

Submissions Report

SSD-74439970

5-9 Gordon Avenue, Chatswood

PREPARED FOR

LFD Chatswood Unit Trust

July 2025

MECONE.COM.AU




Project Director

Gemma Bassett – Associate Director

Contributors

Katherine McIntosh – Associate

Daniella Johnson – Student Planner

REVISION	REVISION DATE	STATUS	AUTHORISED: NAME & SIGNATURE	
1	16/05/25	Draft work in progress for client review	GBASSETT	
2	10/6/25	Draft for client review	GBASSETT	
3	21/07/25	Final	GBASSETT	

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

Contact

MECONE

Suite 1204b, Level 12, 179 Elizabeth Street
Sydney, New South Wales 2000

info@mecone.com.au
mecone.com.au

© Mecone

All Rights Reserved. No part of this document may be reproduced, transmitted, stored in a retrieval system, or translated into any language in any form by any means without the written permission of Mecone. All Rights Reserved. All methods, processes, commercial proposals and other contents described in this document are the confidential intellectual property of Mecone and may not be used or disclosed to any party without the written permission of Mecone.



Table of Contents

Executive Summary	5
Overview of Submissions	5
Actions Taken Since Exhibition	6
Response to Submissions	7
Public and Social Benefit.....	7
Updated Project Justification	7
1 Introduction.....	8
1.1 Exhibited Project Description	8
2 Analysis of Submissions	9
2.1 Breakdown of Submissions.....	9
2.2 Key Themes & Categorisation	10
3 Actions Taken Since Exhibition	13
3.1 Further Engagement.....	13
3.1.1 Department of Planning, Housing and Infrastructure	13
3.2 Refinements to the Project.....	13
4 Response to Submissions	14
4.1 Department of Planning, Housing and Infrastructure.....	14
4.2 Willoughby City Council	24
4.3 Public Agencies	46
4.4 Public Submissions.....	52
5 Updated Project Justification	58
5.1 Suitability of the site.....	58
5.2 Public interest.....	58

Schedule of Tables

Table 1: Mixed Use Development with In-Fill Affordable Housing at 5-9 Gordon Avenue, Chatswood SSDA Submissions	9
Table 2: Categorisation of Key Issues	10
Table 3: DPHI Submission & Responses	14
Table 4: Willoughby City Council Submission & Responses.....	24
Table 5: Public Agency Submission & Responses.....	46
Table 6: General Public Submissions & Responses	52
Table 7: Submissions Register.....	62



Appendices

APPENDIX	REPORT	PREPARED BY
E	Updated Architectural Plans	FJC
I	Updated Clause 4.6 Request	Mecone
K	Updated Public Domain Plan	S&G
L	Updated Landscape Plan	Sturt Noble
R	Amended Stormwater Concept Design	S&G
U	Updated Transport and Parking Assessment Report	Varga
Z	Updated Noise and Vibration Impact Assessment	Sturt Noble
AE	Updated Flood Impact Study	Resonate
AH	Waste Management Plan	Leigh Design
AP	Updated Letter from Community Housing Provider	Link Wentworth
AR	Updated Owners Consent	LFD Developments
AX	Arborist Report	Sturt Noble
AY	Traffic and Parking Letter	Varga
AZ	Submissions Register	Mecone
BA	Qualitative Wind Assessment	CPP
BB	Reflectivity Statement	TTW
BC	Detailed Survey with Sydney Metro Corridor	LTS
BD	Letter from Structural Engineer	EI Australia
BE	Waste Letter	Leigh Design
BF	Updated Mitigation Measures	Mecone
BG	Cover Letter and DIP Endorsement	Design Integrity Panel
BH	Sydney Metro Correspondence	Sydney Metro



Executive Summary

This Submissions Report has been prepared on behalf of The Trustee for LFD Chatswood Unit Trust (the **proponent**) to address matters raised by government agencies, local Council, relevant stakeholder groups and community during public exhibition of the proposed State Significant Development application (**SSDA**) (SSD-74439970) for tree removal, earthworks and construction of a mixed-use development with infill affordable housing at 5-9 Gordon Avenue, Chatswood (the **site**).

Overview of Submissions

The SSDA was publicly exhibited between 25 February 2025 until 24 March 2025

There were 8 submissions from public agencies, including Willoughby City Council and other government agencies, and 5 submissions from members of the local community and individuals (one of which was in support of the proposed development).

Government agencies:

- Department of Planning, Housing and Infrastructure (DPHI)
- Willoughby City Council (Council)
- Transport for NSW (TfNSW)
- Heritage NSW
- Sydney Trains
- Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group
- Ausgrid
- Sydney Water
- NSW State Emergency Service (SES)
- Sydney Metro

General public:

- Chatswood Croquet Club Incorporated
- Phillip Martyn
- 3 anonymous submissions

The key issues:

The key issues raised in the submissions can be broadly grouped into the following categories:

- Height and scale
- Design Excellence
- Landscaping and Public Domain
- Affordable Housing
- Residential Amenity



- Traffic and Parking
- Heritage
- Flooding and Stormwater Management
- Infrastructure
- Waste and engineering matters
- Overshadowing and privacy
- Noise and disturbance of local amenity

This Submissions Report provides a response to all submissions received.

Actions Taken Since Exhibition

DPHI issued the Key Issues Letter on 1 April 2025.

Following exhibition, upon review of all submissions received, a series of minor amendments have been made to the documentation to clarify aspects of the proposal. The amendments are inclusive of the following:

- Amendments to Environmental Impact Statement to reflect accurate appendices, confirm the number of dwellings used for traffic generation and update the scope of the proposed works to include the removal of one tree (T1).
- Amendments to Traffic and Parking Assessment Report to clarify total number of car parking spaces, motorcycle parking spaces and bicycle parking spaces and confirm truck movements.
- Amendments to Architectural Plans including an increase to deep soil area, schedule of materials and finishes, schedule of accommodation.
- Amendments to Landscape Plans to address lighting, clarify the function of the various terrace spaces on drawing No. DA-2301-04, tree removal/retention, tree pot sizes, deep soil.
- Inclusion of a Reflectivity Addendum Statement.
- Amendments to Clause 4.6 Variation Request to address Council concerns.
- Amendments to CHP letter to confirm their commitment to manage the in-fill affordable housing component for a period of 15 years and are satisfied with the location and dwelling mix proposed.
- Amendments to the Waste Management Plan to address waste clarifications.
- Amendments to the Public Domain Plan to include the reconstruction/construction of kerb and gutter on Gordon Avenue and Hammond lane respectively, reconstruction of existing road pavement and the construction of new vehicle crossing on Gordon Avenue at entrance to Hammond Lane.
- Amendments to Noise and Vibration Impact Assessment Report to clarify acceptable alternate means of ventilation whereby compliance with internal noise criteria requires the closure of some windows.
- Amendment to the Owner Consent to include the Owners Corporation's common seal.
- Amendment to Qualitative Wind Assessment to address DPHI request as it relates to wind speeds and clarify the need for mitigation measures.
- Amendments to Flood Impact Study to address incorrect reference to catchment and other minor flood related concerns.



Response to Submissions

The Proponent has made minor amendments to the proposed development in response to the submissions. Refer to detailed responses at **Tables 5 – 8** below for further details on specific project amendments.

Public and Social Benefit

The site is deemed highly suitable for the proposed development due to its alignment with planning controls, strategic objectives, and location benefits. The development complies with zoning regulations (MU1), supports the growth of Chatswood CBD, makes efficient use of underutilised land, and contributes to housing supply with minimal environmental impact. It is appropriately scaled for its context and well-connected to public transport and major roads, enhancing its accessibility and integration with the broader region.

The proposal is in the public interest as it aligns with key State and local strategic plans, particularly the Chatswood CBD Strategy, and largely complies with relevant planning controls. It contributes to housing supply targets, addresses local housing needs, and has been assessed to pose no significant environmental impacts. Additionally, it will deliver affordable housing, commercial and retail spaces, generate local jobs, and support the efficient and sustainable use of the land.

Updated Project Justification

This Report responds to each of the issues raised in the government agencies and public submissions received regarding the proposed shop-top housing development at the site.

There is no change to the evaluation of the proposal's statutory or strategic merit, as a result of the RTS.



1 Introduction

This Submissions Report has been prepared in support of State Significant Development Application (**SSDA**) SSD- 74439970, for on behalf of LFD Chatswood Unit Trust (the **proponent**) to address the matters raised by public agencies, Willoughby City Council, the community and other relevant stakeholders throughout the public exhibition period. The proposal was placed on public exhibition for 28 days between 25 February 2025 until 24 March 2025

This Submissions Report has been prepared in accordance with the DPHI's *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C)* March 2024.

1.1 Exhibited Project Description

The SSDA (SSD-74439970) seeks approval for construction of a 35-storey shop top housing development incorporating in-fill affordable housing. Specifically:

- Preparatory works including excavation and the removal of one tree.
- A two-storey non-residential podium comprising:
 - Ground floor: two retail tenancies (330.8m² GFA)
 - First level: one commercial tenancy (934.6m² GFA)
- A 33-storey residential tower comprising 91 dwellings (including 24 infill affordable housing apartments).
- Top of podium communal facilities including internal coworking area, terrace and BBQ area, outdoor gym and swimming pool.
- 6 levels of basement car parking with 121 car parking spaces including:
 - 4 commercial spaces,
 - 2 retail spaces,
 - 11 affordable housing spaces,
 - 100 residential market housing spaces, (including 14 accessible spaces),
 - 4 residential visitor spaces,
 - 13 Motorcycle spaces,
 - 23 bicycle spaces,
 - Services and waste room, and
 - End-of-trip facilities
- Installation of a new substation and infrastructure improvements as required.
- Associated landscaping and public domain works.



2 Analysis of Submissions

This section provides a summary of the submissions received including a breakdown of respondent type, nature / position and number of submissions received.

2.1 Breakdown of Submissions

The SSDA was publicly exhibited 25 February 2025 until 24 March 2025. There were 8 submissions from public agencies, including Willoughby City Council and other government agencies, and 5 submissions from members of the local community and individuals (one of which was in support of the proposed development).

All submissions were managed by DPHI, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-74439970).

A breakdown of the submissions made by group and issues raised is provided in **Table 1** below with responses provided in **Section 4** with further detail provided in the Register of Submissions, refer to **Appendix AZ**.

Table 1: Mixed Use Development with In-Fill Affordable Housing at 5-9 Gordon Avenue, Chatswood SSDA Submissions

SOURCE	POSITION	NUMBER OF SUBMISSIONS
Public Authorities		
DPHI	Comment	1
Willoughby City Council	Object	1
Heritage NSW	Comment	1
Transport for NSW (TfNSW)	Comment	1
Sydney Trains	Comment	1
Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group	Comment	1
Ausgrid	Comment	1
Sydney Water	Comment	1
State Emergency Service (SES)	Comment	1
Sydney Metro	Comment	1
SUBTOTAL		10
General Public		
Phillip Martyn	Object	1
Chatswood Croquet Club Incorporated	Object	1
Name withheld	Support	1
Name withheld	Object	2
SUBTOTAL		5
TOTAL		15



2.2 Key Themes & Categorisation

In accordance with the DPHI State Significant Development Guidelines, the issues raised in the submissions are summarised in **Table 2** below. A response to submissions is provided in **Section 4** and **5** of this report.

Table 2: Categorisation of Key Issues

CATEGORY	ISSUE	STAKEHOLDER
The Project	Height and Scale:	
	<ul style="list-style-type: none"> The infill affordable housing bonus should not override the LEP height control and the additional height is inappropriate for the location. 	Willoughby City Council
	<ul style="list-style-type: none"> Height will cause overshadowing, severe encroachment and loss of privacy given it is 12 times taller than surrounding properties. 	Public submissions
	Design excellence:	DPHI
	<ul style="list-style-type: none"> Provide responses to matters raised by the DIP such as; design of north podium wall, the ground floor entry arrangement, landscape and services location, connecting with country public art and other procedural matters. 	Willoughby City Council
	<ul style="list-style-type: none"> The Design Excellence Competition Report does not comprise of a detailed assessment against the planning controls and does not presuppose that the application warrants approval 	
	<ul style="list-style-type: none"> Respond to design excellence requested additional information and amendments, and recommended ADG standards. 	
	Landscaping and public domain:	DPHI
	<ul style="list-style-type: none"> Clarify the responsibility and ongoing management of the landscaping and green spine, tree removal and retention, and lighting. 	Willoughby City Council
	<ul style="list-style-type: none"> Provide increased tree pot sizes, drawings and show tree removal and soil volume and depth. Lack of greening to Gordon Avenue. Inconsistencies in SSDA plans regarding landscaping and public domain. Deep soil planting should be provided at the corner of Gordon Avenue and Hammond Lane. Adjust landscape plans regarding planting. Undertake public domain works such as reconstruction of kerb and gutter on Gordon Avenue and Hammond Lane, construction of vehicle crossing. Lack of sufficient green space and landscaping reduces environmental sustainability 	Public submissions
Affordable housing:	DPHI	
<ul style="list-style-type: none"> The proponent is requested to provide affordable housing to Council in perpetuity through contributions required under WLEP 2012. 	Willoughby City Council	
<ul style="list-style-type: none"> The SSDA should satisfactorily address s 7.32 (3) (a) of the Environmental Planning and Assessment Act 1979 and s 15 of the SEPP (Housing) 2021, and s 7.32 (1) and (3) (c) of the 	Public submissions	



Environmental Planning and Assessment Act 1979, in regards the affordable housing proposed.

