

16 August 2024

TfNSW reference: STH24/00111/004

[REDACTED]
[REDACTED]
Department of Planning, Housing and Infrastructure
[REDACTED]

Warrawong Plaza State Assessed Planning Proposal – LOT 1 DP217579 – 43-65 Cowper Street WARRAWONG

[REDACTED]

Transport for NSW (TfNSW) is responding to the additional information to support the Planning Proposal for Warrawong Plaza referred via email on 8 August 2024.

TfNSW has a strong interest in increasing public transport, walking and cycling participation, and reducing reliance on private vehicle in the Wollongong Local Government Area. TfNSW believes this is particularly important in centres such as Warrawong where it is not practical to continue to provide road capacity improvements for private vehicles. On this basis, TfNSW believes it is critical that any rezoning of this site must facilitate improved public transport, walking and cycling outcomes to cater for the increased trip demand.

Given the above, TfNSW would not object to the Planning Proposal, subject to the matters outlined in Attachment 1 being included in the Design Guidelines for the proposal.

If you have any questions, please contact myself on [REDACTED] or email development.south@transport.nsw.gov.au.

Yours faithfully

[REDACTED]

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OFFICIAL

Warrawong Plaza State Assessed Planning Proposal – LOT 1 DP217579 – 43-65 Cowper Street WARRAWONG

Context

TfNSW notes for this proposal:

- The key state road is King Street (Shellharbour Road).
- The Department of Planning is seeking advice from TfNSW to assist in its assessment of the State Assessed Planning Proposal.
- The site, at the existing Warrawong Plaza shopping centre, is bounded by King Street to the west (a state road), and Cowper Street and Northcliffe Drive to the north and south (local roads). The intersections of the state road and local roads are signalised intersections.
- The planning proposal seeks to amend planning controls at the Warrawong Plaza shopping centre to allow for a mixed-use complex which will include approx 51,789sqm retail, 1,134sqm commercial, 1,300 residential units (of which 10% are proposed to be affordable housing) and a 810sqm car wash. The proposed development will be divided into four staging boundaries.
- The planning controls proposed include:
 - An additional permitted use of residential apartments to the site
 - Increasing the building height from 8 storeys to a range of storeys between 8 and 22 storeys and
 - Introduction of a site-specific clause to retain at least 50,000 sqm of non-residential floor space in the site.
- There are currently no funded TfNSW proposals at the key state road intersections impacted by the Proposal (ie King Street and Northcliffe Drive, and King Street and Cowper Street).
- On 8 August 2024 TfNSW received updated Warrawong Plaza Design Guidelines (version 3 dated 7 August 2024), Reference Design, and Urban Design Report via email.
- TfNSW understand that the Wollongong LEP 2009 is proposed to be amended to include a site specific clause regarding compliance with the Warrawong Plaza Design Guidelines. TfNSW notes that the setback to King Street for a public transport interchange has been identified in Figure 6 of the Design Guidelines, but in itself is not sufficient to achieve a modal shift. There are limited details provided regarding the public transport interchange on the Cowper Street frontage of the site.

TfNSW requirements

TfNSW would not object to the Planning Proposal, subject to the following inclusions in the Warrawong Plaza Design Guidelines:

1. Section 2.1, Objectives, of the Design Guidelines must include an objective related to promoting public transport. For instance: *To ensure the development promotes the attractiveness of public transport.*
2. In Section 2.1.1, Public Benefits, of the Design Guidelines, it may be appropriate to include a public transport paragraph which highlights the need to provide appropriate public transport infrastructure along the northern and western frontages of the site. However, TfNSW highlights that such contributions are required to offset the impacts of the development on the road network and on that basis, are not solely public benefit items.
3. Section 2.2.1, Land Use, of the Design Guidelines, must be updated to include the requirements to:
 - a) identify a plan for public transport upgrades along the northern and western frontages of the site which provide adequate space for public transport interchange facilities generally as shown in Figure 6 and Figure X (refer to note below). This space must include provision for pedestrians and bus related infrastructure;
 - b) obtain TfNSW approval to the plan; and
 - c) deliver the upgrades identified in the plan as part of the first development application.

Notes:

- i. TfNSW believes the dimensions shown for King Street in Figure 6 of the Design Guidelines are generally acceptable subject to the identification of suitable arrangements to ensure public access. TfNSW believes this Figure should be referenced in Section 2.2.1 of the Design Guidelines. Furthermore, similar arrangements with supporting diagrams (i.e. Figure X) need to be identified for Cowper Street. The Cowper Street public transport interchange does not need to extend along the whole northern frontage, however it must be sufficient to cater for two buses stopping simultaneously with an appropriate setback from the traffic signals. Any works to improve public transport infrastructure on Cowper Street frontage must align with Wollongong Council's Warrawong Town Centre Masterplan.
 - ii. Achieving a mode shift towards public transport is heavily reliant on establishing behaviour early when new residents move into properties. Without the improvements implemented at the initial stage of the development, residents are much more likely to use private cars and increase the need for associated road capacity upgrades.
4. Section 2.2.4, Public Domain and Landscape, Figure 3 (ground floor plan), must be updated to indicate the public transport interchange on both the King and Cowper Street

frontages. Section 2.2.4 should also indicate that any outdoor dining along the Cowper Street frontage must not impact the Cowper Street public transport interchange.

5. Section 2.2.5, Transport, must be updated considering the following matters:

- a. Figure 5, vehicular access strategy, is currently annotated that there is potential alternative site vehicle entry to King Street. TfNSW does not support vehicular access to King Street. This aligns with Wollongong City Council's DCP Chapter B4, Section 6.2 Warrawong Town Centre figure, where vehicular access along the King Street frontage is denied. On this basis, this reference should be removed from Figure 5 (as well as any other Figures that make this reference).
- b. An additional paragraph contained under Section 2.2.5 Vehicles must be included regarding the Transport Impact Assessment (TIA) requirements. The TIA is to be provided to support the first Development Application submitted relating to this Proposal, taking into account the trip generation for the entire site. The TIA must:
 - i. Detail public transport, walking and cycling improvements.
 1. TfNSW notes that there is a significant increase in pedestrian movements generated by the development. The Transport assessment must address and mitigate safety implications of the proposal. It is noted that existing unsignalised pedestrian crossings at Northcliffe Drive/King Street intersection must be considered.
 2. Westbound and eastbound Cowper Street bus stop connectivity to the site.
 3. Southbound and northbound King Street bus stop connectivity to the site.
 - ii. Predict the decrease in traffic generation as a result of any proposed mitigations.
 - iii. Include traffic analysis for intersections of Kings Street with Cowper Street and Northcliffe Drive during the AM and PM peak. To quantify the impact of the development alone on the network, and the supporting mitigation measures including public and active transport improvements, TfNSW recommends the analysis is restricted to considering the following two scenarios:
 1. Base case without development
 2. Base case with development (no other background growth to be included)
 - iv. Outline any road upgrades required to mitigate impacts of the proposal identified from the results obtained in item iii above. A strategic design must be provided for all infrastructure upgrades to the transport network (for example intersection upgrades, public bus interchange etc) to clarify the scope of works and demonstrate that the works can be constructed within the road reserve, or within space allocated within the site. TfNSW's strategic design requirements are included in the following link:
<https://www.transport.nsw.gov.au/system/files/media/documents/2022/strategic-design-fact-sheet-02-2022.pdf>
 - v. Identify how upgrades will be funded and delivered.

6. TfNSW has concerns regarding the timing of public transport infrastructure upgrades indicated under the Public and Point-to-Point Transport, dot point 7:
...Prior to lodgement of any Development Application adjacent to the King Street and Cowper Street bus stops, the applicant is to consult with Transport for NSW in respect of any requirements for upgrades to existing bus stop infrastructure...
Without the improvements implemented at the initial stage of the development, residents are much more likely to use private cars and increase the need for associated road capacity upgrades. On this basis, TfNSW recommends that the public infrastructure upgrades are identified, approved by TfNSW and delivered as part of the first development application associated with the proposal.
7. The Design Guideline Figures and Reference Scheme Drawings must be updated for consistency between the documents. For instance, the site ground floor plan – proposed, contained within the Reference Scheme Drawings must be updated to reflect the bus interchange for both King Street and Cowper Street frontages.

NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2114

Our Ref:
Date:

DE-2023/95
31 July 2024

Dear Sir/Madam

SUBMISSION: STATE ASSESSED PLANNING PROPOSAL – COWPER STREET, WARRAWONG

Thank you for the opportunity to comment on the State Assessed Planning Proposal (SAPP) for Cowper Street, Warrawong.

At the Ordinary Meeting of Council held 29 July 2024, Council resolved:

- 1. The General Manager be delegated authority to finalise the draft submission, on the Cowper Street, Warrawong – State Assessed Planning Proposal which indicates that the current proposal is not supported in its current form.*
- 2. That Council recognises that the subject site has potential to provide significant housing supply to help with Council's housing targets and to put downward pressure on the local housing crisis.*
- 3. That Council commits to working with state agencies and stakeholders to find a successful resolution of outstanding issues*
- 4. That Council re-affirms the City's Housing Strategy 2023, nothing that Point L13 reads 'Town Centres – review the floor space ratio and build height limits to increase the opportunity for shop top housing...' And section f. site specific changes reads; 'Council is currently assessing and processing draft Planning Proposal requests for locations that will provide additional housing...'*

Council is committed to the ongoing viability and liveability of our Centres. Our Centres are strategically important locations providing access to goods and services, public facilities and open spaces, employment and in the case of larger centres, housing, for our community.

Council through the adoption of the Wollongong Housing Strategy (2023) acknowledges the importance of increasing the supply of diverse housing in our LGA, and actively plans for this increase through holistic strategic plans. These plans balance housing needs with other land use priorities and seek to deliver housing in locations that are well serviced, and unconstrained by significant affectations.

