating to:

- building form;
- building depth and bulk;
- side and rear setbacks and building separation;
- sun access planes;
- views and view corridors;
- overshadowing;
- solar access;
- visual privacy; and
- design excellence.

The proposal has not demonstrated compliance with these controls. In particular:

- the tower form is excessive in height, bulk and massing;
 - the proposal creates an unacceptable transition from existing low-rise residential areas;
 - the proposal has not adequately demonstrated its overshadowing impact on my home;
 - the proposal has not adequately assessed visual impact from affected residential receivers;
 - the proposal risks reducing sky view and sunlight;
 - the proposal creates traffic and parking impacts that have not been adequately assessed; and
 - the design response does not resolve the tension between high-rise density and established residential amenity.
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10. Failure to Satisfy Relevant Planning Principles

The Applicant's Visual Impact Assessment refers to **Tenacity Consulting v Warringah Council [2004] NSWLEC 140** for private view sharing and **Rose Bay Marina Pty Ltd v Woollahra Municipal Council [2013] NSWLEC 1046** for public domain views.

Those principles require a proper and balanced assessment of the value of affected views, the extent of impacts and the reasonableness of the proposal causing the impact.

In this case, the proposal fails the reasonableness test because:

- it is exceptionally tall relative to the existing context;
 - the Applicant's own material identifies severe and moderate-to-severe visual impacts;
 - there is insufficient private receiver assessment;
 - there is insufficient property-specific overshadowing assessment for my property;
 - the proposal relies on planning uplift rather than demonstrated compatibility;
 - the development creates major skyline change and visual dominance; and
 - the Applicant has not demonstrated that a less impactful built form could not achieve housing outcomes while protecting existing amenity.
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11. Improper Reliance on "Transitional Character"

The Visual Impact Assessment repeatedly frames the locality as mixed-use, transitional and intensifying.

I object to the use of that characterisation as a basis to justify extreme height and density.

A “transitional” character does not override statutory planning controls. Nor does it remove the obligation to protect existing residents from unreasonable overshadowing, visual impact, bulk, scale, traffic, parking and amenity impacts.

Planning for increased housing supply must remain orderly, evidence-based and responsive to context. A development may be located near a train station and still be excessive for its site and surrounds.

12. Cumulative Impact Has Not Been Adequately Addressed

The Visual Impact Assessment acknowledges broader change, including emerging redevelopment, cranes and an evolving skyline.

However, the application does not sufficiently address cumulative impacts on residents in Gwynneville and North Wollongong, including:

- cumulative loss of sunlight;
- cumulative visual enclosure;
- cumulative traffic and infrastructure pressure;
- cumulative loss of low-rise residential character;
- cumulative impact on the skyline and escarpment setting; and
- cumulative loss of public and private amenity.

The Department should not assess this tower in isolation. It should consider the combined impact of this proposal together with existing and proposed nearby redevelopment.

13. Independent Verification is Required

The Visual Impact Assessment acknowledges that there is **no peer review system for determining the accuracy of the base material used for visual impact assessments**.

The report also includes commentary noting that inaccurate visualisation material can be a significant issue in planning assessment.

Given the scale and potential impacts of this proposal, the Department should require independent verification of:

- photomontages;
- view locations;
- camera positions;

- focal length assumptions;
- shadow diagrams;
- solar access modelling;
- cumulative skyline assessment;
- traffic modelling;
- parking assumptions; and
- private residential receiver impacts.

Without independent verification, the Department should not rely on the Applicant's assessments as a sufficient evidentiary basis for approval.

14. Property-Specific Objection – Crawford Avenue, Gwynneville

As the resident of **Crawford Avenue, Gwynneville**, I object specifically on the basis that the proposal does not adequately demonstrate that my property will retain acceptable residential amenity.

The available assessment is materially deficient because:

- it does not provide a property-specific assessment of 1Crawford Avenue;
- it does not identify whether my dwelling, private open space or roof areas retain reasonable solar access;
- the shadow diagrams do not provide sufficient property-level detail;
- there is no quantitative solar access assessment showing hours of sunlight retained;
- affected residential receivers are not clearly identified or differentiated;
- the modelling has not been independently verified; and
- the assessment does not adequately demonstrate compliance with relevant solar access and amenity provisions.

Notwithstanding those deficiencies, the shadow material referred to in the existing submission indicates that the proposed development will cast extensive shadows beyond the subject site during winter months.

In the absence of detailed property-specific assessment, the application fails to demonstrate that my property will retain reasonable solar access and amenity.

15. Requested Outcome

For the reasons set out above, I respectfully request that the Department:

1. **refuse SSD-85464245**; or alternatively
2. require the Applicant to substantially reduce the height, bulk, density and scale of the proposal;
3. require a property-specific overshadowing assessment for **Crawford Avenue, Gwynneville**;
4. require accurate hourly shadow diagrams for relevant periods, including winter conditions;
5. require quantitative solar access analysis for affected residential properties;
6. require a private residential visual impact assessment for affected Gwynneville properties;
7. require independent peer review of the Visual Impact Assessment and photomontages;
8. require independent peer review of the Traffic Impact Assessment;
9. require a revised traffic and parking assessment addressing parking displacement, local street impacts, cumulative impacts and realistic car ownership scenarios;
10. require a cumulative impact assessment of nearby high-density proposals;
11. require a clear compliance table against Wollongong Local Environmental Plan 2009 and Wollongong Development Control Plan 2009;
12. require the Applicant to demonstrate design excellence under clause 7.18, if applicable; and
13. not approve the proposal unless and until it is demonstrated that existing residential amenity will be protected.

16. Conclusion

The proposed development is excessive in height, scale, density and impact. It represents a substantial departure from the existing low-rise context and has not adequately demonstrated that it will avoid unreasonable impacts on nearby residents, including me as the resident of **Crawford Avenue, Gwynneville**.

The Applicant's own Visual Impact Assessment identifies significant visual impacts, including moderate-to-severe and severe impacts, but nonetheless reaches a conclusion of acceptability that is not adequately supported by the evidence.

The application also fails to provide adequate property-specific assessment of overshadowing and solar access impacts on my property.

Further, the Traffic Impact Assessment does not adequately address parking displacement, local street congestion, traffic generation, construction traffic or the risk that optimistic behavioural assumptions will not be realised. [\[Appendix L\]](#)

For these reasons, I formally object to SSD-85464245 and request that the application be refused.

Yours faithfully,

Melissa Thompson

Resident – Crawford Avenue
Gwynneville NSW 2500