- Provide a letter from a Community Housing provider confirming that it will manage the in-fill affordable housing component of the proposal for a period of 15 years, its support of the location and dwelling mix of the in-fill affordable housing.
- Affordable housing will alter the established residential character and affect property values.

VPA:

- This site was rezoned with an associated voluntary planning agreement put in place to ensure that the local infrastructure required to support the future. It is critical that this approval retains the agreed infrastructure contributions under the voluntary planning agreement.
- Clarify the status of the existing voluntary planning agreement and any implications for this current application

DPHI

Willoughby City Council

Residential amenity:

- Provide a reflectivity statement.
- Respond to ADG criteria regarding habitable room depths, exceedance of cross-over and cross-through, and deep soil.
- Requested to comply with 17% non-residential amenity as opposed to proposed 13.1%.
- Noise, overcrowding and other disruptions will reduce residents' quality of life.

DPHI

Willoughby City Council

Public submissions

Traffic and parking:

- Excess of parking spaces according to Housing SEPP WDCP.
- Address engineering vehicle access and parking matters.
- Proposed 121 parking spaces is insufficient.
- Adding more resident and parking will exacerbate traffic.

DPHI

Willoughby City Council

Public submissions

Economic, environmental and social impacts

Noise:

- Demonstrate how natural cross-ventilation of the relevant apartments would be maintained if the doors and windows are required to be enclosed at all times.
- Noise, overcrowding and other disruptions will reduce residents' quality of life.

DPHI

Public submissions

Waste and engineering matters:

- Ensure that the proposal has been designed to allow for the size and manoeuvrability of Council's waste vehicle (10.5m length and 4.5m clearance).
- Clarification on items such as:
 - Vehicle access
 - Bin carting routes
 - Waste management
 - Bin details

DPHI

Willoughby City Council



- Waste/recycling generation
- Construction and demolition waste
- Residential chute rooms

Flooding and Stormwater management:

- 1%AEP depths, extents and flood hazard figures need to be clearer for assessment.
- Flood increase in the adjacent property.
- Respond to concerns regarding; opening to the basement, AEP event and PMF.
- Respond to DCCEEW concerns regarding; inadequate flood impact risk assessment, inconsideration of climate change, not providing flood emergency response plan, outdated flood manual used.
- Council requires that the outlet from the OSD tank is above the downstream 1%AEP flood level... the base of the tank should be at RL 98.15m.

Willoughby City Council

SES

DCCEEW

Infrastructure:

- Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.
- The additional population from the proposal will further strain infrastructure - roads, public transport, schools and healthcare - without adequate provisions for expansion.

Ausgrid

Public submissions



3 Actions Taken Since Exhibition

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency and public submissions outlined in **Section 4**.

3.1 Further Engagement

3.1.1 Department of Planning, Housing and Infrastructure

DPHI issued the Key Issues Letter on 1 April 2025. Given the nature of issues raised, this report provides the Proponent's response.

3.2 Refinements to the Project

Following exhibition, upon review of all submissions received, a series of minor amendments have been made to the documentation to clarify aspects of the proposal. The amendments are inclusive of the following:

- Amendments to Environmental Impact Statement to reflect accurate appendices, confirm the number of dwellings used for traffic generation and update the scope of the proposed works to include the removal of one tree (T1).
- Amendments to Traffic and Parking Assessment Report to clarify total number of car parking spaces, motorcycle parking spaces and bicycle parking spaces and confirm truck movements.
- Amendments to Architectural Plans including an increase to deep soil, schedule of materials and finishes, schedule of accommodation.
- Amendments to Landscape Plans to address lighting, clarify the function of the various terrace spaces on drawing No. DA-2301-04, tree removal/retention, tree pot sizes, deep soil.
- Inclusion of a Reflectivity Addendum Statement.
- Amendments to Clause 4.6 Variation Request to address Council feedback.
- Amendments to CHP letter to confirm their commitment to manage the in-fill affordable housing component for a period of 15 years and satisfaction with the location and dwelling mix proposed.
- Amendments to the Waste Management Plan to provide waste clarifications.
- Amendments to the Public Domain Plan to include the reconstruction/construction and of kerb and gutter on Gordon Avenue and Hammond Lane respectively, reconstruction of existing road pavement and the construction of new vehicle crossing on Gordon Avenue at entrance to Hammond Lane.
- Amendments to Noise and Vibration Impact Assessment Report to clarify acceptable alternate means of ventilation whereby compliance with internal noise criteria requires the closure of some windows.
- Amendment to the Owner Consent to include the Owners Corporation's common seal.
- Amendment to Qualitative Wind Assessment to address DPHI request as it relates to wind speeds and clarify the need for mitigation measures.

Details of the design refinements are illustrated in the updated Architectural Plans at **Appendix E**. Refer to detailed responses at **Tables 3 - 6** below for further details on specific project amendments.



4 Response to Submissions

4.1 Department of Planning, Housing and Infrastructure

Table 3 sets out a response to each issue raised by the **Department of Planning, Housing and Infrastructure** submission.

Table 3: DPHI Submission & Responses

ITEM REFERENCE	SUMMARY OF ISSUE RAISED	RESPONSE
1. Design Excellence		
DPHI-1	The proposal must be presented to the Design Integrity Panel (DIP) prior to the lodgement of the Submissions Report in accordance with the endorsed Bridging Design Excellence Strategy.	<p>On 18 July 2025 a quorum of the original DIP was reconvened to review amendments to the architectural drawings that have been undertaken since the DIP's last review in November 2024.</p> <p>On 21 July 2025 the DIP confirmed in writing their support of the proposed amendments as they do not impact the project's capacity to achieve design excellence. The DIP confirmed that no further reviews are required by the DIP prior to submission of the RTS package for assessment. The DIP endorsement letter is provided at Appendix BG.</p>
DPHI-2	<p>Your response to the following matters which were raised by the DIP at its review on 4 October 2024, plus any other refinements made to the proposal, must be presented back to the DIP for further consideration and resolution.</p> <p>i. The design of the north podium wall</p>	<p>The north podium wall encloses the loading dock, which includes waste loading and car park access. Providing openings to the north podium wall would expose these 'back of house' service areas and would result in a sub-optimal outcome in terms of local amenity. It is preferable to reduce the number of openings while addressing ventilation requirements for the car park access. DIP has reviewed this amendment to the plans and are satisfied that the proposal is still capable of achieving design excellence (refer to Appendix BG). As described under response DPHI4 (iii)below, this space may provide opportunity for a further public art and is being considered by the design team.</p>
DPHI-3	<p>ii. The ground floor entry arrangement, landscape and services location.</p>	<p>The proposed landscape area has been expanded and refined to address services coordination. Public seating will help create a social gathering space for residents and neighbours. The size and layout of the lobbies result from a combination of structural constraints, site geometry, and planning requirements taking into account flood risk.</p>

		<p>The proposed booster location has been carefully evaluated and coordinated with the broader consultancy team. The booster has been positioned on Gordon Avenue following coordination with the fire services engineer, noting that the RFS is unlikely to approve a configuration where the fire booster is placed beyond the stairs. Integrating it into the facade line would also increase the distance to the boundary/kerb line.</p>
DPHI-4	<p>iii. Connecting with country public art</p>	<p>The design team are considering a site-responsive art strategy for the northern podium wall, given its visibility from Hammond Lane and proximity to the Chatswood Bowling Club. This location offers an opportunity to integrate art that acknowledges the area's cultural and ecological context — including connections to the Cammeraygal people, the site's landscape, and the legacy of local brick and sandstone-built form. The concept is likely to pursue a Mural format that reflects native flora and fauna, supporting a meaningful relationship between built form and place. The strategy remains flexible and will be refined through further consultation and design development.</p> <p>The proponent would accept a condition of consent to require the submission of a plan nominating the area for additional public art, to be provided prior to issue of the Construction Certificate, with public art to be delivered prior to issue of an Occupation Certificate.</p>
DPHI-5	<p>Provide confirmation from the DIP to support:</p> <p>i. The reduction in terraces and landscaping on the lower floors still maintains the integrity of the winning design</p>	<p>The cantilevered landscaped planters have been reduced for structural reasons: the original design required either a thicker slab—reducing balcony soffit height—or additional concrete columns, which would compromise the "floating gardens" concept. The reduction has minimal impact on secondary balconies, while main residential balconies retain their full area. A copy of the comprehensive RtS will be submitted to the DIP for desktop review and any subsequent correspondence will be shared with DPHI</p>
DPHI-6	<p>ii. The subtle transitions of brown brick material with the champagne brick that maintains a variation without creating a clear visual separation between the market and affordable housing units.</p>	<p>This variation in materiality was part of the original competition design and was approved as part of Council approved DA-2023/170 prior to the inclusion of the affordable housing component. It relates to the vertical proportionality of the building, and scale and positioning of overhanging planters. Any link to the affordable housing is entirely unintentional.</p>

DPHI-7	All DIP recommendations and the project teams responses must be fully documented in your Submissions Report.	<p>Noted.</p> <p>There is one other DIP recommendation which has not previously been addressed in this report:</p> <ul style="list-style-type: none"> • <i>Level 26 Northern Glazing Alignment [...] Shift the line of glazing back to sit behind the alignment of the brick tower facades</i> <p>FJC intends for the glass line on level 26 to sit behind the alignment of the brick tower facade. However, since the structure is contained within the facade wall, the distance between the brick face and glazing will be limited to avoid exposing the column lines. This will require close coordination between the facade and structural engineers during the detailed design stage. The proponent would accept a condition of consent requiring details of the interface between the glassline and brick face to be submitted prior to the relevant CC.</p>
--------	--	---

2. Traffic and Transport

DPHI-8	Confirm the number of dwellings used for traffic generation, noting that the EIS (Table 23) states that 85 dwellings whilst Appendix U states 91 dwellings.	The EIS has been updated to address this inconsistency, noting that traffic generation was based on 91 dwellings, as is proposed under this application.
DPHI-9	Provide the estimated number of construction vehicle movements (light and heavy vehicles) anticipated for each stage of construction, assess the impact of construction vehicles on the surrounding road network and provide swept path analysis demonstrating construction vehicles can enter/exit and manoeuvre on the site.	<p>The amended Traffic and Parking Assessment Report (Appendix U) confirms estimated truck movements through the construction phase as follows:</p> <ul style="list-style-type: none"> • Demolition – approximately 15 truck movements per day. • Excavation – approximately 30 truck movements per day. • Large concrete pours – approximately 40-50 truck movements per day. • General deliveries – intermittent. <p>The impact on the surrounding road network can be managed by way of conditions of consent.</p>
DPHI-10	The proposal includes 111 residential car parking spaces, which is 14 spaces greater than the minimum parking rates for the market and affordable housing provided in the Housing SEPP. The Department	The minimum car parking requirement is prescribed as a non-discretionary development standard under Section 19(2)(e) and (f) of the Housing SEPP, which if complied with, prevents the consent authority from requiring more onerous standards. Specifically, Section 4.15(2) of the

	<p>acknowledges that the Housing SEPP car parking rate is a minimum non-discretionary standard.</p> <p>However, in this case, the site is located within the Chatswood CBD (a highly accessible railway precinct) and within walking distances of various modes of high-frequency public transport. In addition, the Willoughby DCP seeks to decrease reliance on private car use, minimise traffic congestion and increase public transport use in this area.</p> <p>Noting this context, the Department recommends that you reduce the number of residential (market and affordable) car parking spaces to be no more than the Housing SEPP car parking rates. The reduction of basement parking would also allow the opportunity for additional deep soil (see point 5(b)(i)).</p>	<p>EP&A Act states that if a DA complies with the non-discretionary development standards in an EPI, the consent authority:</p> <ul style="list-style-type: none"> (a) <i>is not entitled to take those standards into further consideration in determining the development application, and</i> (b) <i>must not refuse the application on the ground that the development does not comply with those standards,</i> (c) <i>must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.</i> <p>Given the parking standard provides a minimum rate, the proposed car parking provision beyond the minimum rates is compliant with the non-discretionary standard at Section 19(e) and (f) of the Housing SEPP, and accordingly the matter cannot be taken into further consideration.</p>
DPHI-11	<p>Confirm the location and number of motorcycle parking spaces.</p>	<p>The proposed development provides for a total of 13 motorcycle spaces which are located as follows:</p> <ul style="list-style-type: none"> • Basement Level 06: x2 • Basement Level 05 x2 • Basement Level 04 x3 • Basement Level 03 x3 • Basement Level 02 x3 <p>TOTAL: 13 motorcycle parking spaces.</p> <p>The submitted Traffic and Parking Assessment Report has been updated to reflect this and is provided at Appendix U to this response.</p>
DPHI-12	<p>Confirm the location and number of bicycle parking spaces.</p>	<p>The proposed development provides for a total of 25 bicycle spaces which are located as follows:</p> <ul style="list-style-type: none"> • 9x Bike locker Class A/B for residential on B01 • 9x Bike racks Class C on Hammond Lane for residential visitors • 6x bike lockers (Class A/B) for commercial tenants on B01 • 1x bike rack (Class C) for commercial visitor on Hammond Lane

