

3 July 2025

Hon. Paul Scully MP
Minister for Planning and Public Spaces
NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attention: Russell Hand – Principal Planning Officer, Department of Planning, Housing and Infrastructure

Dear Mr Scully

OBJECTION SUBMISSION TO STATE SIGNIFICANT DEVELOPMENT APPLICATION NO. SSD-78520463 PROPOSING DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A 34 STOREY MIXED USE SHOP TOP HOUSING DEVELOPMENT THAT INCLUDES IN-FILL AFFORDABLE HOUSING, COMMUNAL FACILITIES, FIVE LEVEL BASEMENT CAR PARKING AND ASSOCIATED WORKS 54-56 ANDERSON STREET, CHATSWOOD (LOTS 1-2 DP 902684)

We refer to the above State Significant Development Application (SSDA) No. SSD-78520463 described by the Department of Planning, Housing and Infrastructure (the Department) as, "*Construction of a mixed used development with in-fill affordable housing and basement parking*". Milestone (AUST) Pty Limited (Milestone) acts for the following parties:

- Strata Committee of B2E, located at 1 Day Street Chatswood (SP 72068);
- Strata Committee of Epica, located at 9 Railway Street Chatswood (SP 74513);
- Strata Committee of Altura located at 11 Railway Street Chatswood (SP 71281); and
- Pacific Place Community Association on Deposited Plan 270368.

Milestone has reviewed the associated documentation supporting SSDA No. SSD-78520463 including, but not limited to:

- Architectural Plans prepared by AJC Architects, dated 21 March 2025.
- Environmental Impact Statement prepared by Mecone dated 13 May 2025.
- Wind Impact Assessment prepared by Vipac Engineers and Scientists Limited, dated 9 April 2025.
- Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd dated 2 April 2025.
- Geotechnical Investigation Report prepared by Elite Geosciences dated 14 February 2025.
- Noise Impact Assessment prepared by Acoustic Logic Pty Ltd, dated 21 January 2025.
- Dewatering Management Plan prepared by Elite Geosciences dated 14 February 2025.
- Groundwater Technical Memorandum prepared by Elite Geosciences dated 14 February 2025.
- Salinity and Acid Sulfate Soil Management Plan prepared by Elite Geosciences dated 14 February 2025.
- Detailed Site Investigation prepared by EI Australia Pty Ltd dated 22 January 2025.

Summary of Objection

This submission strongly objects to the following key aspects of the proposed development:

1. Overshadowing and Solar Access.
2. Traffic and Parking Impacts.
3. Wind Impacts.
4. Construction Impacts.
5. Cumulative Development Impacts.
6. Errors and Inadequate Information in Expert Reports.

On the basis of the insufficient information submitted to determine the full extent of environmental impacts from the proposed development, we contend that the State Significant Development Application cannot be reliably supported.

1. BACKGROUND

This submission has been prepared on behalf of the residents that benefit from Pacific Place Community Association (Deposited Plan 270368), the Strata Committee for Altura located at 11 Railway Street Chatswood (SP 71281), the Strata Committee for B2E located at 1 Day Street Chatswood (SP 72068) and the Strata Committee for Epica located at 9 Railway Street, Chatswood (SP 74513) refer to **Figure 1**.