Warrawong Town Centre is a Major Regional Centre which serves the southern portion of the LGA. The Warrawong Plaza occupies a site of 7.05 hectares and has 62,575m² of retail floor space. The Warrawong Plaza is the major retail offering in the Centre and currently accounts 76.64% of the total activity in buildings within the Warrawong Major Regional Centre (E2 and MU1).

The SAPP seeks to amend planning controls to allow for the redevelopment of the Warrawong Plaza site into a mixed-use development including retail, open space and through site links, with residential towers yielding approximately 1,300 dwellings including 10% affordable housing.

Whilst some increase in density is supported in principle in this location, the SAPP for Warrawong Plaza in its current form is not supported. The planning proposal has not sufficiently addressed the contextual constraints and opportunities to demonstrate site specific or strategic merit as outlined in the Local Environmental Plan Making Guidelines.

Council is cognisant of the significant supply of housing promised by the proposal, and the need to provide additional housing opportunities to address the National Housing Accord (and subsequent 5-year housing target for the Wollongong LGA), housing supply and housing affordability issues. The site is capable of significant additional housing supply under the current controls, as are many other sites in and around the Centre. An isolated and significant Planning Proposal for this site only is inconsistent with Council's Planning Proposal Policy and risks enabling a planning framework that would create an anomaly in both the urban form and the land economics of the area. A centre wide planning proposal is the preferred approach to review the planning controls, as this will result in a nuanced distribution of density and more cohesive built form outcome.

Council's resolution confirms Council's desire to work with the Department, other State agencies and the applicant to address our concerns and determine a more appropriate built form and housing outcome for the site.

Below provides a summary of key matters followed by more detailed commentary in Attachment A. It is critical these matters are considered holistically through a strategic lens and not in isolation.

KEY MATTERS

- ***Strategic Context***

Council has adopted the Wollongong Local Strategic Planning Statement (2020), Wollongong Housing Strategy (2023), and Wollongong Retail and Business Centres Strategy (2023) which all support the investigation of increasing housing density in or around well-located and serviced centres, having regard to flooding and other constraints. The Cowper Street planning proposal is an isolated proposal which is contrary to Council's Planning Proposal Policy.

Council's early investigations into progressing an increase to residential density in and/or around Warrawong Major Regional Centre has revealed challenges in relation to the severity of flooding constraints and the timing of the updates to Flood Plain Risk Management Study and Plans, as well as poor access to public transport. Progression of this strategic work would be dependent on up to date flooding information, as well as an approach which considered the whole precinct, and especially the sites owned by Homes NSW in the area.

- ***Planning Framework***

The retention of the existing zoning (E2 Commercial Centre) is considered appropriate, and the identification of the land as a Key Site is supported. However, the proposed heights are not appropriate for the Warrawong Major Regional Centre given its place in the Centre hierarchy and the surrounding urban context (including significant view corridors and overshadowing to public open spaces). The site is capable of significant housing delivery under the current controls (~850 dwellings according to the application material). The floor space ratio available through the existing controls (2.5:1) does not facilitate a right to floorspace that justifies an amendment to the HOB development standard to the extent proposed or at all.

The planning pathway outlined by the Planning Proposal includes several risks including -

- The strength of the proposed local provision and design guidelines to ensure outcomes relating to affordable housing and non-residential floorspace are realised.
- The role of the current or any future DCP in the context of a State Significant Development application, noting the EIE states that the drafting of DCP would not be required if the proposal triggered the SSD pathway.
- The lack of assurance relating to future DAs – especially noting the necessity of a staged approach to ensure built form massing and site organisation is approved at a high level before progressing to detailed DAs.

- ***Transport and Movement***

The existing road network is constrained, and significant mitigation measures are required to address the capacity issues as a result of increased density. The development will have an impact on the local and state road network, with the key intersections being King/Cowper Streets and Northcliffe Drive/King Street. There are concerns over the ability to provide any meaningful, practical or effective intersection mitigation measures in this location without additional road widening. Cowper Street is intended to be the main street

of Warrawong with a focus on pedestrian movement and comfort, any widening of vehicle corridors to allow for additional vehicle movement is contrary to the outcomes sought for this street.

Proposed internal movement paths for various users, including people walking, cycling, driving (visitors, workers, residents) and service vehicles need to be further considered.

There is concern that this one development site will take up and exceed all the remaining capacity in the network without consideration of the broader centre or any outcomes resulting from the Kully Bay Master planning, or BlueScope Port Kembla Masterplan. TfNSW has not announced any planned bus service enhancements for Warrawong and, without adequate public transport the residents of the development will be car dependent. Council strongly advocates for a significant investment in public transport to support this State led planning process.

If the proposal is supported, the NSW Government should commit to the early establishment of enhanced public transport services, such as a rapid transport service.

- ***Affordable Housing***

As the requirement for the State Assessed Planning Proposal is required to address public benefit through social and affordable housing supply, 10% of residential floorspace is considered low considering the overall yield. An increased supply of affordable housing to 20% would be considered to better align with public/private benefit. Preference is for the affordable housing to be provided in perpetuity, rather than for minimum 15 years. The timing / stage of the delivery of the affordable housing should also be specified.

- ***Social Infrastructure***

The existing community has been considered only superficially and gaps exist in the proposal in terms of addressing economic impacts, connectivity to open space and recreation facilities, accessible dwellings, accessible transport and pedestrian connections. Notwithstanding this, the additional communal indoor facilities proposed in the proposal, although located within a privately owned development, would be welcomed and is strongly supported.

If the proposal is supported, the demand for additional community facilities will increase. In this regard, State and Commonwealth funding support for the construction of the Southern Suburbs Community Centre and Library should accompany the density uplift.

- ***Environmental Sustainability***

The Design Guidelines merely aim to align with existing sustainability requirements rather than being a leader or exceeding and demonstrating design excellence in this area. The ESD report provides high level principles and initiatives, however fails to demonstrate how these will be met. A site of this scale should seek precinct wide sustainability certification such as Climate Active or Green Star.

- ***Economic impact***

There is a need to revitalise Warrawong Major Regional Centre and an increase in population of the size proposed would have a positive impact on the demand for goods and services within the centre. The proposal material would benefit from a Retail Impact Assessment to quantify the resulting impact on the retail trade demand across the centre and broader retail catchment. The proposal would also provided much needed housing to support key workers, and the potential workforce resulting from significant projects in the Port and surrounds, such as the BlueScope masterplan.

- ***Flooding***

The site is within the Kully Bay catchment which is part of the broader Lake Illawarra catchment. At a strategic level, there are concerns regarding compliance with the Ministerial Direction (4.1 Flooding), in particular -

- The proposal is creating offsite impacts that are greater than that allowable in Wollongong DCP Chapter E13.
- The proposal hasn't modelled flood impacts in a future climate change scenario.

- The proposal will create residential outcomes in flood prone land that will rely on shelter in place. It is unclear whether or not this is an appropriate outcome given the length of time Lake flooding will result in people being isolated. While the Kully Bay catchment is most likely a short isolation, the impacts of the Lake will be much greater.

The applicant has provided indicative cut and fill information seemingly suggesting that the proposal will not result in a loss of flood storage for the development site. It is recommended that should the DPHI proceed, conditions of that approval must ensure that the proposal does not result in any loss of flood storage for all flood events up to and including the PMF flood event.

The applicant is seeking to defer updating the flood impact mapping to a future Development Application stage. This is not appropriate as the site may be subject to numerous Development Applications which may have varying impacts when considered in isolation. It is considered that flood impact mapping must be provided for the 20% Annual Exceedance Probability (AEP), 1% AEP, and Probable Maximum Flood (PMF) events to enable a holistic assessment of the flood impacts as part of this proposal.

- **Constructability and Delivery**

The documentation indicates the site will be redeveloped in stages whilst maintaining operation of major tenants. It is unclear how this will be achieved, particularly given the different levels of basement car parking that will be required. It is also unclear at what stage the affordable housing will be delivered, and the mechanism to ensure its delivery within a staged development. Council notes the SAPP program's assessment requirement that proposals provide a clear pathway for resolution of any impediments to delivery. Council is of the opinion that the proposal does not provide a clear pathway to the resolution of key issues, and therefore poses a risk of being only partially realised, if at all, to the detriment of the urban context and operation function of the centre.

Attachment A provides further detailed commentary in relation to these key matters.

Conclusion

The Cowper Street, Warrawong State Assessed Planning Proposal seeks to enable the redevelopment of the Warrawong Plaza site and a significant supply of housing in a concentrated location. While some increase to density and height is support in principle in this location, in the current form the proposal does not demonstrate site-specific or strategic merit to warrant the proposed changes, and as such Council does not support the planning proposal as exhibited.

Council is committed to working collaboratively with the Department of Planning, Housing, and Infrastructure (DPHI) to deliver additional housing that is provided in the right locations, in alignment with endorsed strategic documents, supported by infrastructure and is reflective of its context. Council would like to work with DPHI, other State agencies and the applicant to develop a revised proposal for the site that will address Council's concerns with the exhibited proposal.

Please feel free to contact Council's Director Planning and Environment, [REDACTED] should you require further information.

Yours faithfully, 



Attach

ATTACHMENT A – Detailed Commentary

1 Strategic context

Spot Rezoning

The SAPP is an isolated proposal which is contrary to Council's Planning Proposal Policy. This position has been consistently advised by Council staff throughout this process. The policy specifically notes that Planning Proposal Request will generally not be supported by Council when they relate to the rezoning of single properties to increase housing density, and/or increasing residential density in medium and high flood area. It is acknowledged that two residential towers have been removed from the reference design on land identified as unsuitable due to flooding, however an additional permitted use for residential flat buildings remains proposed for the entire site.