		<p>This provides for a total of 10 bike racks and 15 bike lockers</p> <p>This meets the DCP bicycle parking requirement for the site, which is calculated to be 18.8 spaces within the Traffic and Parking Assessment Report at Appendix U.</p>
3. Built Form		
DPHI-13	Recommendations for lighting have been made in Appendix C. clarify if these have been incorporated in the landscape design.	The amended landscape plan provided at Appendix L . is consistent with the recommendations for lighting made in Appendix C .
DPHI-14	Appendix AM states that wind conditions are acceptable for pedestrians, both standing or walking. However, higher wind speeds may occur in some areas of the proposal, specifically tower corners or podium terraces, which may slightly exceed the recommended safety criterion. Provide mitigation measures to address this.	<p>A response to this item is provided by the projects wind consultant, CPP Wind Engineering Consultants at Appendix BA. While the podium is expected to be subject to increased wind speeds due to its elevation and exposure to prevailing winds, this space provides a pool and deck area which are unlikely to be used by residents during periods of inclement weather, when higher wind speeds are anticipated.</p> <p>If considered to be necessary, a building management plan may be utilised to restrict access to the podium terrace during occasional periods of high wind speed. This may be applied as a condition in the consent, if considered to be necessary by DPHI.</p>
DPHI-15	Provide amended plans/details which demonstrate that all wind mitigation measures recommended have been incorporated.	<p>Amended Plans are provided at Appendix E which include additional wind mitigation measures which include:</p> <ul style="list-style-type: none"> • L02, podium perimeter planter modified to feature a slanted profile, providing wind downwash for pedestrians at street level. • L02, additional enclosed pergolas provided to the communal open space to provide shelter from wind downwash to residents. <p>The revised Qualitative Wind Assessment at Appendix AM confirms that the adopted mitigation measures will increase amenity at ground and on the communal podium terrace.</p>
4. Non-residential floor space		
DPHI-16	In light of the matters raised in the Willoughby City Council's (Council) submission regarding insufficient non-residential uses, update the assessment and Clause 4.6 request to further justify the planning grounds for the	An amended Clause 4.6 written request is provided at Appendix I .

	variation and why an increase in commercial GFA on the site cannot be provided.	
5. Residential Amenity		
DPHI-17	Provide an addendum report or statement to confirm that the findings of the reflectivity statement that was prepared for DA-2023/170 are accurate and represent the impacts of the current proposal.	A reflectivity addendum statement is provided at Appendix BB , which confirms that the façade will be mandated to have a reflectivity value of less than 20%.
DPHI-18	<p>Respond to the following Apartment Design Guide (ADG) design criteria and provide justification for any departures:</p> <p>i. Part 3E-1: The proposal provides less deep soil than the competitions winning design and the approved DA, and appears that it does not meet the ADG design criterion of 7% of the site being provided as deep soil zone with a minimum dimension of 6m. Options should be explored to reduce the extent of basement car parking (see point 2(s)) to increase deep soil in line with the competition winning design and approved DA.</p>	<p>Section 3E of the ADG acknowledges that achieving the 7% deep soil provision may not be possible on some sites including where the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres), and there is 100% site coverage or non-residential uses at ground floor level.</p> <p>The site is considered to align with the description above as the site is located on the edge of the Chatswood CBD, with the desired future character being high-density mixed-use developments – in accordance with the Chatswood CBD Strategy. The site is also encumbered by a public right of way which essentially functions as Hammond Lane, rendering this section of the site as undevelopable.</p> <p>The site is also subject to a minimum non-residential floor space requirement of 17% under Clause 6.25 of LEP 2012. The proposal has been designed to provide the optimal amount of non-residential floor space on ground and first level in accordance with WLEP 2012 and has also responded to DCP clause E.3.5.9 requirements to provide active frontage and non-residential uses at ground floor.</p> <p>Cumulatively, the site controls and constraints have reduced the potential area available for deep soil landscaping on ground floor, resulting in a landscaped area at a width of less than 6m (as required in the ADG definition of deep soil zone).</p> <p>To achieve the depth of 6m, the extent of the typical would need to be reduced along the northern boundary to match the approved DA basement footprint. This would result in removal of basement services, circulation and storage.</p>

		<p>The proposed development is capable of providing an appropriate stormwater drainage solution. This involves the drainage of stormwater through the 3m deep northern landscaped area within the site to larger areas of unobstructed deep soil to the north.</p> <p>DA-2023/170 was approved with 7% of deep soil (106.8m²). Amended Architectural Plans are provided at Appendix E which alter the basement alignment to facilitate an increase in deep soil of 12.8m²-which equates to a total deep soil area of 120.2m² (8%). The additional deep soil area provided is clouded within the submitted plan set.</p> <p>Considering the above, the proposal is compliant with Section 3E of the ADG.</p>
DPHI-19	<p>ii. Part 4B-3: Many of the apartments exceed the 18m cross-over or cross-through, provide justification for this and the address the objectives of the design criteria.</p>	<p>The apartment floor plates of the proposed development have not been significantly altered beyond the arrangement approved by SNPP on 9 October 2024 under DA-2023/170. These approved layouts were determined as delivering design excellence.</p> <p>Notably, the sites geometry is constrained which when combined with the requirements for lifts and fire egress, has resulted in elongated floorplates which prevent strict compliance with Part 4B-3 of the ADG.</p> <p>Within these constraints, the apartment layouts have been carefully designed to meet the ADG as much as reasonably possible, particularly regarding solar access, natural ventilation, and accessibility.</p> <p>Where cross-over apartments exceed 18m in depth (usually 3 and 4 bed rooms units), their configuration supports dual aspect layouts, maximises outlook and amenity, and delivers high-performing dwellings with strong cross-ventilation and excellent solar exposure—outcomes that directly benefit resident comfort and liveability.</p> <p>This approach reflects a deliberate and thoughtful response to site-specific challenges, balancing compliance with design excellence to achieve a high-quality residential environment.</p>
DPHI-20	<p>iii. Part 4D-2: Confirm that the habitable room depths are limited to a maximum of 2.5m x the ceiling height.</p>	<p>All habitable room depths are limited to a maximum of 2.5 x ceiling height. Where room depths do not achieve this requirement, they relate to open plan layouts where the maximum habitable room depth is 8m from a</p>

		window under Part 4D-2. The proposal achieves this minimum and therefore complies with the requirements of Part 4D-2.
6. Landscaping		
DPHI-21	Clarify whether the areas marked as terrace on DA-2301-04 are communal open space or private open space.	Amended Landscape Plans are provided at Appendix L clarify the function of the various terrace spaces on drawing No. DA-2301-04.
DPHI-22	Noting that much of the proposed tree and vegetation planting is on / above slab structure (along the northern boundary as well as on level 2), provide land scaping plan(s) indicating the planting areas, their soil depth and volumes and the soil volume/depth relationship to proposed species and plant sizes to ensure ongoing viability of proposed landscaping.	Information of the soil volume / depth relationship to proposed species and plant sizes is provided on the amended Landscape Plan at Appendix L . The landscape design has considered soil volume / depth / species to ensure the long-term viability of the proposed landscape scheme. Additional sections are provided within the Landscape Plan to demonstrate soil depths on drawing No. DA-2301-16 and drawings No. DA-2301-17. Soil depth is noted throughout.
DPHI-23	Clarify the responsibility and ongoing management of the land scaping and green spine.	There will be an establishment period of (12months - full season) before maintenance handover, after this period landscaping will be the responsibility of building management and strata.
DPHI-24	Provide a drawing (including title, reference number and date) specifically showing the proposed tree removal and retention that forms part of this application (and not already approved under previous approvals) to form part of the plans for determination.	Tree removal under this application is limited to Tree T1 to the southwest corner of the site. This is identified on the amended Landscape Plan (Appendix L) which also indicates the planting areas (including proposed trees), their soil depth and volumes and the soil volume/depth relationship to proposed species and plant sizes. The revised EIS includes removal of T1 as part of the scope of work and is included within the RtS package.
DPHI-25	Provide for advanced planting and increase the proposed tree pot size to greater than 300mm.	Amended Landscape Plans are provided at Appendix L which identify the increased tree pot sizes on drawing No. DA-2301-01 as requested.
7. Noise		
DPHI-26	Appendix Z recommends that the doors and windows facing external road would have to be closed to maintain internal acoustic amenity. Demonstrate how natural cross-ventilation of the relevant apartments would be maintained if the doors and windows are required to be enclosed at all times. Supplementary advice is required	Internal comfort with respect to cross-ventilation and acoustic amenity can be managed by personal preference through the opening and closing of windows as residents see fit. An amended Noise and Vibration Report is provided at Appendix Z which identifies alternative means of ventilation that may be provided, including: <ul style="list-style-type: none"> • Air conditioning with an outside/fresh air component

	to determine if the cross ventilation requirements will be satisfied given the proposed enclosure recommendation.	<ul style="list-style-type: none"> • Mechanical ventilation drawn from a 'quiet' side of the building and/or with an acoustically attenuated intake path. • Proprietary acoustic treated ventilation intakes. <p>As identified on drawing No. 9200 of the Architectural Plans (Appendix E) acoustically treated air intakes will be provided for units that may at times require the closure of doors or windows, in accordance with the recommendations of the Noise and Vibration Report.</p>
8. Updated Architectural Plans/Documentation		
DPHI-27	Provide a material schedule (including title, reference number and date) to form part of the plans for determination.	An amended Schedule of Materials and Finishes is provided within the amended Architectural Plans (Appendix E) at sheet Nos. 8010 and 8011.
DPHI-28	Provide plan(s) including title, reference number and date) incorporating the schedules of accommodation to form part of the plans for determination.	A Schedule of Accommodation is provided within the amended Architectural Plans (Appendix E) at sheet No. 5002.
9. Other Matters		
DPHI-29	As this is a strata title lot, provide consent from the owner's corporation with the Common Seal.	An amended owners consent from the owners corporation of Strata Plan 57091 is provided at Appendix AR .
DPHI-30	There is a slight exceedance in gross floor area (GFA), confirm the total GFA as specified in EIS Table 1.	DPHI confirmed on 8 April 2025 that this issue was raised in error and that the proposal complies with the maximum GFA that is permitted at the site.
DPHI-31	Provide a letter from a Community Housing Provider confirming: <ul style="list-style-type: none"> i. It will manage the in-fill affordable housing component of the proposal for a period of 15 years. 	A revised letter is provided from the community housing provider Link Wentworth at Appendix AP . The letter confirms their commitment to manage the in-fill affordable housing component for a period of 15 years and support of the location and dwelling mix of the affordable housing component.
DPHI-32	<ul style="list-style-type: none"> ii. Its support of the location and dwelling mix of the in-fill affordable housing. 	
DPHI-33	Discuss impacts on existing easements. Where changes to any easements are required, provide consent from the easement beneficiary for such changes.	The proposed development will not impact on any existing easements and therefore will not require consent from any affected beneficiary.

DPHI-34	Clarify the status of the existing voluntary planning agreement and any implications for this current application	The proponent has paid the first instalment of the existing voluntary planning agreement (VPA). The second instalment is due. The balance of the VPA will be payable as a 3 rd instalment prior to the issue of the first Construction Certificate of the development.
DPHI-35	Confirm that DA-2023/170 would be voluntarily surrendered under section 68 of the EP&A Regulation 2021	The proponent will surrender DA-2023/170 in accordance with s68 of the EP&A Regulation 2021 prior to issue of development consent under this application.

4.2 Willoughby City Council

Table 4 sets out a response to each issue raised within the **Willoughby City Council** submission dated 6 March 2025.