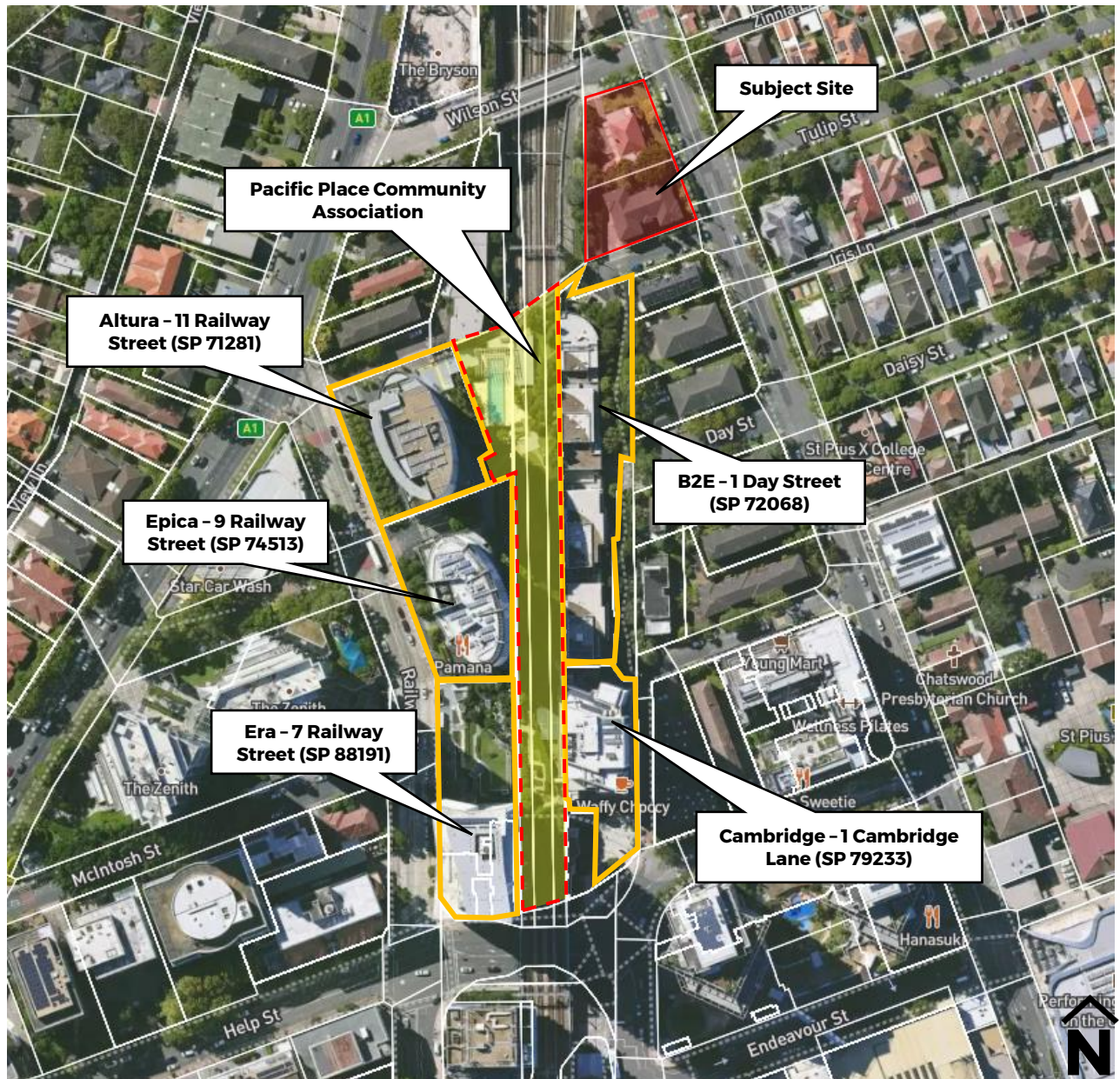


Figure 1: Site Location Map
Source: MetroMap, 2025

Pacific Place Community Association (SP 270368)

Pacific Place Community Association on Deposited Plan No. 270368, utilises the existing communal open space shown in **Figure 1**, **Photo 1** and **Photo 2**, including a community garden and swimming pool on the northern extent of the open space. The Pacific Plan Masterplan Development Application was approved under Development Consent No. 1999/1812 on 12 February 2001 and includes six (6) buildings. Pacific Place accommodates 848 residential lots accommodating more than approximately 2,000 residents between the following Strata Plans:

- SP 72068 – B2E – 64 lots.
- SP 74513 – Epica – 221 lots.
- SP 71281 – Altura – 137 lots.
- SP 88191 – ERA – 294 lots.
- SP 79233 – Cambridge – 132 lots.

Pacific Place forms the only high quality open space available to over 2,000 residents which highlights its value and importance to the community.



Photo 1: View north to communal open space managed by the Pacific Place Community Association between Altura (left) and B2E (right)
Source: Milestone, 2024



Photo 2: Interface with Subject Site; View north of existing pool & garden utilised by residents of Pacific Place Community Association.
Source: Milestone, from Level 25 of Epica

Altura – 11 Railway Street Chatswood (SP 71281)

Altura comprises a 25-storey elliptical tower and includes 137 residential lots on Strata Plan No. 71281. The location of Altura in proximity to the proposed development site places it at an increased risk of impacts from overshadowing of the proposed development.

B2E – 1 Day Street, Chatswood (SP 72068)

B2E comprises a 5-storey medium-rise residential flat building and includes 64 residential lots on Strata Plan No. 72068. A total of 31 of B2E's 64 apartments are single aspect and highly susceptible to overshadowing due to its north-south orientation. **Photo 3** shows B2E's location as viewed from Altura. B2E is the most affected property by the proposed development, given the B2E building is located 20m from the development site.