Council staff have advised that a precinct approach which incorporated more than just the site of the shopping centre would be preferred over a spot rezoning. Council staff have previously suggested that the applicant commence discussion with Homes NSW, who own housing assets adjoining the shopping centre, to determine if there was interest in a partnership to undertake some strategic investigations. It appears discussions between the land owners and Homes NSW regarding any partnership for a precinct approach have not occurred, resulting in the SAPP application for the shopping centre site only.

Council recognises that the Planning Proposal has been submitted under a State-led program targeting individual sites and precincts for accelerated delivery of housing. Notwithstanding this, we note the challenges this creates in relation to broader strategic planning and the location specific constraints in place. If the SAPP is supported by DPHI, this will create an inconsistency in the density and built form controls that apply to other properties in and around the Warrawong Centre. This inconsistency will need to be reconciled by Council through a future review of the Warrawong Centre. Such a review is not currently programmed or resourced and would need to be scheduled with regard to other strategic priorities for the LGA.

Guiding Strategies

Council has an adopted LSPS (2020), Housing Strategy (2023) and Retail and Business Centres Strategy (2023) which all support the investigation of increasing housing density in or around town centres, having regard to flooding and other constraints. The Housing Strategy and Retail and Business Centres Strategy have both been endorsed by DPHI (the then Department of Planning & Environment) as a strategic document.

The planning proposal document (Ethos Urban, March 2024) provides an analysis of the alignment between the proposed development and Council's Strategic documents. Although it is acknowledged that the proposal does demonstrate some level of alignment with the relevant actions, they have not been considered in the correct context. The actions within Council's strategic documents relate to whole precincts and are a result of precinct scale studies, rather than proposing isolated activity on single sites. Council's approach facilitates a holistic consideration of the urban context and ensures that land use and built form anomalies are not created. There is concern that enabling a significant level of development on one site there will be an imbalance within Warrawong, and that this proposal will limit redevelopment and revitalisation more broadly within the Warrawong Centre and surrounds. The proposal also has the potential to impact on the vision for Cowper Street as the main street of Warrawong, this is discussed further below – see transport and movement.

A summary of relevant actions from the strategies are included below -

- *Local Strategic Planning Statement (2020)*

There is the opportunity to consider additional residential development around the Centre to support retail activities, having regard to flooding and other constraints.

- *Housing Strategy (2023)*

- Ward 3 has a target for 14,500 additional dwellings by 2041.
- Action L10 - Warrawong – increase development potential around the town centre. The boundaries are to be defined.

- Action HOB2 - Review the building height in town centres to encourage additional development
- Action FSR2 - Review the FSR in town centres to encourage additional residential development, without reducing retail and employment opportunities
- Action ARH4 - As part of submitted Planning Proposals requests seeking to permit residential development or increase the residential density, a minimum of 5% of the Gross Floor Area of proposed residential developments will be required to be provided as Affordable Rental Housing. A Financial Feasibility study will be required to accompany the draft Planning Proposal to determine the appropriate development contribution based on the uplift value being sought. Developers may choose to pay the equivalent value which will be collected and transferred to a not-for-profit Tier 1 or Tier 2 Community Housing Provider for the provision of affordable housing (mechanism to be determined). This will also apply to the West Dapto Urban Release Area where draft Planning Proposals propose residential development in a medium density zone or with a minimum lot size less than 300m² is proposed. Excludes Planning Proposals from NSW Land and Housing Commission for social housing.
- *Retail and Business Centres Strategy (2023)*
 - Warrawong existing retail supply 2021 - 57,651m²; 2021 demand 58,120m²; 2041 demand 72,785m²; additional feasible capacity 71,041m²
 - Undertake a planning proposal process to rezone 3 portions of land in Warrawong Town Centre from B3 Commercial Core to R3 Medium Density Residential, in line with the adopted Warrawong Town Centre Masterplan and Implementation Strategy
 - 21-35 Greene Street.
 - 282 Cowper Street.
 - 7-17 Montgomery Avenue.
 - Review the B4 Mixed Use land west of Warrawong Town Centre along Cowper St. As per the findings of the SGS Study, this land currently contributes no floorspace supply and is not required to meet future retail demand. Consider transition to a residential land use zoning.
 - In alignment with the Wollongong Housing Strategy and from a retail and business centres perspective, review residential density controls in the direct catchments of the following centres: Warrawong; Corrimal; Unanderra; Fairy Meadow; Berkeley.

Early investigations into increasing residential density in Warrawong have gleaned the following opportunities and constraints -

- Warrawong, Berkeley and Port Kembla have a high percentage of consolidated land under the ownership of the Homes NSW. Investigations to increase residential density on or in the vicinity of Homes NSW sites should be pursued in collaboration with the agency. This is in alignment with Council's commitment to maintain the existing percentage supply of social housing in Wollongong LGA (7%) in relation to over-all housing supply.
- Warrawong Major Regional Centre is subject to the Kully Bay and Lake Illawarra catchments. These catchments are both under review, with updates to the Flood Risk Management Studies and Plans not expected until 2025 (Kully Bay) and 2026 (Lake Illawarra). Whilst flood impact assessments have been provided to support the proposal, undertaking a residential density review and proposed change in an area before having the up-to-date flood planning is not considered an appropriate strategic action. Council is focussing its efforts to increase residential density in areas where we have up to date flooding information (where this is relevant).
- Public Transport Access in Warrawong is considered Medium to Medium High across the Centre (PTAL rating – Built Environment Indicators TfNSW). This presents limited opportunity for residential density increases.

As such, Council is currently not progressing investigations into increasing residential density in Warrawong Major Regional Centre, and instead focussing efforts elsewhere where the delivery of additional housing will be less constrained. A review of Warrawong would be scheduled at a future date once relevant information is available.

2 Planning Framework Amendments

Land Use Zone

The planning proposal does not seek to amend the Land Use Zone from E2 Commercial Centre. This zoning is used for our Major Regional Centres Wollongong City Centre, Warrawong and Dapto and is considered the most appropriate for this site. Its objectives align with these centres' position in the Centre Hierarchy – found in Wollongong DCP Chapter B4, and referenced in the Wollongong LEP 2009 under the Zone objectives and Clause 7.22 Development in Local Centres.

As outlined in the Wollongong DCP 2009, the function of a Major Regional Centre is -

'Major Regional Centres enable access to key social services and district level community facilities. They offer a wide range of high and low order retail goods and services as well as providing a limited amount of commercial office space. Major Regional Centres offer dense residential living in a compact neighbourhood with excellent access to transport. These Centres have a large amount of development capacity, enabling them to attract investment, grow and evolve.'

In the Wollongong LEP 2009, the Commercial Centre zone is characterised by its role as *the centre of business, retail, community and cultural activity* (E2 Objective of Zone, bullet one).

The Warrawong Plaza site currently accounts for 9.05% of all the activity in buildings in Centre (E1, E2) and mixed use (MU1) zones across the LGA, and 76.64% of the total activity in buildings within the Warrawong Town Centre (E2 and MU1). The subject site is clearly the centre of commercial activity within the Centre and given its size and the intended ongoing supply of these commercial uses, is likely to continue to be so. Further commentary is provided later in this submission on the appropriateness of residential flat buildings on the site.

Site-specific local provision and State Significant Development pathway

The planning proposal includes a site specific local provision that in summary will development with an estimated development cost (EDC) of \$75 million or more will -

- a Retain at least 50,000m² of non-residential floor space at the completion of all stages of development.
- b Provide at least 10% residential floor space as affordable for a period of 15 years.
- c Be generally consistent with the Warrawong Plaza Design Guidelines
- d Requirement the preparation of a site-specific development control plan.

Whilst the inclusion of a site-specific provision to protect non-residential floor space is supported in principle, the proposed figure needs to be more nuanced. Based on Gross Floor Area (GFA) the proposed clause would represent a loss of 12,500m² of retail floor space which is not supported. The Planning Proposal document notes that current shopping centre has a GFA of approximately 62,500m² with a significant portion of the GFA being used for internalised pedestrian circulation resulting in only approximately 44,000m² of gross lettable area retail (GLAR). Ensuring the retail floor space is maintained at a minimum, accounts for any increased in retail demand due to increased population and that the nuances in calculating floor space are reflected to create the intended outcome and protect the retail function of the site.

In addition to the changes proposed to the WLEP, the proposal also seeks Schedule 2 of *State Environmental Planning Policy (Planning Systems) 2021* be amended to include development on the Warrawong Plaza site for the purpose of residential accommodation with an estimated development cost (EDC) of more than \$75 million as State Significant Development.

The requirement for a site-specific DCP may be ineffectual, as the EIE notes that the drafting of a DCP would not be required if the proposed development meets the triggers for an SSD pathway (\$75 EDC involving residential accommodation or subdivision). There is a lack of assurance relating to future DAs especially noting the necessity of a staged approach and continued operation of important retail functions while development occurs to ensure built form massing and site organisation is approved before progressing to detailed DAs. A Concept DA may be an appropriate alternative as it provides a well thought through

massing and land use arrangement to be proposed and assessed. This would include how the proposed 10% Affordable Housing and 50,000m² of non-residential GFA is to be distributed across progressive stages/DAs. Successive DAs would then be assessed against the LEP, Site specific DCP and the concept DA.

Should the SAPP proceed, it is recommended that -

- Alternative mechanisms are explored to ensure a coordinated approach to future development in the absence of a site specific DCP in the context of an SSD pathway.
- An additional objective be included “e) to ensure that development of the site achieves best practice levels of sustainability;”
- “non-residential uses” are further defined to ensure the intent is met, and the retail/commercial role is not unintentionally eroded through other uses being included in the floor space calculation such as outdoor areas on podiums.