Table 4: Willoughby City Council Submission & Responses

ITEM REFERENCE	SUMMARY OF ISSUE RAISED	RESPONSE
1. Engagement prior to SSDA Lodgement		
WCC-1	This exhibition represents the first comprehensive review opportunity for Council regarding the subject SSDA	<p>Noted, as mentioned within Chapter 5 of the EIS, the applicant met with Council in accordance with Undertaking Engagement Guidelines for State Significant Projects.</p> <p>The purpose of the mandatory public exhibition of the subject SSDA has provided Council with the opportunity to consider all aspects of the proposal and provide their comments.</p>
2. Consistency with the Housing SEPP		
WCC-2	<ul style="list-style-type: none"> • Having regard to the In-fill Affordable Housing Practice Note, it is noted that in-fill affordable housing bonuses do not override any LEP height control. The Practice Note states that: <ul style="list-style-type: none"> ○ The in-fill affordable housing bonuses should not be treated as an entitlement. DAs that propose in-fill affordable housing will be subject to merit assessment by the consent authority. • Council seeks for any proposal on this site to have appropriate regard to the location within the southern extension of the Chatswood CBD, the site specific DCP in WDCP Part L: Placed Based Plans (refer to Attachment 2) and other relevant provisions of the WDCP with particular regard to car parking. 	<p>While we acknowledge that the In-fill Affordable Housing Practice Note states that in-fill affordable housing bonuses do not override the requirements of Environmental Planning Instruments (EPIs), the proposed development has been designed with careful consideration of its impact on the surrounding area. The additional tower height results in a more slender form, helping to balance the scale of the larger towers and the surrounding context.</p> <p>The built form aligns with the desired future character of the Chatswood CBD, which envisions ‘slender tower forms’ within the MU1 Mixed Use zone at the CBD’s periphery.</p> <p>The Practice Note provides the following guidance:</p> <p><i>When applying in-fill affordable housing bonuses, applicants and consent authorities should adopt a flexible design approach, considering:</i></p> <ul style="list-style-type: none"> • <i>The Government’s policy intent to increase affordable housing through the in-fill affordable housing provisions of the Housing SEPP.</i>

- *The development's impact on the site's amenity and that of adjoining land, taking into account building height, scale, and bulk.*

In response, this proposal maximises the allowable 30% uplift and, in return, providing 15% in-fill affordable housing. By doing so, the proposal supports the Government's objective of increasing affordable housing while appropriately managing its impact on the surrounding area.

The development's impact on site and adjoining land amenity is detailed in Section 6 of the EIS. In summary:

- **Overshadowing:** The slim tower form limits resultant shadow impact. There will be some additional shadow cast to the south-west of the site at 9am, concentrated within a low-density residential area. At 12pm shadow will be cast south of the site, with additional shadow associated with the uplift limited to a loading and storage area at the Sydney Metro worksite. At 3pm some additional shadow will be cast to the south-east of the site, over the rail line and low density residential land.
- **Building Separation:** The proposal is largely consistent with the building separation distances under Objective 3F-1 of the Apartment Design Guide (ADG).
- **Setbacks:** The proposed setbacks are largely compliant.
- **Heritage:** The site is not located within or in close proximity to any heritage conservation area, nor is it heritage listed.

Visual Impact: Whilst the proposal will be visible from the surrounds, the visual effects and view impacts of the proposed development is considered to be reasonable and acceptable/.

3. Site location in southern extension of Chatswood CBD

WCC-3

- Density on this site should reflect what has been planned for the southern CBD extension, noting the constrained road network. With the Pacific Highway to the west, the North Shore Rail Line to the east, and no north / south road options, the traffic largely is heavily reliant on Gordon Avenue and Nelson

The height of the proposed development is consistent and compliant with the height allowances within the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site.

The South Chatswood Conservation Area is located approximately 70m east of the site and is notably separated by the Chatswood rail line. The

<p>Street to enter and leave the area. In regards to the subject site, all vehicle access and egress is via Hammond Lane, Gordon Avenue and the Pacific Highway.</p> <p>In addition, the location of this site, particularly with respect to the residential low density South Chatswood Conservation Area directly adjacent, requires an appropriately sensitive redevelopment response in regards to its presentation to the east.</p>	<p>submitted Visual Impact Assessment considered views from the conservation area. Visual impact from this area was assessed as being medium.</p> <p>Overall, it was concluded that the proposed development is highly compatible with approved developments in the strategy background and being in character of the transitioning visual context to taller mixed-use towers.</p>
--	--

4. Recent site history

<p>WCC-4</p>	<ul style="list-style-type: none"> • A Planning Proposal on 5-9 Gordon Avenue was supported by Council on 2 March 2022 and made and notified on the NSW legislation website on 25 March 2022. Development Application (DA-2023/170) was approved by the Sydney North Planning Panel on 9 October 2024. This approval involved demolition of existing structures and the construction of a 27 storey shop-top housing development comprising a two-storey commercial podium and a 25-storey residential tower. The subject SSDA is a new application, involving the following timeline: <ul style="list-style-type: none"> ○ SEARs were requested 26 July 2024 ○ SEARs were issued on 7 August 2024 ○ Mecone Environmental Impact Statement lodged with DPHI late January 2025 ○ Exhibition between 25 February and 24 March 2025. <p>Regard should be made to the established controls including WLEP 2012, the site specific development control plan and other relevant sections of WDCP.</p>	<p>Noted. The proposed development retains much of the key features to that approved under DA-2023/170 with the proposal amended to capture the 30% FSR and 30% height of building bonuses, essentially 'stretching' the approved development. The proposal underwent a design integrity process to confirm that the revised development proposal retains the design quality of the winning scheme. Being a new SSDA, the proposal will be assessed on its merits.</p>
--------------	---	--

5. Design Excellence

WCC-5	<ul style="list-style-type: none"> The Design Excellence Competition Report states that the proposal has the potential to achieve design excellence. However, the design excellence process does not comprise of a detailed assessment against the planning controls and does not presuppose that the application warrants approval. Noting the specific role of the design excellence process, Council officers request that appropriate regard be given by the consent authority (DPHI) to the planning issues raised in this submission. Subsequent to the design excellence competition, a comprehensive assessment has been undertaken having regard to the CBD Strategy, WLEP, site specific and other relevant sections of WDCP, covering issues including height on the CBD boundary, non-residential floor space, car parking rates, setbacks and public domain embellishment, greening of the site, deep soil planting and loading / unloading. Additional information and amendments are requested, as discussed in the attached submission. 	<p>The proposed development has undergone an extensive design excellence process, including a design excellence competition, and subsequently a GANSW endorsed Design Excellence Bridging Strategy which involved reconvening a quantum of the original competition jury as the Design Integrity Panel (DIP). The DIP has reviewed the proposed development and confirmed that the project has the potential to achieve design excellence as confirmed within the letter of endorsement at Appendix BG.</p> <p>As the DIP are not the consent authority, they do not have the authority to determine absolutely that the objectives of Clause 6.23 (Design Excellence) of the Willoughby LEP have been achieved. The DIP is therefore only able to determine if a development has potential to achieve design excellence.</p>
-------	---	--

6. Amendment required for development to be in the public interest

WCC-6	<p>a) Height on CBD boundary</p> <ul style="list-style-type: none"> A height of 116.7 was not anticipated for this location and represents a departure from recent DPHI direction, where the height for the extended southern section of the Chatswood CBD was generally supported at 90m, transitioning down towards low density residential conservation areas. The establishment of the 90m height control on this site, under Amendment 34 dated 30 June 2023, represented a 750% increase above the previous WLEP 2012 12m height maximum. 	<p>The proposed height is consistent and compliant with the additional height provided for within Chapter 2 of the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site.</p> <p>As noted previously, in response to the In-fill Affordable Housing Practice Note, this proposal maximises the potential permissible 30% additional height and, in return, meets the affordable housing requirement, providing 15% gross floor area for the purpose of affordable housing.</p>
-------	---	---

	<ul style="list-style-type: none"> • In accordance with the In-fill Affordable Housing Practice Note, December 2023 (P.13): <ul style="list-style-type: none"> ○ <i>The full extent of the in-fill affordable housing bonuses may not be achieved on all sites, due to site constraints and local impacts. The in-fill affordable housing bonuses should not be treated as an entitlement.</i> <p>The proposed additional 26.7m height in this location considered inappropriate due to the impacts on the CBD boundary close to the adjacent low density residential conservation area. The proposed increase in height undermines recent strategic planning and community faith in the NSW planning system. Council does not support any further increase in height above the existing height controls in this location above 90m.</p>	
WCC-7	<p>b) Non-residential floor space</p> <p>The SSDA proposes 86.9% residential floor space and 13.1% non-residential floorspace over the whole proposed development. This is not consistent with the land use mix Council has planned for the MU1 zone within the Chatswood CBD. In Council's view it is consistency with the WLEP 2012 Clause 6.25, 17% non-residential minimum floor space requirement is entirely achievable, noting that Council planning controls permit non-residential land uses within the tower form, not just in the podium. The SSDA is requested to be amended to comply with this requirement, which is critical to ensuring the precinct meets its employment targets and continues to function as a mixed-use centre.</p>	<p>A revised Clause 4.6 Variation Request is provided at Appendix I.</p> <p>The proposal provides a total of 1,557.7m² of non-residential floor space and presents a 22.7% variation to the minimum 17% requirement of non-residential floor space.</p> <p>As identified in the Clause 4.6 Variation Request submitted, this is a technical numerical non-compliance arising predominantly due to the provision of additional housing (in-fill affordable and market). The proposal meets the quantum of non-residential floor space anticipated in the Chatswood CBD Strategy, which is 17% of 6:1 FSR under WLEP 2012.</p> <p>Importantly, the non-residential floor space was originally proposed to be mapped as 1:1 and provided in the podium levels of a development that achieved a total maximum FSR of 6:1. This was later modified in the Planning Proposal process to 17% of the total GFA to accommodate sites that may have or achieve a lower maximum FSR control due to site constraints.</p>

		<p>At Page 33, the Chatswood CBD Strategy states that the objective of the recommended 1:1 minimum non-residential floor space standard (later converted to 17%) as follows:</p> <p><i>The objective of this Key Element is to achieve a satisfactory level of commercial in the B4 Mixed Use* zone to deliver a reasonable amount of employment floor space, typically to be within the podium levels of a development. This will be moderated depending on the overall FSR.</i></p> <p><i>(our emphasis)</i></p> <p>Strict compliance with the numerical standard would require additional non-residential floor space in the tower, which would result in conflicts with the privacy of the communal open space for the residents and lead to a reduction in the quantum of housing. Alternatively, additional podium levels would be required to accommodate the additional non-residential floor space which would undermine the human scale of the current podium form and impact on the visual relationship with the surrounding properties.</p> <p>The proposed quantum of non-residential floor space is therefore appropriate for the site and it protects the commercial role of the E2 Commercial Centre zoned land. The proposed non-residential floor space includes a diverse range of uses and is consistent with the objectives of the MU1 Mixed Use zone.</p> <p>Further justification on the contravention of the standard is provided in the Clause 4.6 Variation Request.</p>
WCC-8	<p>c) Car parking rates and loading / unloading</p> <p>Inconsistencies have been found in regards the Mecone Environmental Impact Statement and the Varga Traffic and Parking Assessment – refer to Attachment 1 discussion. Consistent documentation should be provided.</p> <p>Notwithstanding the inconsistencies, there is a substantial higher car parking total proposed by the proponent when compared to the Council total consistent with the maximum DCP rate. The SSDA exceeds Council’s car parking</p>	<p>A total of 121 car parking spaces are proposed as identified in the EIS. An amended Traffic and Parking Assessment Report is provided at Appendix U which is consistent with the EIS.</p> <p>The minimum car parking requirement is prescribed as a non-discretionary standard under Section 19(2)(e) and (f) of the Housing SEPP, which if complied with, prevents the consent authority from requiring more onerous standards.</p>

requirement by either 59 or 56 car spaces (based on Council's WDCP minimum rate).

Council seeks an approach to car parking in the Chatswood CBD consistent with the significant and highly successful investment in Metro, rather than the approach that applies across NSW and outside metropolitan Sydney railway / transport precincts.

It is requested that in considering this SSDA, emphasis be placed on the applicable planning document providing the lowest rate for car parking in the Chatswood CBD railway precinct (which would be the WDCP). Strategic planning and traffic modelling for the Chatswood CBD relies on the enforcement of low parking rates to ensure modal shift and to maximise state government investment in the Chatswood Metro and other transport infrastructure.

The SSDA is requested to be amended to have car parking consistent with WDCP railway precinct car parking rates.

Specifically, Section 4.15(2) of the EP&A Act states that a DA complies with the non-discretionary development standards in an EPI, the consent authority:

- (a) *is not entitled to take those standards into further consideration in determining the development application, and*
- (b) *must not refuse the application on the ground that the development does not comply with those standards, and*
- (c) *must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.*

Given the parking standard provides a minimum rate, the proposed car parking provision beyond the minimum rates still meets the controls in Section 19(e) and (f) of the Housing SEPP.

The Proponent acknowledges Council's intent to encourage the use of public transport and reduce reliance of private vehicles. In this regard, it is expected that residents will be walking to access the local shops and services given the site's adjacent proximity to the CBD and the Rail Station and Metro.

Further, adequate car parking provision is required to cater to the travel needs of downsizers, aging owner-occupiers and young families as public transport does not meet all the travel needs of these residents, especially for destinations not well-served by public transport. It is also expected that the use of cars for recreational purposes will occur outside of peak periods and hence is unlikely to result in significant traffic generation.

As established in the Traffic and Parking Assessment Report prepared by Varga at **Appendix U**, the expected traffic generation arising from the current proposal is considerably less than that envisaged at the time of the Planning Proposal submission and approval for the site. This confirms that the development will not result in any additional impacts on the surrounding road network compared with that contemplated at the time of the Planning Proposal.