Milestone (AUST) Pty Limited



Photo 3: B2E; View east
Source: Milestone, 2024 from Level 22 of Altura

Epica – 9 Railway Street, Chatswood (SP 74513)

Epica comprises a 32-storey elliptical tower and includes 221 residential lots on Strata Plan No. 74513. The east-north-east orientation of the Epica tower provides for the enjoyment of expansive views to the north and east of the site from the majority of residential apartments, which are also afforded solar access during morning periods.

2. REDEVELOPMENT OF CHATSWOOD CBD

Since the rezoning of the Chatswood CBD in 2022 extending the CBD north to incorporate additional MUI Mixed Use Zoning and permitting Shop Top Housing Developments up to 90 metres (27 storeys), multiple Development Applications have been lodged with Willoughby City Council to redevelop low and mid-rise residential apartment buildings to high rise tower developments. On 14 December 2023, the Department of Planning, Housing and Infrastructure announced revisions to *State Environmental Planning Policy (Housing) 2021* which provided up to 30% bonus floor space and building height above the maximums set during the rezoning of the Chatswood CBD. This has resulted in a number of development sites, that have Development Applications under assessment by Willoughby City Council to lodge applications for Secretary's Environmental Assessment Requirements (SEARS) for State Significant Development Applications (SSD) for developments up to 36 Storeys high, an increase of up to nine storeys. A summary of the Development Applications and State Significant Development Applications in proximity to Pacific Place Community Association are held at **Table 1**.

Table 1: Development Summary of Applications

Address	Development Application	State Significant Development Application
871 Pacific Highway	<p><u>DA-2022/161</u></p> <p><i>Demolition of all site structures and construction of 27 storey mixed use residential building consisting of 6 levels of basement car parking, ground level to level 2 commercial premises, level 3 communal open space and facilities, levels 2 to 26 providing 76 residential apartments and associated works.</i></p>	N/A

	Approved - 2 March 2023	
58 Anderson Street	<u>DA-2023/150</u> <i>Demolition of existing structures and construction of 15 storey shoptop housing (mixed use) development, site landscaping, public art, public domain works and associated works.</i>	N/A
	Approved - 6 March 2025	
54-56 Anderson Street	<u>DA-2023/152</u> <i>Consolidation of site, demolition of existing structures, construction of 26 storey shop top housing development comprising commercial/retail, 84 residential units, publicly accessible through-site link, 4 levels of basement car parking.</i>	<u>SSD-78520463</u> <i>Demolition Of Existing Structures And Construction Of A 34 Storey Mixed Use Shop Top Housing Development That Includes In-Fill Affordable Housing, Communal Facilities, Five Level Basement Car Parking And Associated Works</i>
	Approved - 20 December 2025	Under Assessment
849, 853, 859 Pacific Highway and 2 Wilson Street	<u>DA-2024/47</u> <i>Proposed construction of a mixed use development comprising of basement parking, commercial and retail premises, childcare centre and shop top housing, public domain works, landscaping and associated works</i>	<u>SSD-74319707</u> <i>Construction of a 36-storey mixed use development including 308 residential apartments, retail, commercial and child care uses and associated demolition, site preparation and excavation works.</i>
	Under Appeal	Under Assessment
44-52 Anderson Street	<u>DA-2023/172</u> <i>Consolidation of site, demolition of existing structures, construction of 26 storey mixed use development comprising commercial/retail, 95 residential units, publicly accessible through-site link, 4 levels of basement carparking, landscaping and associated works</i>	<u>SSD-75408008</u> <i>Construction of a 33-storey shop-top housing development with in-fill affordable housing, including 123 apartments (including 36 affordable housing units) and eight basement levels.</i>
	Refused - 20 September 2024	Under Assessment
3 McIntosh Street, 2 Day Street and 40-42 Anderson Street	<u>DA-2023/194</u> <i>Demolition of existing structures and construction of a 27 storey mixed use development consisting of 2-4 storey commercial uses and 23 storey with 162 residential apartments, communal indoor and outdoor facilities, parking and associated works</i>	<u>SSD-74670720</u> <i>Construction of a mixed use development comprising 250 residential apartments (including 49 in-fill affordable apartments), retail and office uses, excavation works and associated works.</i>
	Withdrawn	Under Assessment
3-5 Help Street	<u>DA-2023/160</u> <i>Demolition of existing structures, construction of 27 storey mixed-use development</i>	<u>SSD-76555711</u> <i>Construction of a 35 storey mixed use development including commercial at ground and podium levels, a residential tower, and associated landscaping and public domain works.</i>
	Approved - 17 September 2025	Under Assessment

This highlights the extensive redevelopment of the Chatswood CBD, which is under rapid transition, and the high potential for significant amenity impacts for Pacific Place Open Space if the cumulative impacts from the proposed developments are not well considered.