Active Frontages and Residential Uses at Ground

The planning proposal includes a mapped active frontage under clause 7.19, meaning clause 7.13 would not apply to the remainder of any identified lot. The proposal also seeks an Additional Permitted Use to enable residential flat buildings to be permitted with consent. Residential flat buildings are currently prohibited within the E2 Commercial Centre zone. The combination of mapped active frontages and the proposed APU, ultimately “unlocks” the ability for residential uses at ground level in certain locations, such as along Northcliffe Drive.

Mapped active frontages are applied to E1, E2 and MU1 zones where there is a need to focus commercial activity along a certain lot edge and prohibit residential uses at ground in that location. Clause 7.19 can also then, leave some areas unmapped, thereby releasing that frontage to typologies with ground floor residential uses (eg RFBs, multi dwelling housing). This is only a suitable action when a ground floor residential use is an appropriate outcome in the specified location. This might occur when land is facing onto an adjacent residential zoning, or the configuration of the zoned land places a portion of it at a significant distance from the Centre’s activity, meaning the area is unlikely to generate foot traffic. If the area of zoned land is in excess of what is required for future retail demand, it is more appropriate to rezone the land to the appropriate zone. The Warrawong Town Centre Masterplan and the Wollongong Retail and Business Centres Strategy noted that there would be merit in making minor reductions in the zoned areas at the eastern end of Montgomery St and western end of Green Street, in the north of the Centre. These areas are proposed to be transitioned to Medium Density Residential. No changes were proposed to the zoning for the subject site, indeed the plan notes that no zoning changes are needed to facilitate a mixed-use outcome.

It is important to note that the Wollongong DCP 2009 also includes active frontage controls (DCP Chapter B4 10.4.2), which do not impact land use permissibility in the same way that LEP clause 7.13 does. Rather these controls outline in detail how the frontage is to perform, including some prescriptive controls regarding the composition and materiality of shopfronts. These controls apply to ‘all new retail, business or mixed-use buildings’. It is noted that an active frontage (with covered awnings) is not mapped along Northcliffe Drive except for the corner with King Street (clause 6.2). Within the context of the DCP this releases development from the performance and prescriptive active frontage controls in this location, but has no impact on the applicability of Clause 7.13 in the LEP.

The proposed Additional Permitted Use (APU) to permit with consent Residential Flat Buildings across the whole site is inappropriate. The application and extent of the APU needs to be considered in recognition of the site constraints, flooding constraints and the objectives of the E2 Commercial Centre Zone.

The flood studies have identified a portion of the site inappropriate for residential development due to flooding constraints. Applying an APU for RFBs in that location appears contrary to that advice and sets an unwarranted expectation on the development potential or outcomes for that part of the site.

Further, the objectives of the E2 Commercial Centre do not reference residential development. Through their omission, they are deprioritised in the zone. Notwithstanding this, the E2 zone does permit residential typologies through the land use tables (boarding houses, hostels, shop top housing). A clear objective of the E2 zone is to ‘ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces’.

Further discussion on residential uses at ground is provided below from an urban design perspective.

Height of Buildings (HOB) and relationship to Floor Space Ratio (FSR)

The Planning Proposal seeks to amend the LEP HOB from 24m to a range of heights including 24m, 36m, 41m, 45m, 50m, 51m, 66m, 77m and 78m. The Planning Proposal does not suggest or incorporate any changes to heights in the remainder of the Centre. It is understood that these increases are intended to be contained to the subject site only.

The heights proposed are not appropriate for the Warrawong Major Regional Centre given its place in the Centre hierarchy and the surrounding urban context (including significant view corridors).

The scale of height proposed is not necessary to deliver a mixed-use outcome with significant additional supply of housing on the site. Information supplied by the proponent shows the site is capable of delivery of at least 850 dwellings under the current controls.

There are no changes to the existing FSR of 2.5:1 proposed. The available FSR does not facilitate a right to floorspace that justifies an amendment to the HOB development standard to the extent proposed or at all.

HOB controls across Wollongong centres correspond to their place in the Centres Hierarchy, being responsive to both the role and function of the Centres (Retail/Office/Residential typologies and scale), as well as the surrounding context. The graph below (figure 1) shows the current upper HOB limits across each Town, Major Town, Major Regional and Regional City Centre. For context in understanding the HOB limits proposed for Warrawong Plaza, the range of heights permitted in the City Centre of Wollongong are shown as black lines. Corrimal Train Station (outside but in the vicinity of the Corrimal Major Town) is identified as a Transport Orientated Site, which provides an alternative approval pathway for height up to 22m for residential flat building and 26m for shop top housing. Within the City Centre E2 Commercial Centre Zone, heights between 16m and 120m are permitted. The range of proposed heights for the Cowper Street Warrawong site are shown dashed above the existing permitted height of 24m. A review of the heights across Wollongong will occur over time as appropriate for each centre, but for in the current context the proposed heights are out of scale. The proposed Height limits are clearly significantly over the current settings for Major Regional Centres.

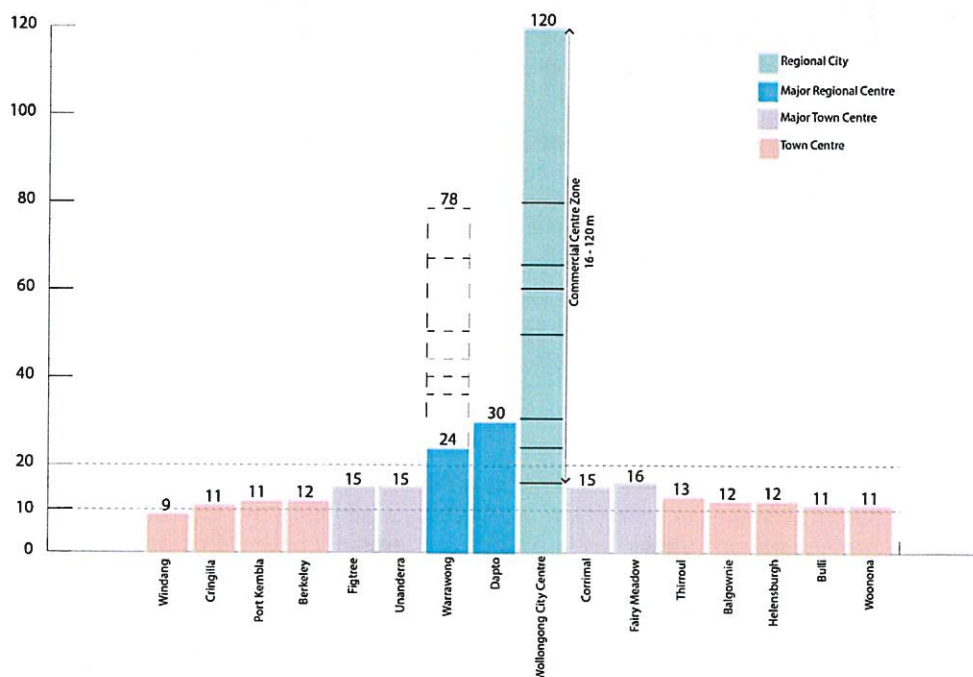


Figure 1: Height of Building and the Centres Hierarchy

Overshadowing Impacts

The site is located in the vicinity of a number of public open spaces. Opposite the site, to the south of Northcliffe Drive, is Darcy Wentworth Park which includes active sports fields (turfed). To the southwest of the site is Kully Bay Park. NSW Government has announced it will develop a masterplan of Kully Bay Park for parklands, recreation, culture, arts, heritage, tourism and entertainment facilities. The project has now established terms of reference.

The overshadowing diagrams provided within the reference design documents show that shadows fall onto these open spaces to varying levels. The EIE (p.26) suggests that the distribution of height across the site would allow “overshadowing impacts to be concentrated over open space as opposed to more sensitive uses”. This argument is not supported. The amenity and functionality of open space should be maintained, particularly as population growth often leads to increase demand for formal and informal use of public spaces. Should the proposal proceed, it is recommended that solar access protections for the public recreation/open space areas are included within the LEP to protect public open spaces from unreasonable overshadowing irrespective of the final design of any redevelopment. The clause should be supported by maps and referenced within Clause 4.6(8) to protect against cumulative impacts of encroachments over time. This approach is consistent with the *Guide to exclusions from clause 4.6 of the Standard Instrument* (DPE 2023).

Overshadowing protections need to ensure the amenity for the various user groups (passive and active uses) of the public open space as well as support the health and maintenance of vegetation on the site. As a minimum, the entirety of the playing fields should receive 4 hours of sunlight at the Winter Solstice (21 June). Wollongong LEP includes existing Sun Access Plane Provisions which apply to sites within the Wollongong City Centre, as well as overshadowing clauses applying to open spaces at the Former Corrimal Cokeworks.

Public Views

The view impacts from surrounding areas remains a concern. The view impact studies provided demonstrate significant view loss which is not supported. The view corridors chosen are insufficient and not justified. The views focus on locations occupied by private dwellings, rather than views from the public domain and significant sites. Council staff nominated eight view corridors that should be assessed to understand the level of impact the proposed development may have, including views towards and from the Illawarra Escarpment. These were not completed. The planning proposal (p. 77) document instead includes a qualitative assessment of the expected visual impact from the key local viewpoints Council staff provided and concludes the following -

...it is considered that the site has significant capacity to accommodate the magnitude of change envisaged by the Planning Proposal, and that this change would not adversely affect any particularly sensitive areas. The existing Warrawong Plaza makes a relatively poor visual contribution to the public domain, and there is significant capacity to improve this through wholesale redevelopment of the site. In this context, the visual effect of the Planning Proposal on public viewpoints is not considered to be a significant constraint on development.