WCC-9	Concerns are also raised in regards the ability of the proposed loading solution to accommodate a 10.5m garbage truck. This is discussed further under Engineering comments, with amendments required.	Please refer to response under WCC-20.
WCC-10	<p>d) Greening of the site</p> <p>Concern is raised with the lack of greening to Gordon Avenue and Hammond Lane, and the minimal deep soil planting to the rear setback. The greening of the site is addressed in f) Ground level setbacks, public domain and public benefit, g) Deep soil planting and in 9. a) Landscaping comments.</p>	<p>The proposed development provides a high-quality landscape scheme that maximises the distribution of landscaping as far as reasonably possible, noting that the size and dimension of the site is constrained.</p> <p>The Architectural Plans (Appendix E) and Landscape Plan (Appendix L) have been amended to provide an additional landscaping to Hammond Lane, comprising an additional deep soil area and tree planting at the corner of Gordon Avenue and Hammond Lane and landscape strip along the Hammond Lane frontage.</p>
WCC-11	<p>e) Ground level setbacks, public domain and public benefit</p> <ul style="list-style-type: none"> • An examination of the SSDA plans reveal inconsistencies. These plans should be consistent, having regard to the amendments below, which are based on the site specific DCP and WDCP. The SSDA is requested to be amended to show: <ul style="list-style-type: none"> ○ Confirmation of the ground level areas to be subject to public rights of way. ○ Areas subject to public rights of way are to be free of obstruction, with the only exceptions being green planting and reasonable / minimised paved areas or steps to access the site and development ○ Outdoor dining is to be removed from the 3m Hammond Lane setback. ○ In regards the Gordon Avenue setback, stairs are to be minimised (narrowed) and utilities relocated out of the setback and integrated with the building (with their presence within the frontage visually minimised). 	<p>The proposed landscape area has been expanded and refined to address services coordination. Public seating will help create a social gathering space for residents and neighbours. The size and layout of the lobbies result from a combination of structural constraints, site geometry, and planning requirements.</p> <p>The booster has been positioned on Gordon Avenue following coordination with the fire services engineer, as the Fire Brigade is unlikely to approve a configuration where the fire booster is placed beyond the stairs. Integrating it into the facade line would also increase the distance to the boundary/kerb line. The proposed location has been carefully evaluated and coordinated with the broader consultancy team.</p> <p>The stairs in the Gordon Avenue Setback could get narrowed but this would lead to a visually tighter entry threshold.</p> <p>The ground level areas will be subject to public rights of ways.</p>

	<ul style="list-style-type: none"> ○ Outside the site, in regards the Gordon Avenue verge treatment, the paving both at the eastern end of the Gordon Avenue frontage as well as the western end adjacent Hammond Lane is required to be removed and returned to soft landscaping <p>In regards the Hammond Lane setback, a minimum green planting width of 1m is required by Council, leaving 2m width for pedestrian movement.</p>	
WCC-12	<p>f) Deep soil planting</p> <p>Basements are to be set back from the Gordon Avenue and Hammond Lane corner to allow for deep soil planting and at least one canopy tree. The geometry of the site allows for this opportunity to provide and achieve a meaningful green presence at ground level. 29 Council seeks deep soil planting in the setbacks to Gordon Avenue and the rear setback to the Chatswood Bowling Club, in consistency with the CBD Strategy and site specific WDCP. Noting that loading / unloading is proposed at ground level it is unclear why deep soil planting has not been proposed in these setbacks.</p>	<p>Amended Architectural Plans are provided at Appendix E which identify an increase in deep soil of 12.8m² from that submitted with this SSDA, equating to a total deep soil area of 120.2m² (8%) which exceeds the minimum ADG requirement, being 7% of the total site area.</p>
WCC-13	<p>f) Tower setbacks</p> <p>Encroachments into tower setbacks at significant heights are not supported by Council, with the impact of the encroachments magnified at the height proposed. The setbacks provided represent the desired future built form of the Chatswood CBD, which will be responding to the significant uplift under Amendment 34 – with slender towers contributing to spatial separation and the envisioned liveability of the CBD. Any variation to architectural form should not be at the expense of setbacks.</p>	<p>The site is constrained in size and required some small sections of the façade to protrude into the setback. This is consistent with the approved development under DA-2023/170. This protrusion is limited to non-habitable areas and has been located along the northern and southern elevations so as not to impede the privacy of any future development.</p>

7. Affordable Housing

WCC-14	<p>In providing 4% affordable housing contribution in accordance with WLEP 2012 Clause 6.8, it is noted that a monetary contribution is proposed.</p> <p>Built affordable housing contributions required under WLEP 2012 are provided to Council in perpetuity. The proponent is requested to provide affordable housing in this manner. Any temporary Affordable Housing provided for the purposes of the SEPP bonus provisions, should be in addition to the Affordable Housing contributions required under Council's LEP.</p> <p>The infill affordable housing bonuses were not intended to replace existing affordable housing requirements and this was clearly communicated throughout the exhibition and finalisation of the SEPP.</p> <p>The SSDA should satisfactorily address s 7.32 (3) (a) of the Environmental Planning and Assessment Act 1979 and s 15 of the SEPP (Housing) 2021, and s 7.32 (1) and (3) (c) of the Environmental Planning and Assessment Act 1979, in regards the affordable housing proposed (both in regards WLEP 2012 and the SEPP).</p> <p>Having regard to any final decision on this matter, affordable housing conditions are provided at Attachment 3</p>	<p>The proponent intends to satisfy a 4% affordable housing contribution by way of monetary contribution to Council, and in accordance with Cl.6.8 of the Willoughby LEP.</p> <p>Separately, the proponent has included 15% provision of affordable housing in accordance with Chapter 2 of the Housing SEPP. This will be managed for a 15 year period by a registered housing provider.</p>
--------	---	---

8. Infrastructure Provision

WCC-15	<p>This site was rezoned with an associated voluntary planning agreement put in place to ensure that the local infrastructure required to support the future residents of the site can be adequately serviced. It is critical that this approval retains the agreed infrastructure contributions under the voluntary planning agreement. Having regard to any final decision on this matter, standard VPA, s7.11 and s7.12 conditions are provided at Attachment 3.</p>	Noted.
--------	---	--------

9. Public Art

WCC-16	<p>In Council's view, the public art proposed in the SSDA (a leaf motif at the top of the tower) serves as aesthetic building identification rather than representing public art.</p> <p>No public art contribution is proposed.</p> <p>Council is seeking a public art component consistent with the Willoughby Public Art Policy, noting that it would be Council's decision whether any public art contribution would be appropriate on-site or whether a contribution towards another location would be of greater public benefit. This decision would be made having regard to the details of any offer made.</p>	<p>The design team are considering a site-responsive art strategy for the northern podium wall, given its visibility from Hammond Lane and proximity to the Chatswood Bowling Club. This location offers an opportunity to integrate art that acknowledges the area's cultural and ecological context — including connections to the Cammeraygal people, the site's landscape, and the legacy of local brick and sandstone built form. The concept is likely to pursue a Mural format that reflects native flora and fauna, supporting a meaningful relationship between built form and place. The strategy remains flexible and will be refined through further consultation and design development.</p> <p>The proponent would accept a condition of consent to require the submission of a plan nominating the area for additional public art, to be provided prior to issue of the Construction Certificate, with public art to be delivered prior to issue of an Occupation Certificate.</p>
--------	--	---

10. Building Sustainability

WCC-17	<ul style="list-style-type: none"> • The SSDA is proposing a 4 Star Green Star Rating. • The site specific DCP for 5-9 Gordon Avenue states: <ul style="list-style-type: none"> ○ A minimum of 5 stars GBCA building rating is expected. A higher rating is encouraged. <p>Council considers a 5 star GBCA rating or the equivalent the minimum sustainable building outcome on this site. If any approval is to be given regarding this SSDA, a condition should be included requiring a 5 star GBCA rating or the equivalent for the development.</p>	<p>The site-specific DCP was adopted prior to 2023, before the Sustainable Buildings State Environmental Planning Policy (SEPP) amendment, which took effect on October 2023.</p> <p>The SEPP amendment increased the BASIX standards for new residential developments in NSW, making them more stringent. The threshold for 5 Star Green Star Ratings at the time of adoption of the DCP is the equivalent to a current 4 Star Green Star Rating.</p> <p>For this reason, the proposed rating is considered to be sufficient, and still will achieve a high-standard of building sustainability.</p>
--------	---	---

11. Requested further amendments or further information

a) Open space comments

WCC-18	<p>Amendments / additional information are required to address the following:</p> <ul style="list-style-type: none"> i. <u>Planting under awning</u> 	<p>As noted on drawing No. 2301-01 of the Landscape Plan (Appendix L) "All planted areas are to be serviced by permanent and automated timer</p>
--------	---	---

	<ul style="list-style-type: none"> Where planting occurs under the awnings and in raised planting beds over structures, automatic irrigation should be installed to ensure viability and growth of the planting to achieve meaningful green landscaping. WDCP, Part L. 13.1.4, 7. Open Space and Landscaping, Performance Criteria 5 states that: <ul style="list-style-type: none"> <i>Greening at the podium roof level is to be provided, with planting visible to the surrounding area – in particular to Gordon Avenue, Hammond Lane and the neighbouring properties.</i> <p><i>Suitable planting has been provided to the podium, noting that visibility to the greening will be limited within the immediate vicinity of the building where the awning blocks the view.</i></p>	<p>irrigation systems as specified and details for construction by project irrigation consultant”.</p> <p>Planting is currently shown to podium areas with cascading planting & feature planting specified to planters to provide greening amenity towards Gordon Avenue & Hammond Lane.</p>
WCC-19	<p>ii. <u>Existing tree removal and replacement</u></p> <ul style="list-style-type: none"> A total of 16 trees are proposed for removal, with one exempt tree and fifteen nonexempt trees (noting trees 9 and 10 being hedges were included in the report as a group of trees). As per WDCP Part G Vegetation Management trees approved for removal shall be replaced at a rate of 3:1; A total of 45 replacement trees are to be provided. The landscape plans provide seven replacement trees: <ul style="list-style-type: none"> The following species identified in the landscape plans planting schedule as trees are not suitable as replacement canopy trees and have not been included in calculations: <ul style="list-style-type: none"> Acmena smithii ‘Sunrise’ are a large shrub typically grown for hedging and are not likely to achieve a height greater than 4m. 	<p>The proposal includes the removal of one tree on the southwest corner (T1). The proposal incorporates a replacement planting and the southwest corner of the site, being Flindersia australis which will achieve a similar canopy to the existing tree.</p> <p>The proponent has been in contact with Council to organise payment of the Offset Fee Replacement Schedule. Council’s response is outstanding.</p>

- Hibiscus 'Aussie Pearl' are a shrub with a mature height of 2m.
 - Note: hedge planting does not meet the objectives of WDCP Part G and is not acceptable as replacement tree planting.
 - The proposed *Acmena smithii* 'Sunrise' in the SW corner is not considered sufficient. An alternative canopy tree species should be selected for this location, such as *Tristania laurina* (Water gum). This would increase the replacement tree planting number to eight, reducing the number to be paid for under the tree offset planting scheme. 37
- DA Condition for off-site planting of replacement trees not being planted on site in accordance with WDCP Part G Vegetation Management: Tree Offset Planting Scheme Prior to the issue of a Construction Certificate and before any trees are removed, the Applicant is required to enter a Deed of Agreement with Council and pay a fee for the off-site planting of 38 trees in accordance with Willoughby Development Control Plan Part G Vegetation Management clause 6 Replacement Trees and Part 7.3 Tree Offset Scheme of the Vegetation Management Guidelines. The applicable fee shall be based on the 'Offset fee for replacement planting' schedule as published in the Willoughby Council Fees and Charges at the time of payment. When you are ready to pay, please contact Council's Customer Service Centre on 9777 1000 to organise your payment. Receipt of payment should be provided to the Certifying Authority prior to the removal of any trees and prior to the release of the

<p>Construction Certificate. (Reason: Canopy Cover and landscaping)</p> <p>NOTE 1: The consent for DA-2023/170 included this condition for Tree Offset Planting Scheme to compensate for the balance of replacement of 36 trees not being planted on site. Demolition works have commenced, including tree removal without compliance with the condition. Council compliance section is investigating this matter.</p> <p>NOTE 2: This condition has been included in Attachment 3.</p> <ul style="list-style-type: none"> • Street trees: <p>One street tree (tree 1) is proposed for removal due to impacts to root zone during works. Removal of the redundant driveway crossing will provide space for planting a replacement street tree of the same species.</p>	
---	--