3. GROUNDS FOR OBJECTION

3.1. Overshadowing and Solar Access

3.1.1. Common Issues for Pacific Place Community Association

The importance of the Pacific Place communal open space has been cultivated as a social and useable open space for the residents of Pacific Place Community Association.

Noting that substantial overshadowing as a result of the redevelopment of the Chatswood CBD will occur for the residents with the benefit of Pacific Place between 9.00am and 3.00pm for the residents' private open space and principal living areas, the communal open space of Pacific Place must continue to provide an opportunity for residential land owners and their families to utilise the afternoon sun and communal areas, including the swimming pool and the community garden located on the northern extent of the site adjacent to B2E that is used by residents to grow and harvest their own produce and herbs. The residents of Epica, B2E, Cambridge, Altura and ERA regularly utilise this communal open space. A significant financial investment has been made to plant and maintain the extensive landscaping and vegetation throughout Pacific Place. All of this landscaping and vegetation were selected to thrive with solar access being received in Pacific Place, which currently receives overshadowing only in the afternoons from the Epica, Altura and Era buildings in the late afternoons. If the proposed overshadowing of Pacific Place occurs, this will detrimentally impact the landscaping and vegetation, which was not designed for full shade environments.

The NSW Land and Environment Court has established a Planning Principal on solar access (*The Benevolent Society v Waverley Council* [2010] NSWLEC 1082) which provides the following matters of consideration:

- *"The ease with which sunlight access can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. (However, even at low densities there are sites and buildings that are highly vulnerable to being overshadowed.) At higher densities sunlight is harder to protect and the claim to retain it is not as strong.*
- *The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained.*
- *Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines. The poor quality of a proposal's design may be demonstrated by a more sensitive design that achieves the same amenity without substantial additional cost, while reducing the impact on neighbours.*
- *For a window, door or glass wall to be assessed as being in sunlight, regard should be had not only to the proportion of the glazed area in sunlight but also to the size of the glazed area itself. Strict mathematical formulae are not always an appropriate measure of solar amenity. For larger glazed areas, adequate solar amenity in the built space behind may be achieved by the sun falling on comparatively modest portions of the glazed area.*
- *For private open space to be assessed as receiving adequate sunlight, regard should be had of the size of the open space and the amount of it receiving sunlight. Self-evidently, the smaller the open space, the greater the proportion of it requiring sunlight for it to have adequate solar amenity. A useable strip adjoining the living area in sunlight usually provides better solar amenity, depending on the size of the space. The amount of sunlight on private open space should ordinarily be measured at ground level but regard should be had to the size of the space as, in a smaller private open space, sunlight falling on seated residents may be adequate.*
- *Overshadowing by fences, roof overhangs and changes in level should be taken into consideration. Overshadowing by vegetation should be ignored, except that vegetation may be taken into account in a qualitative way, in particular dense hedges that appear like a solid fence.*
- *In areas undergoing change, the impact on what is likely to be built on adjoining sites should be considered as well as the existing development".*

Sunlight to Pacific Place is currently obtained with ease, and could be better retained and protected with the adoption of slender tower forms which result in fast moving shadows. The size of Pacific Place is very large, and provides open space for over 2,000 residents which highlights its importance. The proposal of SSD-78520463 has not considered the NSW Land and Environment Court Planning Principal on solar access and this assessment is required to be undertaken. It is acknowledged that a basic assessment of the additional overshadowing caused by SSD-78520463 is undertaken at Section 6.3 of the Environmental Impact Statement prepared by Mecone, dated 13 May 2025, however this does not consider alternative designs or the cumulative impact of surrounding development on the communal open space.

Milestone has reviewed the development plans for the sites listed in **Table 1** to determine how much solar access will be afforded to Pacific Place Open Space after the redevelopment of the Chatswood CBD is complete. As identified in **Figure 2**, solar access will only be afforded to all of Pacific Place at 12.00pm on the winter solstice with parts of Pacific Place receiving solar access at 11.30am and 12.30pm, with development at 54-56 Anderson Street, resulting in complete overshadowing until 11.00am and 849, 853, 859 Pacific Highway and 2 Wilson Street causing complete overshadowing from 1.00pm.