Whilst in general terms it is agreed the redevelopment of the site could result in an improved built form from the current internalised mall, particularly from a street level, the argument of a “less worse” outcome is inadequate. A view impact analysis from the identified public view corridors is needed to establish the level of impact the proposed heights.

SEPP (Housing) 2021 Bonuses

Additional floor space ratio and height could be sought under the Housing SEPP in the future on top of the proposed height increase to 78m (78m plus 30% equals 101.4m). Consideration on how this would further impact the traffic network, views, solar access and amenity both within and adjoining the site is required.

Key Sites and Design Excellence

Council supports the inclusion of the site on the Key Sites map as this will trigger 7.18 *Design excellence in Wollongong city centre and at key sites*. Attention is to be given to the requirements of the Design Excellence clause to inform the Urban Design outcomes articulated in the Design Guidelines.

3 Transport and Movement

It is positive to see DPHI commission a peer review for traffic matters, and that the applicant subsequently provided a more comprehensive traffic report. However, the proposed development's impact on the traffic network remains a major concern and the listed mitigation measures appear to defer responsibility to others for any required upgrades. The lack of adequate public transport services to and from Warrawong paired with the very limited capacity for King Street to accommodate additional traffic without failure suggests that the proposed level of development is not well suited to Warrawong.

Warrawong is a regional area where public transport coverage and frequencies are much less than the Sydney Metropolitan area. King Street is a key north south link between Wollongong and Shellharbour and primarily has a movement function (including freight vehicles), whereas Cowper Street is identified as the main street of Warrawong, with the intent of having more of a place function. The site is a long way from the rail station, making rail travel impractical, which in turn, increases the inclination to drive. While Warrawong's current demographics may show lower car ownership and car use compared to the rest of the Wollongong LGA, the future occupiers of the development may shift the current demographic and car ownership trends within the suburb. Whilst it is acknowledged that having residential development above a shopping centre may reduce some day-to-day trips, it cannot be assumed that the residents will be contained within the development site, they will leave for work, study, and recreation. Furthermore, when people purchase a new dwelling, they tend to continue working in the same job, children at the same schools etc, so travel legacies (the usual commute) are often brought with them.

The traffic capacity modelling shows that the key intersections surrounding the site at Cowper/King and Northcliffe/King fail in future years both with and without the development due to background traffic growth. The additional delay to road users resulting from development traffic in these future years is significant. At the intersection of Cowper Street and King Street for example the additional traffic from this proposal is shown to add 40 seconds (69%) extra delay at stage 1(2028) and 138 seconds (53%) extra delay at stage 4 (2036). It is expected that there will also be negative impacts on Council's surrounding road network as significant numbers of drivers will seek alternate local routes to avoid high levels of congestion on King Street. Council also understands that the modelling has not included anticipated traffic growth associated with the BlueScope Port Kembla Masterplan which the NSW Government is supporting with \$500,000 committed to investigate the transport infrastructure needed to support the proposed redevelopment.

The Traffic Report states that significant mitigation measures are required to address these capacity issues. There are concerns over the ability to provide any meaningful, practical or effective intersection mitigation measures in this location without additional road widening. Widening of intersections generally has knock on effects in terms of visually reducing pedestrian amenity and permeability and the ease of pedestrian movements across main roads (regardless of any physical pedestrian facilities provided such as pedestrian signals). Any road widening should be accounted for and identified through the planning proposal process to safeguard the land from incompatible uses and ensure appropriate building setbacks. However, it is understood that TfNSW do not have any workable plans to upgrade the King Street intersections. Further, some of the mitigation measures put forward are indirect and hard to measure, such as VMS signage, non-mandatory 'incentives' (choices) for staff and residents to use public transport etc. The applicant also suggests reducing residential parking on site. Any reduction in car parking has potential to displace parking into local roads.

Development or Dwelling Cap

A development or dwelling cap aligned with a mid-stage point would not be an appropriate response to the traffic and movement concerns associated with this proposal and would only defer the issue to a later date. The question remains whether the scale of the proposed development is suitable in the context of Warrawong noting the road network constraints, public transport service levels, and other strategic projects led by Council and NSW Government in and around Warrawong.

Based on the information provided, the key intersections would fail by completion of stage two of the reference design. This would not be considered an appropriate hold point. The urban design report suggests that 850 apartments and 42,000m² of retail GLA could be achieved under the existing LEP provisions. Additional concessions could also be sought through the Housing SEPP to enable additional development in conjunction with the delivery of affordable housing. The traffic report indicates that at the completion of stage 2 of the reference design approximately 577 apartments (stage 1 (467) plus stage 2 (110)) would be delivered and approximately 48,489m² of retail GLA would be operational (Stage 1 (13,706) plus stage 2

(24,050) plus remaining existing in stage 3 and 4 (10,564)). It could then be suggested that the level of development already enabled by the existing LEP provisions has the potential to place significant pressure on the existing network, without the additional dwellings enabled through this proposal. These implications would normally be assessed through the DA process under the existing controls. Progressing with a Planning Proposal to increase density well beyond the existing extent, knowing that it would not meet DA assessment requirements, is not supported.

If DPHI seeks to progress this SAPP, and pursue a development cap or similar, a number of matters should be considered to ensure improved outcomes, a coordinated development outcome, minimise impacts on current and future residents and ensure infrastructure delivery is secured through the right pathways. As already discussed, a State Assessed Planning Proposal to increase density well beyond the capacity of the existing transport network must be accompanied by a commitment to provide investment in public transport which will deliver the desired movement and place outcomes for the street network. Any mechanism to stage development should be drafted so it applies irrespective of the consent authority or approval pathway. Further, a concept DA should be required to ensure the staging, sequencing and design of any redevelopment, including transport upgrades, is well thought through and resolved, prior to approval of any development works. Overall, a development or dwelling cap is not supported by Council as it does not resolve the fundamental impacts of the proposals.

Information previously requested but not provided

- Cross sections at regular and key locations along the through-site link alignment.
- Through-site link long section.

Detailed Strategic Issues with reference design

- Parking and access arrangement appears to send all parking traffic from Buildings C-1, C-2, D, E, F and G via the through-site vehicle access to Cowper Street which is close to the King Street intersection. This arrangement will add significant traffic volumes to Cowper Street negatively impacting pedestrian amenity and safety as well as creating demand for right turn movements into this access point which are likely to cause queuing over King Street.
- Crime Prevention Through Environmental Design (CPTED) needs to strongly inform overall design of the scheme. Example issues of concern in this regard are the lack of clarity between public and private spaces and the lack of activation along major portion of through site link.
- Multiple vehicular access points along Cowper Street do not support a main street environment and will negatively impact pedestrian safety and amenity. Service vehicle and large back-to-back vehicular access on Cowper Street is of particular concern.
- There is a mismatch between urban design guideline and plan with Cowper St access shown as two way on plan but marked as one way in guideline.
- Funnelling pedestrians to the midblock King Street location will create pedestrian crossing demand across King Street at that location. Key movements should be directed closer to the Cowper-King and Northcliffe-King intersections.
- Service vehicles (including semi-trailers for Aldi, Coles and Woolworths) exiting the site at Cowper Street will result in safety and amenity impacts in the main street and the surrounding residential area. Northcliffe Drive is the preferred location for service vehicle movements to and from the site.
- There is a lack of convenient walking cycling access between the development and the Northcliffe Drive/King Street intersection. This will reduce the attractiveness of walking/cycling to the site and limit access for residents to Lake Illawarra.

In summary, the transport measures needed to address the additional traffic demands from the proposed development of the site would need significant further work, and are likely to be detrimental to the general safety and amenity of users within the area. It would not be appropriate to progress a planning proposal to enable increase development, even with a development cap or hold point. The existing development capacity within the site is significant, and additional concessions are available via the Housing SEPP to enable further development capacity. Any road widening or other capacity augmentation measures will create a more car dominated environment, particularly in the absence of improved public transport services, reducing pedestrian amenity and safety by, for example, increasing traffic noise, traffic volumes and crossing

distances at intersections. It is currently unclear what type of necessary road capacity improvement/s would be possible given existing constraints. A holistic analysis of the road network and public transport servicing needs to occur at a strategic level, taking into account the BlueScope Port Kembla Masterplan, the Kully Bay Masterplan and other influencing growth factors.

4 Urban Design

Council staff previously provided detailed comments on urban design matters relating to the design guide and the reference design. The majority of these comments still stand, with the primary difference between designs being -

- Removal of two residential towers in the south east portion of the site due to flooding constraints and the redistribution of this density to the remaining towers.
- The speciality/creative office space and the university space in the north east portion of the site has been removed and replaced with residential uses.
- Reconfiguration of the ramp and vehicle access points off Cowper Street to allow for a more improved interface.

If the proposal proceeds, the guidelines should be strengthened and developed further to ensure a positive built form outcome on the site, without reliance on the supplied reference design and in response to a range of matters not currently well resolved within the reference design.

Site Analysis

Limited analysis of views has been provided with no justification for viewpoints chosen, and significant view corridors missing. Analysis does not appreciate that the scale of the development which will be visible from a significant distance away.

Urban Form role of site has been not understood. The proposal, if built, would be anomalous in the landscape and is unlikely to be contextualised by significant increased of heights in the surrounding area.

The role of the site in the wider street network and the role of pedestrian desire lines has not been well understood. Street frontages are sacrificed for internal activation, and much of the site's retail activity still presents to an internal mall environment. There is a missed opportunity to organise the site around a rational new street. The proposal ignores the adjoining lots to the east, missing an opportunity to consider planning control change at a precinct level and partner with Homes NSW to increase public benefit.

Community Open Space / "Green Heart"

The location and orientation of the 'Green Heart' is questioned. As currently proposed, the space is internalised within the site and there are CPTED concerns around visibility, passive surveillance, and street activation. The ownership and management arrangements for the proposed open space will need to be determined.