(b) Engineering Comments

<p>WCC-20</p>	<p>Amendments / additional information are required to address the following:</p> <ul style="list-style-type: none"> i. <u>Vehicle Access and Parking</u> <p>The proposed vehicle access and parking arrangements generally comply with the relevant standards and Council’s requirements. The following items require further information of amendments:</p> <p>The plans do not demonstrate that when Council’s 10.5m waste vehicle is parked in the loading dock with 2.0m space behind (for bin storage) that the front of the vehicle is clear of the through path for vehicles using the main access way between the site entry and the basement ramp. When a line is drawn between the proposed kerb line and the top of</p>	<p>Swept turning path diagrams (Appendix U) have been prepared using the Autodesk Vehicle Tracking 2025 program in accordance with the requirements of AS2890.1, confirming that a large B99 & B85 vehicles can pass another in opposite directions, whilst a truck is standing within the loading bay area with 2.0m space behind. In this regard, the frequency of large trucks of this size; i.e. up to 10.5m in length, visiting the site will be absolutely minimal and will predominantly occur in the early hours of the morning (for garbage collections), when traffic activity within the site will also be minimal, if any. All other servicing vehicles accessing the site will be much smaller, typically ranging up to a 6.4m small rigid truck. Notwithstanding the above, the loading dock arrangements have been considered acceptable and compliant with AS2890, given that truck and car drivers will be able to see each other and pause momentarily to allow the other vehicle to pass should the need ever arise.</p>
---------------	--	--

	the ramp, the parked waste vehicle protrudes into the access way, which is not acceptable.	
WCC-21	The swept path for the waste vehicle shows the manoeuvring zone extending over kerbs and into structure. The swept path, including manoeuvring zone, needs to be clear of all kerbs and structure.	The swept turning path diagrams (Appendix U) have been prepared and satisfy WCC-21 and WCC-22.
WCC-22	Swept path diagrams have not been provided for a SRV and a B99 vehicle, to confirm that the service vehicle and a passenger vehicle are able to pass at all locations between Gordon Avenue and the loading bay.	
WCC-23	The external door on the northern side of the building opens into the main vehicle access way for the site. The door must be clear of the access path.	The architectural plans (Appendix E) have been amended to ensure that the external door on the northern side of the building does not open into the main vehicle access way.
WCC-24	The Traffic Report details that the loading bay will be blocked off at times when it is not needed for waste collection. As this is the only loading bay provided for the site, at times when it is not needed for waste collection it must be available for other service activities including removalist vehicles, furniture or goods deliveries, on-line grocery vehicles etc, which are larger than a van and unable to use / access standard vehicle visitor spaces in the basement.	The amended Traffic and Parking Assessment Report (Appendix U) clarifies that the loading dock will be open at all times, managed by the building manager.
WCC-25	The main driveway to the site is 5.5m between kerbs. As the total parking proposed for the site is over 100 vehicles, in accordance with AS/NZS 2890.1 a Category 2 driveway is required to service the site. This requires that the driveway is a combined driveway with a width of between 6.0 and 9.0m. This width is to be provided between any kerb or structure and is to extend from the property boundary to the loading bay.	The Architectural Plans (Appendix E) have been amended to provide a width of 6m to the driveway kerb to kerb.

WCC-26	The proposed parking area includes small car spaces allocated to residential units. As this will restrict the size vehicle able to be parked in the space and larger vehicles will protrude or potentially cause issues for other vehicles, small car spaces are not acceptable for spaces allocated to specific units.	As identified in the Traffic and Parking Matters letter prepared by Varga (Appendix AY), the parking provided is in accordance with <i>the Clause 2.4.1 (iii) of AS2890.1:2004</i> which identifies the proposed dimensions of 2.3m wide x 5.0m is acceptable.
WCC-27	The proposed parallel parking spaces are not considered acceptable. As traffic flow in the parking area is not a through flow, users of the parallel parking spaces will need to turn around, to either enter or leave the space and will need to use the main traffic aisle to make this manoeuvre. As the spaces are located adjacent to the ramp between levels, this manoeuvre will occur in a position where it will potentially cause conflict with other vehicles and were sight lines will be reduced. As such, Council recommends that the parallel spaces be deleted. In particular, the end space which is obstructed at both ends and can only be entered in one direction.	As identified in the Traffic and Parking Matters letter prepared by Varga (Appendix AY), the parallel parking spaces have been designed to be oversized, comprising a length of 6.5m. The parallel parking spaces are allocated to residents only, such that turning manoeuvres will be infrequent.
WCC-28	A number of tandem parking spaces are proposed. Due to the need to move vehicles and the resulting potential conflicts, tandem spaces are not supported in new developments of this scale.	As identified within the Traffic and Parking Matters Letter at Appendix AY , the proposed tandem spaces will be allocated to a single tenancy unit, to minimise the potential for conflict. Further, swept path diagrams are provided for the tandem parking spaces which demonstrate how access can be achieved for the rear tandem spaces, and that cars can pass a waiting vehicle with sufficient clearances.

WCC-29	<p>ii. <u>Flooding</u></p> <p>The site is flood affected, and a flood report has been provided.</p> <p>The modelled the 1%AEP depths, extents and flood hazard are generally consistent with Council's working Scotts Creek FRMSP (which is yet to be adopted by Council). However, the figures need to be clearer for our assessment. In particular, the aflux diagram provided in the report is not 100% clear, as the various colours used in the report do not have much difference and it is not possible to easily see areas with a flood level difference of ± 10mm. The submitted report has not included the existing PMF figures for depths, extent and flood hazard, which are required</p> <p>The flood report shows that there is an increase in flood level on the adjacent property. It is not possible to determine the exact increase, due to the colours used in the Figure, but is believed to be under 25mm. The report details that this increase is believed to be due to modelling restrictions.</p> <p>The report has detailed that the development complies with Flood Planning Levels. In particular, access points to the basement are at a minimum level of the higher of the 1%AEP flood level + 500mm or the PMF level.</p> <p>The flood report recommends mitigation works, which include lowering of ground levels in the northern part to the site. These works must ensure that there is minimal impact to the substation located in the north-west corner of the site, with flood proofing as required. This area requires safety warning signage to advise people of the emergency overflow from the OSD area. Consent conditions will be required to ensure that these mitigation measures are undertaken – see Attachment 3.</p>	<p>An amended Flood Impact Study has been prepared by SGC and is provided at Appendix AE. Amended figures are provided within the report as was requested by Council. The mitigation measures described within the report have considered the site conditions and substation location. Conditions may be imposed in the consent with respect to the implementation of the mitigation measures.</p>
WCC-30	<p>iii. <u>Stormwater</u></p>	<p>Noted.</p>

	The concept stormwater design includes an on-site stormwater detention (OSD) system and water quality improvement measures that comply with Council's requirements, as detailed in Part I of the Willoughby DCP and Technical Standard 1. Modelling results have been provided to confirm that the discharge from the site, including any flows bypassing the detention tank, do not exceed the permitted site discharge of 26L/s in the 1%AEP storm event.	
WCC-31	Council requires that the outlet from the OSD tank is above the downstream 1%AEP flood level. The base of the tank is at the 1%AEP flood level, which is RL98.10m. To ensure that any head losses due to the outlet pipe are taken into consideration, the base of the tank should be at RL 98.15m	An amended Stormwater Concept Design is provided at Appendix R which meets the requirements of Council.
WCC-32	<p>iv. <u>Public Domain</u></p> <p>The proposed development will result in damage to the public domain, including footpaths, and the additional traffic generated by the development will reduce the life of existing road pavements. The additional traffic in Hammond Lane requires provision of new kerb and gutter in the laneway.</p>	An amended Public Domain Plan is provided at Appendix K which identifies the various public domain improvements proposed as part of the application.
WCC-33	<p>As such, the following public domain works need to be undertaken by the development:</p> <ul style="list-style-type: none"> • Construction of new 1.5m wide footpath in Gordon Avenue. 	The amended Architectural Plans (Appendix E) include the construction of a new footpath to Gordon Avenue.
WCC-34	Reconstruction of the kerb and gutter in Gordon Avenue	The amended Architectural Plans (Appendix E) include the reconstruction of the kerb and gutter at the Gordon Avenue frontage.
WCC-35	Construction of new kerb and gutter in Hammond Lane	The amended Architectural Plans (Appendix E) include the reconstruction of the kerb and gutter at the Hammond Lane frontage.

WCC-36	Reconstruction of the existing road pavement 4.0m wide for the full frontage of the development site in Gordon Avenue - Reconstruction of the existing road pavement for the full width of the road and the full frontage of the development site in Hammond Lane	The reconstruction of the existing road pavement for the full frontage of Gordon Avenue is not proposed. The upgrade / embellishment of local roads is ordinarily an item funded by Council's local contributions plan.
WCC-37	Construction of a new vehicle crossing in Gordon Avenue at the entrance to Hammond Lane and any modifications required to the adjacent stormwater pit.	An amended Public Domain Plan is provided at Appendix K which identifies the various public domain improvements proposed as part of the application.

c) Waste Comments

WCC-38	<p>In the latest Willoughby DCP (WDCP 2023), Willoughby City Council has formally adopted the Waste Management Technical Guide and Development Controls by North Sydney Regional Organisation of Councils for multi-dwelling housing, residential flat buildings and mixed-use developments.</p> <p>The subject SSDA is a new application and requires a fresh and detailed assessment. There are a number of items that require clarification:</p>	Noted.
WCC-39	<p>i. <u>Waste generation (residential)</u></p> <p>There is a shortfall in generation rate proposed compared to the current DCP. Refer to WCC Attachment 1.</p>	The Waste Management Plan (Appendix AH) has been amended to improve consistency with Council's DCP.
WCC-40	<p>ii. <u>Bins (residential)</u></p> <p>The development should meet Option 1 for high-rise RFBs (NSROC 2018, Section 5.3, p.46) hence the collection takes place on-site; the required service is shown in WCC Attachment 1.</p>	The Waste Management Plan (Appendix AH) has been amended to increase the recyclable waste bin size from 2440L to 1,100L as requested within Council's submission.
WCC-41	<p>iii. <u>Bin area (residential)</u></p>	As described within the Waste Letter at Appendix BE , the proposal generally complies with Council's DCP and the associated 2018 technical guide from the North Sydney Regional Organisation of Council's. The

	<p>The number of bins aligns with the waste plan (14/11/24, Table 2) except recycling. The area proposed in the waste plan (14/11/24, Table 2) appears slightly too low.</p>	<p>revised waste arrangement provides for 5 recycling bins at a total of 1,100 litres, as was requested within Council's submission and as demonstrated within the amended Waste Report at Appendix AH.</p>
WCC-42	<p>iv. <u>Bulky waste</u></p> <p>The waste plan (14/11/24, Table 2) shows 11m² of bulky waste space, but the architectural drawings (GF, Rev 9) show 11.6m²</p> <ul style="list-style-type: none"> • The current DCP requires 10m² for the first 40 units and 2m² per units thereafter (NSROC, 2018, p29). • For 91 units, this would be 20-22m². <p>(Note demonstration of revised waste plan showing a bulky waste storage area of >=16m² for 64 units was conditioned in DA-2023-170).</p>	<p>A total 20m² area is provided for the purpose of bulky waste storage at the ground floor and ancillary basement 4 room as identified on the amended Architectural Plans at Appendix E.</p>
WCC-43	<p>v. <u>Collection truck parking space</u></p> <p>The bin room access is to the side of the collection truck parking not the rear. The size of the walkway to wheel the bins from the bin rooms to the rear of the trucks should be shown and discussed how it aligns with safe pedestrian access for the waste collection staff.</p>	<p>The Architectural Plans (Appendix E) have been amended to include a temporary bin-holding zone next to the truck parking space to promote safe pedestrian access for waste collection staff.</p>

WCC-44	<p>vi. <u>Commercial generation rate</u></p> <p>Sufficient commercial space is proposed (14,324L/week) to meet the DCP (assuming a 7- day operating week for the café and retail and 5-day operating week for the offices, although the waste plan does not clearly state the operating week in the calculations). However, the following would be preferred:</p> <ul style="list-style-type: none"> • Commercial organics generation rate: <ul style="list-style-type: none"> ○ For cafe: A higher diversion rate of commercial food from the café than 20% could be assumed (waste plan, Table 1). ○ For office: consider some allowance. • Commercial recycling: <p>All types could have more recycling allowance, particularly:</p> <ul style="list-style-type: none"> ○ For café: where there is often a very high volume of cardboard from packaging and recovery of Container Deposit Scheme (CDS) containers. ○ For retail: where there is often a very high volume of cardboard from packaging. 	<p>The amended Waste Management Plan (Appendix AH) adopts a higher organics landfill diversion rate (30% for the café and 5% for the office) and a higher recycling rate (50% for the café and office) as was requested.</p>
WCC-45	<p>vii. <u>Waste storage conditions and amenities</u></p> <p>Provide details of the waste storage area, conditions and amenities, including drainage, taps and aisle width. All doors should be a minimum of 2.5m wide (For example, Drawing GF, Rev 9, may show a 2m wide roller door).</p>	<p>The amended Architectural Plans (Appendix E) provide additional details at sheet Nos. SSDA-FJC-2000 and SSDA-FJC-1096.</p>
WCC-46	<p>viii. Chute rooms and cupboards on each residential level</p>	<p>The constrained dimension of the site required careful location of chute rooms and cupboards to maintain an efficient internal arrangement. The following measures are proposed as detailed within the accompanying Waste Letter (Appendix BE):</p>