Figure 2: Solar Access Diagram
Source: Milestone, 2025

- Legend**
- Development Sites
 - Pacific Place Community Association
 - Solar Access to Pacific Place Open Space
 - Sunlight to Pacific Place Blocked by Built Form
 - Property Boundary

The contributing factor resulting in the significant overshadowing impacts to Pacific Place open space area is caused by the wide and large footprint tower forms proposed on a number of development sites including the subject site, which results in large, slow moving shadows being cast. If slender tower forms were adopted, this would result in fast moving shadows that have less of an impact on the amenity and would maintain the enjoyment of Pacific Place. The built form of the towers approved and being proposed in the Chatswood CBD provide minimum setbacks, with podiums built generally to the site boundaries and only relatively minor setbacks for the tower built forms. The loss of solar access to Pacific Place will have a profound long term ongoing impact on the amenity of the residents that benefit from access to the communal open space. During winter, residents that wish to sit in the sun will be forced to travel to other areas of open space in the locality such as Beauchamp Park or Chatswood Oval which will place further strain on community infrastructure and the local traffic network as they are not well placed in the Chatswood CBD and not easily accessible for elderly or people with young children.

3.1.2. B2E – 1 Day Street, Chatswood (SP 72068)

Insufficient information has been submitted with the SSDA, demonstrating compliance with Objective 4A of the Apartment Design Guide, which requires buildings be provided with solar access in accordance with the following design criteria:

- *“Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.*
- *In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.*
- *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter”.*

The residential apartments of B2E will be in shadow from 9.00am to 11.30am as a result of the SSDA which will result in no morning solar access being afforded to all single aspect apartments which face east. Residents on the northern extent of B2E with north-facing balconies and terraces will enjoy little to no mid-winter sunlight as a result of the future development. Compliance with the above design criteria is required to be addressed for both the proposed development, and the existing adjoining developments, with a detailed solar access analysis being required to be undertaken.

The majority of B2E residents that are located on the eastern side of the built form are adjacent to existing vegetation and mature trees that contribute to the attractive walkway southbound from O'Brien Street that is managed by the Pacific Place Community Association. Whilst B2E provides a positive contribution to the limited tree canopy of the Chatswood CBD, the cumulative shadow impact of the existing vegetation and the resulting built form of SSDA No. SSD-78520463 will further inhibit solar access to east-facing residential apartments.

3.1.3. Epica – 9 Railway Street, Chatswood (SP 74513)

Insufficient information has been submitted with the SSDA, demonstrating compliance with Objective 4A of the Apartment Design Guide, which requires buildings be provided with solar access in accordance with the following design criteria:

- *“Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.*
- *In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.*
- *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter”*

The east facing residential apartments of Epica will be in shadow from 9.00am to 11.00am which will significantly reduce the solar access being afforded to all apartments with an eastern aspect. Compliance with the above design criteria is required to be demonstrated for both the proposed development, and the existing adjoining developments, with a detailed solar access analysis being required to be undertaken.

Multiple residential apartments located in the Epica tower are afforded solar access during morning periods resulting from the east-north-east orientation of the building. The residents located in these identified apartments contain limited private open space in the form of balconies or terraces that are directly connected to their principal living areas. The Shadow Diagram prepared by AJC Architects for 9.00am identify the substantial shadow impacts that will be borne by the residents of Epica during early morning periods into their private open space and connected living areas. This limits the useability and benefit of private open space in these apartments, which are directly connected to these living areas.

3.1.4. *Altura – 11 Railway Street, Chatswood (SP 71281)*

Insufficient information has been submitted with the SSDA, demonstrating compliance with Objective 4A of the Apartment Design Guide, which requires buildings be provided with solar access in accordance with the following design criteria:

- *“Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.*
- *In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.*
- *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter”*

The east facing residential apartments of Altura will be in shadow from 10.00am to 11.30am which will significantly reduce the solar access being afforded to all apartments with an eastern aspect. Compliance with the above design criteria is required to be demonstrated for both the proposed development, and the existing adjoining developments, with a detailed solar access analysis being required to be undertaken.

Multiple residential apartments located in the Altura tower are afforded solar access during morning periods resulting from the east-north-east orientation of the building. The residents located in these identified apartments contain limited private open space in the form of balconies or terraces that are directly connected to their principal living areas. The Shadow Diagram prepared by AJC Architects for 10.00am and 11.00am identify the substantial shadow impacts that will be borne by the residents of Altura during early morning periods into their private open space and connected living areas. This limits the useability and benefit of private open space in these apartments, which are directly connected to these living areas.

3.2. Traffic and Parking Impacts

3.2.1. *Common Issues*

During the public notification of Planning Proposal No. PP-2021/3467, Milestone identified that following a review of the Transport Impact Assessment prepared by JMT Consulting dated 9 February 2021 in conjunction with the Chatswood CBD Strategic Study Future Conditions Report prepared by ARUP dated September 2020, there were significant concerns over the contribution of potential future development to existing and future road networks within the Chatswood CBD and outside its boundaries. This view formed part of a formal objection submission dated 3 November 2021 made to Willoughby City Council by Milestone.