There are inconsistencies with the placement of the outdoor open space compared to that shown on the WCC Warrawong Town Centre Masterplan. The masterplan identifies a community outdoor space in the form of a new Town Plaza along Cowper Street which would assist in the renewal and revitalisation of Cowper Street providing seating, shade tree planting, increased active street frontages and a focal point to draw pedestrians into the site from the north.

Relocating the green heart to the north of the site along Cowper Street would significantly improve solar access. In its current form, the level of overshadowing is a concern and would likely result in an underutilised shady outdoor space which would be uninviting for pedestrians.

Street Activation

The Warrawong Town Centre Masterplan identifies Cowper Street as the Main Street with a focus on improving public amenity by creating a unique village character that is pedestrian focused. The proposal is inconsistent with this objective as this frontage is heavily dominated by vehicular access, servicing and a back-of-house presentation to the street from the major Coles tenancy. The current sections provided in the

Urban Design report do not demonstrate physical and visual connections between the street and the buildings. For example, a blank wall is presented to the street at the eastern end of Cowper Street.

Generally, above ground parking should be avoided and is not generally encouraged unless it is completely sleeved by active uses (eg. retail, commercial, or residential tenancies). Sections provided (pages 68-69 of UDR) for King Street show the carparking extends above ground level, which inhibit direct physical connection with the buildings.

The proposed ground floor activation is internalised within the site and does not respond to the retail fabric within the existing streets. Activation along the main street frontages should be maximised where possible.

Residential at Ground

Proposed residential on ground floor at the corner of King Street and Northcliffe Drive is problematic. These are extremely busy and noisy roads / intersections both during the day and at night. Residential uses along the ground floor in these areas would not provide a sufficient level of amenity to any future residents including acoustics, safety and security. Setbacks for residential at ground are not sufficiently addressed in the reference design or design guidelines. Noise impacts have not been considered, and will need to consider NSW Department of Planning (2008) *Development Near Rail Corridors and Busy Roads – Interim Guideline*. Impacts on the residential components from noise associated with the commercial/retail/hospitality/loading components have not been well considered. Control 2.2.5 (10) should include other pollution impacts (such as odour) in addition to noise and visual considerations.

Residential uses along Northcliffe Drive may be suitable for a portion of the street frontage however is not supported to the ground floor of the “Gateway Building” at the corner. A pedestrian link that runs north south through the site would be an effective way of separating ground floor residential uses from ground floor retail uses. This should run along the eastern side of the “Gateway Building”.

Required flood levels are setting ground floor levels for the southern residential towers well above natural ground. The height difference of the ground floor from street level may be suitable to support the use of ground floor units with building entries and some form of POS and private entries facing the street. This is consistent with Objective 4L-2 of the ADG which encourages the elevation of private gardens and terraces to sit 1-1.5m above the street level. Acoustics and visual privacy would still need to be addressed. These matters should be set out in the Design Guidelines.

Site Entry and Access Points

The location, size, and nature of pedestrian access points into the site does not promote a pedestrian focused environment. The WCC Warrawong Town Centre Masterplan aims to provide permeable and safe pedestrian connections to Cowper Street increasing its convenience and attraction as the main street. The proposal does not align with this objective as it has multiple vehicular entry and/or exit points along the Cowper Street frontage. This is not supported.

The proposed through site link is not supported in its current form. It is convoluted and vehicular dominated and does not provide safe permeability through the site. The volume of traffic that is likely to utilise this link will not create a safe or pleasant movement corridor for people walking. It appears that pedestrian desire lines and view lines have not been considered when establishing the through site link. If a community outdoor space is located along Cowper Street (as indicated in the masterplan) this could then provide an entry point for a pedestrian focused through site link that runs directly north-south through the site separating the “Gateway Building” from the residential towers to the south-east. It would then allow the possibility of providing a good portion of the retail core along the west portion of the site.

The location of the external pedestrian entry off King Street is problematic considering it is positioned halfway between 2 main road intersections and pedestrian crossings. This is likely to encourage pedestrians to attempt to cross the road at this location from the western side of King Street as a “quickest route” option. This is already an existing issue and should not be made worse. Layout of the retail core should consider pedestrian desire lines internally and connection external to the site.

If the building on the corner of King Street and Northcliffe Drive is to be considered as a “Gateway Building” a prominent pedestrian entry at the corner of King Street and Northcliffe Drive should be considered. This

would relate to the major pedestrian crossing linking the proposed site with Kully Bay (to the south-west), the sporting fields (to the south) and the future development site and community outdoor space along the western side of King Street. The ground floor entry to the gateway building should be configured and shaped in such a way to provide some sort of associated forecourt or outdoor space at the corner to extend the public domain further into the site, allowing a more generous and pedestrian focused buffer at the corner.

Built Form (Bulk and Scale)

The design guide should include guidance on street wall heights and upper storey setback. A 2-storey street wall height should be provided along the Cowper Street and King Street frontages to provide a strong relationship to the existing and future surrounding context and neighbourhood character. This would allow for a finer grain expression to be implemented along the street frontages which is consistent with the aim and objective of the WCC Warrawong Town Centre Masterplan. It is expected that, due to the different street conditions and urban character of Cowper, King and Northcliffe, there will be differences in the above street wall setbacks applied.

The building along the corner of King Street and Northcliffe Drive has been identified as a "Gateway Building" providing a visual node/marker in an attempt to identify the site and "make a welcoming statement for the Town Centre". Whilst this is acceptable in principle, providing a gateway building as a predominately residential tower with residential at ground floor is not supported. If this building is to act as a genuine "Gateway Building", retail and commercial tenancies are to be provided at the lower levels (ground floor level as a minimum). Consideration should also be given to providing a strong generous pedestrian entry at the corner by providing a recess in the built form to draw pedestrians into the ground floor retail spaces. (Refer also to comments under "Site Entry and Access Points")

The justification for the proposed building heights has not been affectively demonstrated. The view impacts from surrounding areas remains a major concern, and whilst a view impact study has been provided from 3 selected areas, view impacts from other locations will also need to be assessed. The view impact studies provided demonstrate significant view loss which is not supported. Overshadowing impacts from the proposed building heights, especially to the adjacent public open spaces to the west, and south, are significant. Overshadowing particularly to Darcy Wentworth Park has to the potential to make the playing surface difficult to maintain.

Guidance should be provided on materiality of retail rooftop in the centre of site. Consideration of glare, heat, visual appeal for neighbouring residential development/public spaces.

Landscaping

The landscape buffer provided along Northcliffe Drive has been described as a "Parkland Promenade" with "generous shady pathways, buffered from the road edge". The intention is to provide a link and vistas to the southern park and sporting field area. This is supported in principle however it is unclear how this relates to the ground floor residential portion of the southern towers and their associated residential gardens, noting the flooding/floor level requirements that will be in place in this location. This relationship is critical in understanding how the landscape along this street frontage will perform and how it will provide a positive contribution whilst improving residential amenity and acoustics to the ground floor residential units. Further, the area previously identified for two residential towers that has been deemed unsuitable for residential development is shown as having active and passive open spaces within the Urban Design Report. Other documentation earmarks the area for future development. The long-term intent and design response to this portion of land needs to be resolved (e.g. will there be buildings, open space and/or set aside for flood/stormwater mitigation) and direction provided in the design guidelines. This will assist in managing expectations for open space within any future redevelopment of the site.

Programs and Facilities

The proposed residential components along Cowper Street at levels 1 and 2 are tokenistic and appear to be undersized. There appears to be a conflict of uses in this area and the possibility that residential entries would be difficult to identify along Cowper Street amongst the various services, driveways, carparking, retail, and food and beverage components.

The ownership and access availability to the various podium and rooftop recreation areas is unclear. Guidance should be included on the layout and format of public podium to mitigate any noise or overlooking impacts with neighbouring residential dwellings. Passive surveillance and activation (as appropriate) will be

important to mitigate any CPTED issues. Similarly, the location of the childcare facility should demonstrate that outdoor space, acoustic impacts, outlook and access to natural light.

It is unclear how the division of various carparking areas (eg. retail, residential, visitor etc.) will be distributed throughout the basements and how access, security and wayfinding will be managed. Clarification is required.

5 Affordable Housing and Housing Diversity

The Affordable Housing Statement states community engagement will occur to gain understanding of the complexity of the community this engagement should have been used to determine community needs before the concept design was developed. This statement fails to address the existing community needs regarding housing, services and demonstrate how any existing issues have been considered in the design. The following examples are provided from information contained within the proposal's documentation -

- The failure of the green heart or primary open space to provide links to the proposed new Southern Suburbs Community Centre and Library (SSCCL). Community consultation was done very early in this process and the design evolved.
- Little detail on housing target demographics.
- Limited market detail (estimated rental prices, estimated sale prices).
- Little detail on impacts on housing affordability as a result of the entire proposal.
- Unclear how placemaking principles could be achieved without community input.

The SAPP proposes a 10% affordable housing mandate which equates to approximately 130 dwellings. As the requirement for the State Assessed PP is required to address public benefit through social and affordable housing supply this number seems quite low considering the yield. Approximately 1170 apartments will be available for private sale and profit, Council is unsure the public benefit component has been achieved. An increased supply of affordable housing to 20% would be considered to better align with public/ private benefit. Further, the timing and distribution of the affordable housing component is unknown. Delaying the delivery of the required affordable housing to the later stages of development is not supported as later stages may not progress and it does not address the current housing need.

As noted early, additional height and floor space ratio concessions could be sought through the Housing SEPP. There would need to be clear information on where affordable housing is provided in each stage/residential tower. This is to avoid double dipping on providing promised Affordable Housing per the SAPP and Affordable Housing being provided as a concession and more private dwellings developed.