	<p>It is intended that the waste chute access and recycling bin cupboard are one cupboard (or at least adjacent), which is as designed in the DA-2023-170.</p> <ul style="list-style-type: none"> • However, the SDD proposal appears to contain a waste chute at one end of the residential corridor and a recycling bin at the other end; perhaps because there is an additional elevator in the SSD design. • NSROC (2018, p 46) discusses for high-rise that the development must “Install a chute system for garbage leading to a central garbage room in the basement. ... There would be a cupboard on each floor for a recycling bin and chute hopper”. • NSROC (2018, p48) also notes regarding the chute entry that “Waste disposal points must be located on the corridor of each floor directly adjacent to the recycling cupboard and no more than 30m travelling distance from each dwelling”. It is not adjacent if it is at the opposite end of the corridor. 	<ul style="list-style-type: none"> • The operator shall educate residents on the correct use of the chute and recycling bins. • On each garbage chute intake, signage shall be provided concerning garbage disposals and the location of the recycling bin. Similar signage shall be provided at the recycling cupboard for recycling disposals and the location of the garbage chute.
WCC-47	<p>ix. Construction and demolition waste</p> <p>An updated response should be provided that addresses the following items:</p> <ul style="list-style-type: none"> • Estimated weights of waste to be generated during demolition and construction as well as the volume supplied; 	<p>We request that a condition of consent be imposed to require this detail prior to the issue of the Construction Certificate.</p>
WCC-48	<ul style="list-style-type: none"> • An estimate of the percentage of waste that will be reused or recycled as well as disposed, targeting an 85% recovery rate (demolition may realistically will have a general waste fraction but none is supplied). 	<p>We request that a condition of consent be imposed in to require this detail prior to the issue of the Construction Certificate.</p>

WCC-49	<ul style="list-style-type: none"> • Clear evidence of the method(s) used to calculate expected waste generation (such as an excavation plan); 	As above.
WCC-50	<ul style="list-style-type: none"> • Nominated landfill facilities (if any), as well as recycling facilities (provided), by waste type; and 	As above.
WCC-51	<ul style="list-style-type: none"> • Plans showing the location of onsite waste facilities during the demolition and construction phases, including vehicle access. 	As above.

4.3 Public Agencies

Table 7 sets out a response to each issue raised within submissions received by **public agencies**.

Table 5: Public Agency Submission & Responses

ITEM REFERENCE	SUMMARY OF ISSUE RAISED	RESPONSE
Ausgrid		
AG-1	<p>Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.</p> <p>Ausgrid has reviewed “Appendix E Architectural Plans” and advise the proponent must discuss disconnection of existing infrastructure and any new connections and load requirements to the site directly with Ausgrid and submit a connection application to Ausgrid as soon as practicable.</p>	<p>Noted.</p> <p>The proponent will keep Ausgrid informed throughout the course of the project in alignment with the recommendations of the submission.</p>

	Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.	
Sydney Trains		
ST-1	We have reviewed the proposal and advise that in order to protect rail land, assets, operations, and to ensure a safe and reliable rail service, it is requested that the Department consider imposing the conditions as listed in Attachment A. It is requested that these conditions remain as worded and are not amended without consultation with TfNSW (as Rail Authority).	Noted.
TfNSW		
TN-1	TfNSW has reviewed the submission and raises no objections to the proposal as it is likely to have a negligible impact on the surrounding classified road network. As such, TfNSW has no further comment.	Noted.
Heritage NSW		
HN-1	The Aboriginal Cultural Heritage Assessment Report (ACHAR) outlines that no Aboriginal objects or areas of archaeological potential were identified within the study area and that no Aboriginal cultural heritage values will be impacted by the proposal. Recommended draft conditions for Aboriginal cultural heritage included in Attachment A.	Noted.
HN-2	Heritage NSW agrees with the proposed management measures and recommendations (Section 6 and 7 of the ACJAR) however provides the following comment: In relation to the recommendations for the implementation of an 'Unexpected archaeological Finds Procedure' and a 'Human remains Procedure' as outlined in various sections of the ACHAR (e.g. Executive Summary and Sections 6 and 7), when	Noted.

finalising the procedures for inclusion in the Construction Environmental Management Plan (CEMP), please ensure they are amended to be specific to Aboriginal heritage (i.e. remove reference to Section 146 notification) and include notification and/or involvement of Registered Aboriginal Parties (RAPs) in the event that unexpected Aboriginal objects, potential objects or suspected Aboriginal ancestral remains are uncovered during the proposed development. References to 'Place Making NSW' must also be removed.

Department of Climate Change, Energy, the Environment and Water

DCCEEW-1	<p>The Flood Impact Study references a Council study and requirements from the Willoughby Development Control Plan 2023 (WDCP2023); however, it does not indicate how flood planning levels have been determined for the development. The study states that floor levels meet the flood planning level of the 1% Annual Exceedance Probability (AEP) plus 500 mm freeboard and that this is higher than the Probable Maximum Flood (PMF) level. It also states that basement entry will be ramped to this level. The provided Flood Impact Study references the Blue Gum Creek flood study which is the incorrect study for this location. The site is in the Scotts Creek catchment.</p> <p>CPHR recommends the proponent:</p> <ul style="list-style-type: none"> clarifies if flood planning levels have been determined by the provided flood study or obtained from an adopted Council study. demonstrates that all accesses including ventilation openings and service ducts for the basement are located above the required flood planning level. 	<p>The referenced catchment has been corrected in the Flood Impact Study, provided at Appendix AE. Further, the Study provides the flood levels and flood planning levels within Table 1.</p>
DCCEEW-2	<p>The Flood Impact Study has not been prepared in accordance with the requirements of the flood impact and risk assessment, flood risk management guideline LU01. The Flood Impact Study appears to have inconsistent treatment of buildings with some</p>	<p>The amended Flood impact Study (Appendix AE) includes hazard mapping in the pre and post development as was requested by CPHR in email correspondence on 16 May 2025,</p>

	<p>buildings showing significant ponding on the roof and others with the building footprint blocked out. Flow paths do not appear to be consistent with topography or building locations. The resulting mapping will therefore give incorrect results regarding location and depths of flow paths and cannot be used in its current form to set flood planning levels or demonstrate flood impact.</p> <p>Flood modelling has only been provided for the 1% event and for the post development PMF depths. The Flood Impact and Risk Assessment, Flood risk management guideline LU01 requires a full range of events to be modelled together with hazard and hydraulic category. Impact assessment should also be provided for the PMF event. Impact assessment should include assessment of the criteria in</p> <p>Table 3 of the LU01 guideline and not be limited to change in flood depth alone. Design events and model outputs are listed in Table 6 of the LU01 guideline.</p> <p>Recommended action:</p> <p>CPHR recommends the proponent's flood modelling will need to use the same approach for building treatment throughout the model and demonstrate that it identifies flow paths and depths for risk assessment. A smaller grid size may be required. Further, the proponent should model all recommended events and impact assessments as noted in Flood Impact Risk Assessment, Flood risk management guideline LU01.</p>	
DCCEEW-3	<p>No assessment of climate change impacts on flood levels or behaviour has been included in the Flood Impact Study.</p> <p>Recommended action:</p> <p>CPHR recommends the proponent's flood modelling should be updated to include climate change assessment as per Section 2.6.2 of FB01.</p>	<p>CPHR in its correspondence on 16 May 2025 noted that this item is optional. As such, a climate change assessment is not provided.</p>

DCCEEW-4	<p>Basement access is shown at the end of Hammond Lane. This appears to be the most flood affected section of the site. No consideration of the appropriateness of this location has occurred. No hazard mapping has been provided for the PMF event. Evacuation ability has not been demonstrated.</p> <p>Recommended action:</p> <p>CPRH recommends that the proponent assesses hazard levels are to the surrounding road network to ensure that safe evacuation is possible.</p>	<p>The Flood impact Study (Appendix AE) has been amended to demonstrate that the basement is protected from flooding, being provided at a crest set above the 1% AEP flood level plus 500mm freeboard and above the PMF level.</p>
DCCEEW-5	<p>The Flood Impact Study has not carried out a risk assessment and has not provided a Flood Emergency Response Plan (FERP) as noted in the flood related SEARs.</p> <p>Recommended action:</p> <p>CPRH recommends that the proponent carries out a risk assessment and prepares a suitable flood emergency response plan. If safe evacuation cannot be demonstrated, consultation should be undertaken with the State Emergency Service (SES).</p>	<p>A preliminary flood and emergency response plan (FERP) is provided within the amended Flood Impact Study (Appendix AE). Overall, the FERP considers the risk to be manageable and that shelter in place is adequate for all residents and users of the site, and in the event of an emergency, the access to and from the site will be available from Gordon Avenue without the need to rely on emergency services.</p>
DCCEEW-6	<p>The Flood Impact Study references the 2005 Floodplain Development Manual. This manual was replaced by the 2023 Floodplain Risk Management Manual and associated guidance.</p> <p>Recommended action:</p> <p>CPRH recommends the proponent prepares the flood study and FIRA in accordance with the latest manual and guidance as required by the SEARs.</p>	<p>The reference within the Flood impact Study (Appendix AE) has been amended to reference the current Floodplain Risk Management Manual.</p>
Sydney Water		
SW-1	<p>Amendments to the existing Section 73 application will be required to reflect the new proposal on site. A new Section 73 application may be required. The proponent and their Water Servicing Coordinator should notify their Sydney Water case manager under case number 209567 of the new proposal.</p>	<p>Agreed and noted.</p>

SW-2	Should the Department decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development Building Plan Approval	Noted.
Sydney Metro		
SM-1	Following this review, Sydney Metro advises that it is not in a position to make a decision until the additional information outlined below is provided for Sydney Metro's further review: a) A detailed survey plan which accurately defines the boundaries between the development, the rail corridor (first and second reserve), rail infrastructure and any Sydney Metro substratum land. All measurements contained within the survey plans must be verified by a registered surveyor.	A detailed survey plan is provided at Appendix BC which defines the boundaries between the development and the Sydney Metro first and second reserve. As identified within the survey, the site is well separated from the Sydney Metro land and rail infrastructure. This information was provided to Sydney Metro via email on 30 May 2025. The Sydney Metro Corridor Protection Team confirmed via email on 26 June 2025 that no further information is required (Appendix BH).
SM-2	b) Confirmation from the project's structural engineer as to whether the proposed development includes any tension piles or ground anchors, either temporary or permanent. If such elements are proposed, detailed information is required including their specific locations and depths to confirm whether any of the proposed tension piles or ground anchors are located within Sydney Metro's land, easements or protection reserves.	A letter from the projects structural engineer, EI Australia is provided at Appendix BD which confirms that all proposed temporary ground anchors terminate approximately 5-6 metres from the second reserve boundary and are well outside of any Sydney Metro lands, easements or protection reserves.

4.4 Public Submissions

Table 8 sets out a response to each issue raised within the **general public** submissions.

Table 6: General Public Submissions & Responses

CATEGORY	ISSUE	RESPONSE
HEIGHT AND SCALE	The proposed 35-storey building is out of scale with the area, where most buildings are less than 10 stories – 12 times taller than some of the surrounding properties.	The height of the proposed development is consistent and compliant with the height allowances within the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site.
OVERSHADOWING AND PRIVACY	The proposal will cause overshadowing over existing homes.	The slim tower form limits resultant shadow impact. There will be some additional shadow cast to the south-west of the site at 9am, concentrated within a low-density residential area. At 12pm shadow will be cast south of the site, with additional shadow associated with the uplift limited to a loading and storage area at the Sydney Metro worksite. At 3pm some additional shadow will be cast to the south-east of the site, over the rail line and low density residential land.
	The proposal will cause loss of privacy.	The proposed development has been carefully designed to reduce privacy impacts to surrounding development. Landscaping is proposed and the façade detailed to minimise overlooking as far as reasonably possible. Notably, the development proposed under this application does not greatly alter the design as it relates to privacy from the approved development application under DA-2023/170.
VISUAL IMPACT	The visual impact of a building that towers over its surroundings cannot be understated and is likely to diminish the overall appeal of the area.	A Visual Impact Assessment prepared by Urbis is provided at Appendix Q . The visual impact was assessed as low-medium, it does not block views to any heritage items or areas unique scenic quality. Given that character of the visual context

		in Chatswood is transitioning from predominantly low-scale residential and commercial development to taller mixed-used towers in line with strategic planning context, the proposal is considered to be aligned with desired future character of the area.
ALTERED NEIGHBOURHOOD CHARACTER	The proposal will alter the character of the neighbourhood.	The proposal aligns with the Chatswood CBD Planning and Urban Design Strategy which outlines the framework to guide future development in the Chatswood CBD over the next 20 years. The proposal will help achieve the goal of having a compact and walkable CBD which also maintains a sustainable balance between commercial, retail, residential, cultural and other uses.
	I oppose the inclusion of affordable housing units within this development, as their integration may alter the neighbourhood's established residential character, particularly if rental or subsidized units become predominant - This change could affect property values and disrupt the current community dynamic.	The NSW Government has committed to building 3,400 new homes in Willoughby Council by 2029. This focuses on diverse and well-located homes in areas with existing infrastructure capacity. This is critical in addressing the housing crisis. The inclusion of affordable housing will allow individuals and families who are facing housing stress to stay in well-connected areas, such as this proposal, being located approximately a 7-minute walk from Chatswood Metro and Train station.
STRAIN ON LOCAL INFRASTRUCTURE	Local infrastructure and facilities such as roads, public transport, schools, and healthcare, in Chatswood are already under strain – the additional population will further strain this infrastructure without adequate provisions for expansion.	The provision of roads, schools and healthcare is governed by the State Government and is beyond the scope of the proposal.
TRAFFIC AND PARKING	The proposed 121 parking spaces are insufficient to accommodate residents and visitor and will lead to increased congestion and on-street parking overflow into surrounding residential areas.	The proposed carparking is compliant with the residential carparking requirements under the Housing SEPP.
	Gordon Street is a small side street that terminates on the Pacific Highway. Currently trying to gain access to the highway is extremely difficult. During peak hour times all roads in Chatswood, Willoughby and Lane Cove are currently completely gridlocked. Adding any more	An Updated Traffic and Parking Assessment Report by Varga is provided at Appendix U which considers the impact of the proposed development on the local street network. As described in the assessment, the proposed

cars from Gordon Street, or any other roads in the area, will only make the situation more of a bottleneck.

development is expected to result in a net decrease of approximately 5 to 7 vehicles per hour (vph) during the AM and PM peak periods from that considered and approved under the Planning Proposal (PP-2021-2417). This is consistent with the zoning objectives of the site and will not have any unacceptable traffic implications in terms of road network capacity.