Milestone has reviewed the Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd dated 2 April 2025 and there has been no additional traffic analysis backed by up to date on site surveys and studies and does not consider the impact of other Development Applications or SSDA's in the Chatswood CBD. This is inconsistent with the response to objections provided by Council during the assessment of Planning Proposal No. PP-2021/2467 in 2022 for 54-56 Anderson Street, Chatswood, and Milestone considers that the same rationale to traffic and parking impacts should apply in this instance. A commitment was made for new traffic data to be obtained and this has not been complied with, therefore the Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd dated 2 April 2025 cannot be supported without obtaining new data. To do so would result in the consent authority not fully considering an important impact of the proposed development.

An accurate and comprehensive assessment of the traffic impacts is required to be understood prior to granting development consent to the proposed development. Chatswood is already an area of high traffic congestion, particularly on weekday afternoons and on weekends as reported to by residents of the area. Given these peak times are outside of a common peak congestion time (weekday mornings), the traffic impacts of the proposed development are likely to have an area specific impact that needs to be fully considered with up to date data. **Figure 3** details the existing areas of congestion surrounding the northern end of the Chatswood CBD.

Therefore there is no definitive report which justifies the appropriateness of the SSDA as the associated traffic and parking impacts are not known. We request that the Department seek an updated Traffic and Parking Impact Assessment before this SSDA progresses any further. Moreover, we request that any updated Traffic and Parking Assessment be placed on public exhibition so that all stakeholders have the opportunity to review this analysis and provide further comments to the Department as required.

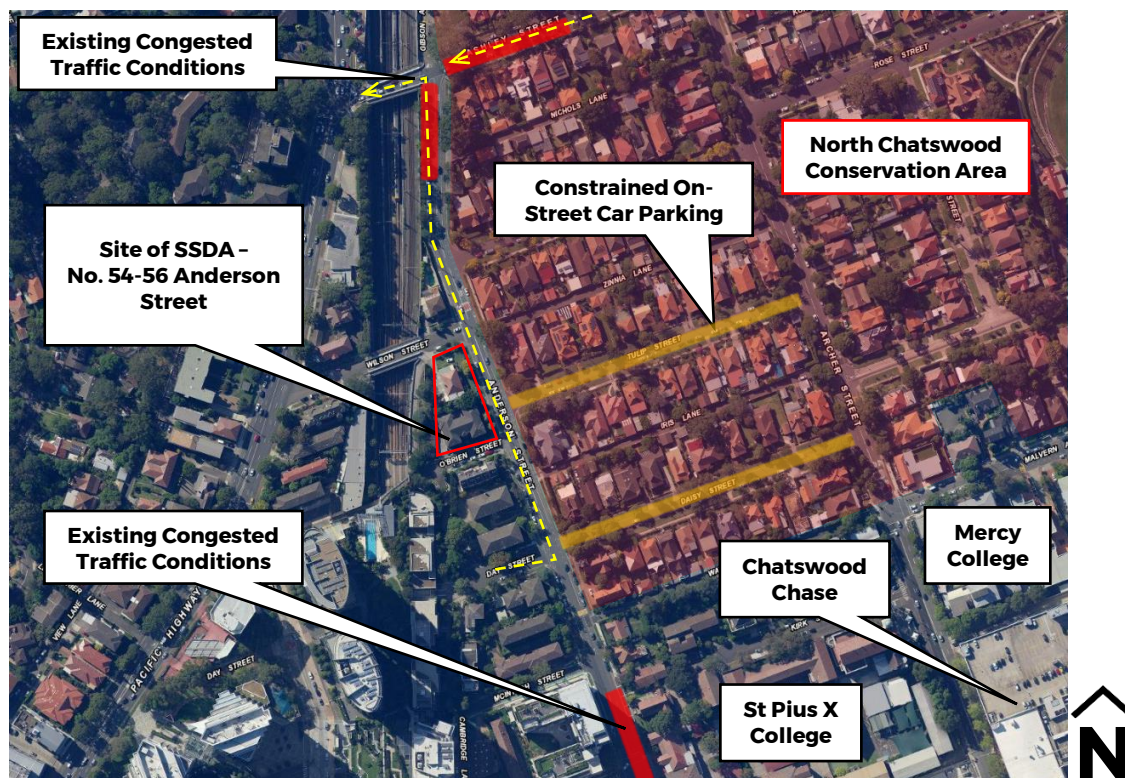


Figure 3: Traffic and Parking Context
Source: SIX Maps 2025

In addition to this, the parking and traffic impacts as a result of the proposal will be further exacerbated as a result of the proposed on site car parking (total of 126 car parking spaces) in the proposed five level basement car park. In an effort to minimise the parking and traffic impacts of the redevelopment of the northern end of the Chatswood CBD, the *Willoughby Development Control Plan 2023* (DCP 2023) sets the following minimum and maximum car parking rates for residential development in the Chatswood CBD.