Council's preference is for the affordable housing to be provided in perpetuity, rather than for the minimum 15 years.

6 Social Infrastructure

The Community Infrastructure Statement (CIS) is high level in content and notes the planned Social Infrastructure in Warrawong – the new Southern Suburbs Community Centre and Library (SSCCL). This facility will be sub-district in hierarchy with the size and scale designed to accommodate forecast population growth in Planning Area 8. Growth was forecasted to be quite flat, however the Warrawong Proposal will likely increase forecast population for Area 8. Notwithstanding the new library and community centre, along with other existing community facilities in Area 8, have the capacity to accommodate potential community facility needs from the new population generated from the Plaza proposal.

It's noted on pp 10 of the CIS that -

Notwithstanding the above, future Development Applications for development of the subject site may consider opportunities to provide a range of communal indoor facilities (meeting rooms, bookable spaces, music rooms etc) to meet communal space requirements of the future population in accordance with the applicable planning framework.

Any additional communal indoor facilities proposed, although located within a privately owned development, would be welcomed and is strongly encouraged to accommodate potential community facility needs from Plaza residents.

The CIS lacks a thorough social and community analysis. There is therefore inadequate discussion of how increased population will impact existing social and community infrastructure.

Economic impacts are not listed, consideration of adjoining suburb Port Kembla which will likely be impacted. Impact on house prices as a result of centre regentrification not detailed. The proposal fails to demonstrate it has considered the safer economics scores for disadvantaged communities in the suburb of Warrawong.

There is limited information submitted regarding open space and recreational facilities that is accessible from the site. While the open space, located to the south of the site (Wentworth Darcy Park) is noted, the pedestrian access is not conducive to an increase in users across Northcliff Drive. This site is utilised by sports groups as sports fields year-round, and as a result there will be times where access is limited for general use and therefore not be available to meet community needs, noting that open space in the Warrawong town centre is already limited.

Accessible dwellings and circulation within the proposal have not been discussed in detail therefore it is unclear if this has been considered.

Accessible transport – the reports note that existing routes service the area but there is no indication of frequency. No evidence of trip times or frequency of bus schedules. The Port Kembla train station is not considered readily accessible to the Warrawong town centre.

Existing pedestrian connections across main and busy roads including the lake area and sports fields are not considered safe for additional users.

7 Environmental Sustainability

The Design Guidelines merely aim to align with sustainability requirements rather than being a leader or exceeding and demonstrating design excellence in this area. This section (2.27 sustainability) should reflect the intent put forward elsewhere in the proposal to demonstrate sustainability outcomes beyond that which is required. Suggest including: Future development of the site should generally demonstrate that development achieves leading levels of sustainability, such as community batteries. This is particularly important in terms of reducing costs for future residents in view of affordable housing. 2.2.7 (1) should refer to the Site-Specific Development Control Plan or Concept Proposal DA rather than the first DA.

Development needs to comply with SEPP (Sustainable Buildings) 2022. Demonstration of how the site will satisfy net zero operational emissions by 2035. Further, a site of this scale should seek precinct wide sustainability certification such as Climate Active or Green Star.

The Planning Proposal states that the ESD report outlines principles and evidence-led controls to facilitate consistency with the SEPP Sustainable Buildings (NSW State Net Zero Plan). The ESD report provides high level principles and initiatives, but fails to demonstrate how these will be met.

Future detailed design requirements -

- Water harvesting and reuse is to be considered for irrigation of landscaping as a minimum. The water tank should be positioned in a discrete location (preferably in the basement).
- Prefinished materials are encouraged to ensure longevity and ease of maintenance. Consider low embodied energy in final selection of materials.

8 Economic impact

There is a need to revitalise the Warrawong Town Centre

It is acknowledged that the Warrawong Town Centre is looking tired and likely struggling along with a number of our town centres, particularly with the recent impact of cost-of-living pressures.

In principle, we agree that an increase in population of the size proposed would have a significant positive impact on demand for goods and services across the Warrawong Town Centre. Whilst Council's Economic Development Strategy 2019-29 does not include specific action items related to Warrawong, the Strategy does acknowledge the role of town centres in supporting Council's LGA wide Jobs Target of 10,500 net new jobs by 2028 through the following Action Item -

5.3 "Implement policies (via town and village plans) that support appropriate jobs generation in other (non-city centre) employment areas across the LGA".

Gaps in the Economic Impact Assessment

The major gap in both the Think Economics Economic Impact Assessment (EIA) and SGS's Peer Review is the lack of an inclusion of a Retail Impact Assessment.

Our view is that any proposal of this scale would have a significant positive impact but the economic modelling provided doesn't appear to quantify what the resulting impact on retail trade demand and corresponding retail floor space demand might be across the Warrawong Town Centre and broader catchment, associated with the potential addition of 2,600+ residents directly in the Town Centre.

In contrast, the EIA focuses only on the temporary economic impact of construction and the ongoing impacts from any additional employment that may result by adding ~12,000sqm net additional commercial floorspace on-site (this excludes existing retail use). The latter assumes the floorspace will be fully leased without any supporting analysis to demonstrate the actual level of demand for the variety of land uses proposed.

The EIA states that 350 FTE on-site direct jobs would be supported on an ongoing basis, rising to a total of 540 FTE jobs per annum, after including 'indirect' (flow on supply chain induced impacts) economic impacts that may occur nationwide (more on this below). It is noted that, perhaps by pure coincidence, the ongoing jobs result happens to be exactly the same as the number of jobs supported throughout the construction phase.

Further, the modelling results have remained unchanged post the removal of office/university space that was proposed in earlier versions of the Proposal and there is no inclusion of a detailed breakdown by land use in the updated EIA.

We noted that in December 2023, SGS requested and received additional information from Think Economics which included the breakdown of the 350 FTE by land use and floorspace (note at the time this included the proposed office/university space). While SGS stated they agreed overall with the implied employment densities, they noted that the assumed on-site direct jobs were only a 'rough estimate' and the actual number would be subject to market leasing conditions at the time.

Overall, SGS modelling found that the assumed direct jobs would translate to a total of 489 FTE jobs per annum on an ongoing basis, after including indirect effects, which is around 50 FTE jobs lower than the Think Economics result (it is assumed that SGS's modelling also applied nationwide as to be on the same basis).

Overall, it is important to point out that the SGS Peer Review found the commercial/retail aspects of the Proposal acceptable (noting it was based on the land uses proposed at the time) and agreed that any additional demand from new residents would generate expenditure for on-site retail businesses and businesses across the remainder of the Warrawong Town Centre. In regard to employment resulting from the additional commercial floorspace, SGS stated that while this would be dependent on market demand, the planning system should be encouraging commercial floorspace where reasonable.

In broad terms, given the addition of any new residents to the Town Centre, it would not be unreasonable to expect increased demand for retail trade (assuming the overall quantum of retail trade remains relatively unchanged) as well as for a range of additional commercial uses, particularly uses like health, gyms, childcare and other population serving professional services (eg local accounting firms), would likely be supported.

Finally, it is noted the non-residential land uses proposed in the updated version of the Proposal align with Warrawong's role as a Major Regional Centre under Council's Retail and Business Centre's Strategy 2023. Further, Council's Strategy included retail floorspace modelling that forecast unmet retail demand in Warrawong by 2041, which is of course prior to any additional demand that may result, should this Proposal proceed.

Previously proposed office/university/innovation space

Although the previously proposed large format office/university has now been removed from the Proposal, our preference would have been that these activities be located within the Wollongong CBD.

We do note that should the proposal contain additional shared office space or co-working space (particularly to support innovation such as an incubator facility) are activities that align with objectives in Council's Economic Development Strategy 2019-29. We also acknowledge the Wollongong LGA currently lacks shared office space and additional supply would enhance the city's ability to attract and retain and support small and start-up businesses.

There is an urgent need for more housing across Wollongong LGA, for both existing residents and key workers

The need for housing in Wollongong LGA has been identified by Council within its 2023 Housing Strategy as well as by the NSW Government with the recently announced housing target of 9,200 newly completed homes by 2029.

Although it is acknowledged that any additional housing as a result of the Proposal would likely be staged in its delivery over a number of years, all else equal, if the Proposal were to proceed, this would result in a substantial uplift in the theoretical housing capacity that may be delivered in Warrawong in the future.

It is noted that in relation to the demand for housing, the EIA includes the following summary of the 'economic need' (pg 20) -

- Wollongong City LGA is expected to grow by 28,000 new homes between 2021 and 2041, requiring an average of 1,400 new homes delivered each year. Building approvals data demonstrates that the current rate of development is well below this average and requires an increase in development proposals and activity if this target is to be achieved.
- Based on market trends over the past ten years, apartment delivery and demand has been significantly higher than houses, demonstrating a shift in housing product demand. Based on these trends, 16,160 of the 28,000 required new homes are likely to be apartments or townhouses. However, this is conservative as key demand drivers, such as an aging population, increase in single and couple households, and reducing housing affordability, are all increasing and driving demand for more small homes.
- The planned 1,300 apartments represent approximately 4.6% of total required new dwellings to 2041 and 8% of the conservative estimate of demand for new apartment product to 2041. The proposal anticipates that this supply will be delivered in stages to align with market demand conditions during this period, further ensuring that the delivery of housing onsite aligns with market conditions and economic needs.

Since the EIA was written the NSW Government has set a housing target for Wollongong for 9,200 dwellings over five years, which equates to 1,840 dwellings annually.

In addition to the urgent need for housing for existing residents, it should be acknowledged that the current shortage is a potential threat to the fulfilment of major employment generating projects across Wollongong LGA. The risk being that unless we can support additional housing the ability to grow Wollongong's workforce could face major constraints.