LACK OF PUBLIC DISPLAY

As of 22/03/2025, there was no public display of the development proposal at the site entrance. This lack of transparency prevents the community from being properly informed and engaged. A photograph taken on this date is attached as evidence (image shown below). If on-site signage is a requirement, this failure should be investigated.



The NSW Government states that,

“During public exhibition, we will:

- *notify surrounding residents in writing (council is consulted on the notification area, which will vary depending on the scope of the proposal) unless the application is public notification development including mining and petroleum (oil and gas) SSD applications*
- *place electronic copies of the application and all supporting information at [Major Projects](#).*

We may place an advertisement in a state-wide and local newspaper.”

Further, community engagement, consultation with council, and letter box drops were done thus fulfilling the first requirement. The distribution area was carefully selected to ensure nearby residences were notified of the proposed development. A diagram of the distribution area is provided within the Engagement Outcomes Report at **Appendix D**.

Additionally, the project was on public exhibition of the Major Projects Portal from 25 February 2025 until 24 March 2025 for a standard 28 day exhibition period.

ENVIRONMENTAL CONCERNS

Lack of sufficient green space and landscaping reduces environmental sustainability.

The proposal has been carefully designed with sustainability and green spaces being significantly

	<p>The introduction of a high-density, high-rise structure may contribute to the urban heat island effect and lead to a significant loss of green space.</p>	<p>considered. Green landscape terraces along with light materials used for the building are deliberate choices which will aid environmental sustainability and help mitigate the urban heat island effect. Further, adequate cross ventilation and communal outdoor areas including a pool and gym will also increase sustainability and keep the building cooler.</p>
	<p>These proposed high-rise developments will quickly strip all of the trees, wildlife and birdlife from our city. This will only exacerbate climate change issues and turn our leafy suburbs into concrete canyons.</p>	<p>Only one tree (T1) on the southwest corner of the site is being proposed for removal. The original PP was approved with 15 trees proposed for removal. Further, landscaped terraces will increase greenery in the area.</p>
<p>DISTURBANCE OF LOCAL AMENITY</p>	<p>Noise, overcrowding and other disruptions will reduce residents' quality of life.</p>	<p>There will be temporary impacts to the surrounds associated with the construction phase. This is discussed within the Environmental Impact Statement and the Social Impact Assessment (Appendix AK), noting that the impacts are identified to be of a relatively minor scale when compared with other comparable SSD projects.</p> <p>The SIA, provided at Appendix AK of the SSDA Lodgement, identifies that the proposal will result in positive long-term benefits such as through the provision of an improved streetscape, increased market and affordable housing supply, improved access to social infrastructure and employment and daily needs and increased provision for active travel which benefits health and wellbeing.</p> <p>Noise impact has also been considered within the Noise and Vibration Assessment (Appendix Z) which predicts that the increase in noise levels will be no greater than 2 dB(A) which does not require further assessment or mitigation.</p>

EXCESSIVE TRAFFIC CONGESTION AND PARKING

42% increase in dwellings will dramatically overload local infrastructure and traffic around Hammond Lane, which is small and narrow and would barely cope with the 64 approved units in the DA, where ingress and egress is via Hammond Lane.

The cumulative impact of the proposal is assessed in detail in the Environmental Impact Statement. Overall, it is considered that the proposal will not give rise to any unreasonable social or environmental impacts. Traffic impacts are considered in the Traffic and Parking Assessment Report at **Appendix U**.

There had been no regard to the DCP in the TIA, as it fails to consider the future developments in the immediate vicinity of Hammond Lane, and the impact they, and the proposed development, will have on aggravating traffic in Hammond Lane.

The submitted Traffic and Parking Assessment Report (**Appendix U**) has been prepared with regard to the relevant policies and requirements including Council's DCP.

The TIA has neither considered nor had any regard to the impact that the proposed massive increase in residential units would have upon our club members' vehicle access to our parking area, from the point of view of traffic safety and congestion.

The site access arrangement was approved as part of Council approved DA-2023/170 prior to the inclusion of the affordable housing component.

The large increase in residents will lead to CCC member parking being used by customers and workers of shop-top housing businesses. Loss of the little parking we have could be a major problem, leading to loss of members and evidently, economic loss.

All required parking generating by the proposed development is provided on-site within the proposed basement levels. Accordingly, it is not expected that CCC parking would be utilised by occupants or visitors to the proposed development.

FAILURE TO HAVE REGARD TO THE IMPACT ON THE CLUB

It is ironic that the project has styled itself 'Hammond Greens', no doubt to highlight the fact that it is adjacent to Hammond Lane and will have splendid views over the Chatswood Bowling Club and over our three croquet lawns. Yet none of the supporting reports produced on behalf of the developer has given any regard whatsoever to the visual impact that this proposal will have upon the croquet grounds themselves. The vastly increased size of the residential tower proposed will stand out like an ugly, sore thumb. This rare and precious key public space would feel depressingly 'boxed in' with the visual intrusion and obscuring of a considerable portion of the sky by any additional development of the scale proposed by the present application.

The Environmental Impact Statement and accompanying technical reports considers cumulative impacts of the proposal to the surrounds guided by the DPHI Cumulative Impact Assessment Guidelines for State Significant Projects.

REFLECTION OF LIGHT INTO THE CLUB

We are also concerned by the impact that reflected light from glass windows of the proposed building, particularly with the uplift in height to 35 storeys, will have upon our croquet grounds. The building, being south of our grounds and with much of the structure facing north, will have direct sunlight upon it for the greater part of every day of the year. The glare from this will further exacerbate the jarring nature of the visual impact of this building and will undoubtedly cause unwanted distraction, discomfort and eye strain to our members playing croquet.

A Reflectivity Addendum is provided at **Appendix AV** which confirms that the proposed development will be mandated to maintain an external reflectivity of less than 20% for all proposed façade materials, which is ordinarily applied as the upper limit for normal specular reflectivity.

EXCESSIVE VISUAL INTRUSION INTO THE CROQUET GROUNDS

The current and desired future character of the locality must include preservation of the pleasant ambience of this key public space from overwhelming and intrusive development.

The proposed development aligns with the desired future character of the Chatswood CBD, which envisions 'slender tower forms' within the MU1 Mixed Use zone at the CBD's periphery.

5 Updated Project Justification

This Report has responded to each of the issues raised in the government agencies and public submissions received regarding the proposed shop-top housing development at the site.

There is no change to the evaluation of the proposal's statutory or strategic merit, as a result of the RTS.

5.1 Suitability of the site

The site is considered highly suitable for the proposed development and the development is suitable for the site for the following reasons outlined in the EIS:

- The proposal is consistent with the MU1 Mixed Use zone objectives, is permitted with consent and satisfactorily addresses the relevant provisions in the WLEP 2012 and WDCP 2023.
- The proposed development will benefit from being co-located within proximity to other new mixed-use developments, supporting the economic and social growth and activity in the Chatswood CBD, aligning with the key strategic vision.
- The proposed development will optimise use of an underutilised site and align with strategic objectives to support the Willoughby LGA and NSW with a continued transition towards providing high-quality market and affordable housing, that has minimal environmental impact on the surrounding area.
- The bulk and scale of the proposed development is compatible and consistent with its existing and future context. There are no significant environmental constraints that would limit the project from being developed at the site.
- The site is accessible and serviced by transport, with connections to the Pacific Highway and Fullers Road to the west and the M2 further south, providing wider connectivity to the LGA and regional context. The site is located approximately 600m walking distance from the Chatswood Transport Interchange, which provides rail, metro and bus connections. In 2024, the Sydney Metro City & Southwest line will open and connect Chatswood Station to Crows Nest, North Sydney, Barangaroo and Martin Place.

5.2 Public interest

The proposal will deliver significant public benefits to the community. The proposal is in the public interest that it:

- is wholly consistent with relevant State and local strategic plans, most particularly the Chatswood CBD Strategy which has been endorsed by the council and the Department of Planning, Housing and Infrastructure;
- predominantly complies with the relevant State and local planning controls including the relevant provisions in the WLEP 2012 and WDCP 2023;
- delivers much needed housing supply that will contribute towards the NSW Government's housing targets under the Housing Accord and that is suited to the housing needs of in this part of Sydney;
- has been comprehensively assessed as outlined in the EIS, which demonstrates that the development will not have any adverse environmental impacts on nearby land uses and sensitive receivers are minimised, and where required, managed through appropriate mitigation measures;
- will not only deliver vital housing – including infill affordable housing - but also commercial/retail uses that will serve the residents and the broader community and create new local job opportunities for the LGA.



- will facilitate the orderly and economic use and development of the land.



Appendices

Appendix AZ – Submissions Register

Table 7: Submissions Register

GROUP	NAME	MATTER	SECTION WHERE ISSUES ADDRESSED
Public authorities	DPHI	Design excellence	Section 4 Table 3 of this RTS Report
		Traffic and transport	Section 4 Table 3 of this RTS Report and Appendices U and AZ
		Built form	Section 4 Table 3 of this RTS Report and Appendices C, L, AM
		Non-residential floor space	Section 4 Table 3 of this RTS Report
		Residential amenity	Section 4 Table 3 of this RTS Report and Appendices E and AZ
		Landscaping	Section 4 Table 3 of this RTS Report and Appendix L
		Noise	Section 4 Table 3 of this RTS Report and Appendix Z
		Updated architectural plans/documentation	Section 4 Table 3 of this RTS Report and Appendix E
		Other	Section 4 Table 3 of this RTS Report and Appendices AP and AR
		Willoughby City Council	
Consistency with Housing SEPP	Section 4 Table 4 of this RTS Report		
Site location on edge of Chatswood CBD	Section 4 Table 4 of this RTS Report		
Recent site history	Section 4 Table 4 of this RTS Report		
Design excellence	Section 4 Table 4 of this RTS Report and Appendix I		
Bulk and scale	Section 4 Table 3 of this RTS Report and Appendices G and H		
Non-residential floor space	Section 4 Table 4 of this RTS Report and Appendix F		
Car parking and traffic	Section 4 Table 4 of this RTS Report and Appendix S		
Ground level and tower setbacks	Section 4 Table 3 of this RTS Report and Appendices G and H		
Affordable housing	Section 4 Table 4 of this RTS Report		
Infrastructure	Section 4 Table 4 of this RTS Report		

	Deep soil and public domain		Section 4 Table 4 of this RTS Report and Appendix M
	Tree removal and planting		Section 4 Table 4 of this RTS Report and Appendix M
	Flooding and stormwater management		Section 4 Table 4 of this RTS Report
	Waste management		Section 4 Table 4 of this RTS Report and Appendices AH and BE
	Ausgrid	N/A	N/A – no actions required
	Sydney Trains	N/A	N/A – no actions required
	TfNSW	N/A	N/A – no actions required
	Heritage NSW	N/A	N/A – no actions required
	DCCEEW	N/A	N/A – no actions required
	Sydney Water	N/A	N/A – no actions required
	Sydney Metro	Insufficient information	Amended survey and covering letter provided at Appendix BC and BD .
Public	Phillip Martyn	Object	Section 4 Table 6 of this RTS Report
	Name Withheld	Support	NA – no actions required
	Name Withheld	Object	Section 4 Table 6 of this RTS Report
	Name Withheld	Object	Section 4 Table 6 of this RTS Report
	Chatswood Croquet Club Incorporated	Object	Section 4 Table 6 of this RTS Report

Appendix BF – Updated Mitigation Measures

An update to the lodged mitigation measures table at **Appendix D** has not been necessary because of the nature of the agency submissions and comments received. On this basis, the proposal continues to rely on the mitigation measures at **Appendix D**.