Table 1: DCP 2023 Car Parking Rates

Minimum Car Parking Requirement	Maximum Car Parking Requirement
<ul style="list-style-type: none"> 0.1 spaces per studio/1-bedroom flat 0.2 spaces per studio/ 2-bedroom flat 0.25 spaces per studio/ 3+ bedroom flat 	<ul style="list-style-type: none"> 0.5 space per studio, 1, 2, 3 or more bedroom units 1 visitor space per 7 dwellings

This would limit the residential component of the proposed development to a maximum of 59 residential car parking spaces. The subject SSDA proposes 126 residential car parking spaces which equates to 1.08 car parking spaces per apartment, more than double of that envisioned by DCP 2023. There will be unacceptable impacts to the traffic conditions of the Chatswood CBD as a result of providing twice times as much residential car parking spaces as envisioned DCP 2023. This will directly result in almost two times as many cars and traffic movements within the already congested CBD and on this basis, we request that the Department insist on compliance with the car parking rates of DCP 2023.

We note that in the Willoughby City Council Assessment Report that supported the refusal of Development Application No. DA-2024/172 at 44-52 Anderson Street, that Council state that the DCP 2023 car parking rates were established with consideration of the area's capacity to handle traffic, and that exceeding these rates across multiple developments could lead to significant congestion, increased emissions and a degradation of the local environment and liveability. Supporting excessive on-site private car parking for a site adjoining a Transport Interchange which includes rail, metro and bus services is inconsistent with the following Strategic Visions of TfNSW's *Future Transport Strategy 2022: (Page No. 14-15)*

- C2.1 - Support car-free, active, sustainable transport options.
- C4.5 - Improve the safety of people walking and cycling.
- P1.2 - Support growth around public transport.
- P1.4 - Improve parking provision and management.
- P2.5 - Improve the amenity of places along state roads.
- P3.2 - Help the transport sector achieve net zero emissions by 2050.

- P4.2 – Improve air quality and reduce noise.
- E2.1 – Promote travel behaviour change to manage networks.
- E2.2 – Stabilise Greater Sydney's traffic.

The provision of more than 1 car parking space per dwelling will undoubtedly work against these strategic visions for transport, resulting in more traffic, emissions, noise, vibration impacts and car dependence and should not be supported on this basis.

3.3. Wind Impacts

3.3.1. Common Issues

Milestone has reviewed the Wind Impact Assessment prepared by Vipac Engineers and Scientists Limited dated 9 April 2025 submitted with the SSDA. This Wind Impact Assessment has not considered the impact that the proposed development will have on the wind environment experienced by the surrounding area, in particular the wind environment when using the Pacific Place communal open space as well as the private balconies of B2E, Altura and Epica. The Pacific Place Community Association open space sits between several tall buildings within the Chatswood CBD, as seen in **Figure 4**. There is great concern that given the level change between the open space and the top of the proposed development, this will result in a substantial wind tunnelling effect.

It is not considered acceptable that this critical impact to the amenity of over 2,000 residents that rely on Pacific Place as their sole area of communal open space is not subject to a detailed assessment. We request that the Department require the Pedestrian Wind Environment Statement is updated to undertake a wind tunnelling assessment that not only considers the proposed development, but the entire redevelopment of the Chatswood CBD, including building height bonuses of 30% available under the in-fill affordable housing provisions of *State Environmental Planning Policy (Housing) 2021*.



Figure 4: View South, Chatswood CBD
Source: Vipac Engineers and Scientists Limited, 2025

3.4. Construction and Geotechnical Impacts

3.4.1. Common Issues

The demolition and construction phase of the proposed development will generate significant noise, dust and vibration impacts which will directly impact the residents of the immediately adjoining sites and Pacific Place open space area. No demolition management plan has been submitted with the SSDA which details how impacts from the demolition and construction phase of the development will be mitigated.

The impact of construction vehicles on the surrounding area, both passenger cars transporting workers and large trucks transporting waste and construction materials, is likely to have a noticeable impact on the amenity of the area. We note that the Noise Impact Assessment prepared by Acoustic Logic dated 21 January 2025 considers construction noise and vibration, however the assessment excludes the following properties being considered as receivers:

- Altura (11 Railway Parade);
- Epica (9 Railway Parade); and
- Pacific Place Communal Open Space.