Of note, the Warrawong Plaza redevelopment is on the doorstep of the proposed BlueScope Master Plan of 200 hectares of surplus land at Port Kembla. The timing of this Proposal aligns with the timeframes in the Master Plan which aspires to create up to 30,000 new jobs to Wollongong over the coming decades subject in part to workforce availability which will require a significant amount of additional housing. In the nearer term (3-5 years), the relining of the No 6 Blast Furnace at BlueScope and the Plate Mill Upgrade as well as a range of other Clean Technology opportunities through the development of the Port Kembla Hydrogen hub, are only likely to add to additional housing pressures.

The proposal seeks to deliver a concentration of housing on one site in the form of residential apartments. SGS notes that "from an economics perspective, there are concerns around how the volume of apartment stock can be absorbed by the market given the area's housing market profile" (Warrawong Mall Economic Peer Review, SGS p. 18). Other housing typologies such as low- to mid-rise forms (manor homes, terrace or row houses, dual occupancies, low rise apartments) may be a more appropriate way to deliver additional dwellings across Warrawong, and avoid an incongruous built form outcome, where height, bulk and scale is not sensitively distributed. Whilst providing additional dwelling stock is important in the context of the current housing crisis, it is also critical that the homes delivered meet the needs of the population and are appropriate in typology, size, and tenure as well as considering impact of such a development on existing market conditions and willingness-to-pay.

There is an economic need to deliver additional housing in Warrawong broadly to foster revitalisation of the centre, deliver housing for existing residents and to support emerging employment generating projects surrounding the Port.

9 Flooding

The site is within the Kully Bay catchment which is part of the broader Lake Illawarra catchment. The applicant provided additional flooding analysis in response to the peer review commission by DPHI. As part of the review, two residential towers in the south east corner of the site have been removed due to flooding constraints. The design guidelines identify this land as a 'potential future development site' and note in the controls that no residential accommodation is to occur on that part of the site. The applicant has provided some indicative cut and fill information seemingly indicating that the proposal will not result in a loss of flood storage for the development site which resolves some of the previous concerns regarding cumulative impacts.

It is recommended that should the DPHI proceed with the proposal that any conditions of that approval must ensure that the proposal does not result in any loss of flood storage for all flood events up to and including the PMF flood event. The applicant is deferring updating the flood impact mapping to future DAs. This is not appropriate as the site may be subject to numerous DA's which may have varying impacts when considered in isolation. It is considered that flood impact mapping must be provided for the 20% AEP, 1% AEP, and PMF flood events to enable a holistic assessment of the flood impacts as part of this proposal. With regard to Ministerial Direction, consistency and compliance remains a concern. In particular -

- The proposal is creating offsite impacts that are greater than that allowable in Wollongong DCP Chapter E13 (see Section 5.21.2(b) of Table 5 of the applicant's submission).
- The proposal hasn't modelled flood impacts in a future climate change scenario.
- The proposal will create residential outcomes in flood prone land that will rely on sheltering in place. It is unclear whether or not this is an appropriate outcome given the length of time lake flooding will result in people being isolated. While the Kully Bay catchment is most likely a short isolation, the impacts of the Lake will be much greater.

10 Contamination – Preliminary Site Investigation

The current information is adequate. The site is generally considered low-risk for contamination apart from a couple of key areas (previous service station, etc). Due to the nature of the site being covered in hardstand, the Detailed Site Investigation (DSI) will need to occur on a staged basis as part of each DA following demolition. It is also noted that most of the site will be excavated for basement parking and soils removed.

11 Constructability and Delivery

The report and plans provided indicate that the site will be redeveloped in stages, resulting in it being a construction site for many years, whilst the major tenants continue to operate.

It is unclear how this will be achieved, particularly given the different levels of basement car parking that will be required. The existing basement has a low height limit, which will presumably be needed to be increased by either raising the roof level or lowering the car park, whilst keeping it operational. There are also significant concerns regarding the capacity of the road network. As discussed earlier in the submission, a dwelling or development cap as a hold point is not considered an appropriate path forward and may result in a poor outcome for existing and future residents. Council does not support the proposed intensification due to critical traffic issues and lack of public transport opportunities.

It is also unclear at what stage the affordable housing will be delivered. It should not be left until a later stage, which might not be progressed. To contribute to housing and affordable housing supply target, clear milestones of development should be specified. This could be a set number of dwellings per year, or clear timeframes for development stages. To ensure achievement there should be a sunset provision, so if the housing is not achieved, the bonus controls lapse.

ATTACHMENT B: Documents reviewed to form Submission

Document	Author – Date/Revision	PP app ref
Explanation of Intended Effects	Department of Planning, Housing and Infrastructure – April 2024	-
<i>Peer Reviews commissioned by DPHI</i>		
Economic Peer Review	SGS - 6 March 2024	-
Traffic Peer Review	ARC - 6 March 2024	-
Flooding Peer Review	Rhelm - 23 February 2024	-
<i>Planning Proposal documents submitted by applicant</i>		
Planning Proposal	Ethos Urban – v. 3.0 March 2024	-
Proposed LEP Maps	CHROFI - Revision G March 2024	A
Urban Design Report	CHROFI and Turf Design Studio - Issue C March 2024	B
Subject Site/Reference design	CHROFI - Revision G March 2024	C
Affordable Housing Statement	Global Impact Initiative - no date/version	D
Design Guidelines	Ethos Urban – v. 2 March 2024	E
ESD Report	The Footprint Group - 14 September 2023	F
Flooding Part 1 - Flood Assessment Report	Water Technology - 28 March 2024	G1
Memorandum – Flood Assessment Report, Peer review response	Water Technology – 26 March 2024	G2
Preliminary Site Investigation	EI Australia - 13 September 2023	H
Preliminary Geotechnical Desktop Study	ARUP - 14 September 2023	I
Economic Assessment	Think Economics - March 2024	J
Infrastructure and Site Servicing	ARUP - 14 September 2023	K
Community Infrastructure Statement	Ethos Urban - 28 March 2024	L
Transport Assessment	ARUP - 28 March 2024	M
Flooding Part 2 - Reference Design Flood Impact Assessment Report	Water Technology – v. 4, 26 March 2024	N1
Memorandum – Flood Impact Assessment Report	Water Technology - 15 March 2024	N2

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 6 August 2024 9:54 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Warrawong State-Assessed Planning Proposal - Notice of Public Exhibition

[REDACTED]

The Department of Education (DoE) has reviewed the exhibition package for the Cowper Street Warrawong proposal (and have prepared the following advice. DoE understand that the proposal aims develop a master planned mixed-use development on the site which will result in approximately 1,300 additional dwellings.

School Planning and Service Need:

Ethos Urban had previously approached the DoE regarding the service need impacts of this proposal (December 2023) for the purpose of providing preliminary commentary to inform the initial scoping phase of the proposal. At this time, DoE concluded that the number of students projected to be generated by the proposal could be accommodated in the existing Kemblawarra Public School, Warrawong High School and adjoining schools. On review of the formal proposal package, DoE can confirm this previous advice, subject to the following comments.

Please note, the school service demand may potentially increase, if development exceeds the proposed total yield identified for the proposal. Recent policy changes such as the Affordable Housing Bonus, Build to Rent Program and the Transport Orientated Development Program have potential to impact a range of site specific and strategic matters for NSW government

schools. This combined with incremental creep from planning proposals and development applications seeking population projections above current growth assumptions is aiding in educational establishments being at or above capacity upon build completion. The need to then source new land for additional educational establishments is problematic and costly when this situation arises

Transport and Access:

DoE request that transport planning for the proposal be guided by the NSW Government Movement and Place Framework (MAPF) and its Built Environment Performance indicators. These indicators are based on qualities that contribute to a well-designed built environment and should be used by proponents in the formulation of transport concepts.

The MAPF's core 'Amenity and Use' and 'Primary Schools' indicators are of particular importance to SINSW, as these encourage urban designers to consider the impact on adjacent places/users, as well as emphasizing movement that supports place. The 'Primary Schools' indicator provides two specific metrics to judge the effect of infrastructure on the accessibility of public schools in an area, these being walkability and public transport access. These metrics require designers to assess whether proposed infrastructure facilitates access to primary school facilities (or public transport connections to schools) or whether itacerbates gaps in the network.

<https://www.movementandplace.nsw.gov.au/place-and-network/built-environmentindicators/primary-school>

Further, DoE request that in undertaking transport planning for the proposal, the proponent utilise a road network design that allows for efficient and reliable public transport service delivery that can be integrated into the broader transport network for the surrounding area. This should emphasise bus-capable roads that facilitate access to local schools.

Social Infrastructure Assessment

DoE have reviewed the school-related commentary within the Community Infrastructure Statement (prepared by Ethos Urban) and note that the conclusions in section 4.1.2 reflect the above advice. Notwithstanding this, it is requested that the following be removed/amended:

- Paragraph 3 – remove
- Dot point 1 – Insert “at the time of the discussion”
- Dot point 3 – Remove “*either through utilisation of existing capacity, delivery of new infrastructure and/or adjustment of catchments as required*”
- Dot point 4 – remove as this advice has now been provided

For reference, the Five Islands Secondary College also supports the study area. This school provides a senior college style education for Year 10, 11 and 12 students, so does contribute to meeting enrolment demand.

Notation in reporting:

SINSW have recently undergone a restructure and should now be referred to as the “NSW Department of Education, School Infrastructure” in any relevant reports.

We are happy to provide more detailed feedback if required and/or respond to any specific community feedback received during exhibition on school impacts.

As always, any changes to the proposal would necessitate a referral back to DoE and a review of the above advice.

Kind Regards,

[Redacted signature block]

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Education

I acknowledge the homelands of all Aboriginal people and pay my respect to Country.

[Redacted footer block]