The exclusion of these properties from the assessment is not acceptable, and will result in unknown impacts to the amenity and quality of life of up to 2,000 residents. On this basis, we request that the Department require the Applicant to prepare a revised Acoustic Assessment that adequately assesses the potential construction impacts to Altura, Epica and Pacific Place Communal Open Space.

If dust is not sufficiently mitigated during the demolition phase of the proposed development, B2E, Altura, Epica and residents that benefit from Pacific Place will be burdened by increased cleaning and maintenance costs for the exterior of their building and the swimming pool, and the apartment's individual balconies will not be usable for a temporary period. Not only will this remove the only area of private open space for residents which directly face the subject site, but it will also mean that residents and the Strata Committees will have to constantly clean and wash their communal swimming pool, private balconies and outdoor furniture to ensure they continue to be usable at a substantial cost.

Further, Milestone requests that a detailed CEMP be prepared which includes all mitigation measures to effectively manage and reduce noise and vibration impacts associated with demolition and construction. The CEMP should be prepared prior to any demolition, excavation or construction works commencing and for this plan to be approved by Department (rather than a PCA) prior to works commencing and the environmental management measures to be regularly reviewed by the Principal Building Contractor and updated accordingly. We also request the following matters are addressed in the CEMP:

- How traffic will be managed with trucks entering/exiting the development site;
- Where construction workers will park;
- How trucks will navigate entry and exit into the site without damaging the kerb and footway;
- How dust will be mitigated to reduce the impact on adjoining developments including B2E which is situated 20m from the subject site and Pacific Place communal open space;
- Community consultation prior to any construction works outlining the project and timetable and direct contact person;
- Readily available contact person for complaints handling procedures to address and respond to issues during demolition and construction; and
- Rectification of any building or property defects to the Pacific Place Community Association created as a result of the demolition and construction works.
- How remediation will occur on site.

3.4.2. B2E – 1 Day Street, Chatswood (SP 72068)

Given the close proximity of B2E to the development site, it is most susceptible to construction impacts including geotechnical impacts caused by excavation for the proposed five level basement. Milestone has reviewed the Geotechnical Investigation Report prepared by Elite Geoscience dated 14 February 2025 which contains several recommendations to mitigate potential geotechnical impacts and request that the Department require these recommendations to be adhered to via conditions of consent. We request that all of these recommendations form conditions of consent to ensure that they are adhered to during the demolition, excavation and construction phase.

Further, the B2E Strata Committee should be provided with a copy of the Detailed Dilapidation Report prior to the commencement of works.

3.5. Cumulative Development Impacts

3.5.1. Common Issues

A key concern held by all residents of B2E, Altura, Epica and Pacific Place are the cumulative impacts of the redevelopment of the northern end of the Chatswood CBD. This proposed development is not an isolated redevelopment of aged housing stock, with the northern end of the Chatswood CBD having seven separate development sites that have all been the subject of Local Development Applications, having Development Consents for large mixed use buildings, having obtained SEARs or have an SSDA being assessed by the Department. The cumulative impacts of all of these developments for matters including solar access, wind, noise, traffic and car parking impacts and construction impacts need to be considered in depth.

We note that Section 2.3 of the Environmental Impact Statement prepared by Mecone dated 13 May 2025 addresses cumulative impacts however this ignores all Local Development Application either under assessment or determined. This is considered to be a considerable oversight that doesn't portray the realistic impacts of the redevelopment of the Chatswood CBD on the existing residents. The cumulative impacts of

the redevelopment of the Chatswood CBD need to be carefully considered to ensure a balanced approach to the redevelopment while appropriately mitigating environmental impacts to existing residents.

3.6. Errors and Inadequate Information in Expert Reports

During Milestone's review of the information submitted in support of SSD No. 78520463, a number of errors and inadequate information in the supporting reports were identified and such errors must be revised and further assessment is required. These include:

Noise Impact Assessment prepared by Acoustic Logic Pty Ltd, dated 21 January 2025

- The date of this report, predates the Architectural Plans, meaning that the Acoustic Consultant did not review the final design and the recommendations may be invalid.
- Epica, Altura and Pacific Place Community Open Space were not considered as receivers.

Geotechnical Investigation Report prepared by Elite Geosciences dated 14 February 2025

- The date of this report, predates the Architectural Plans, meaning that the Acoustic Consultant did not review the final design and the recommendations may be invalid.

Dewatering Management Plan prepared by Elite Geosciences dated 14 February 2025

- The date of this report, predates the Architectural Plans, meaning that the Acoustic Consultant did not review the final design and the recommendations may be invalid.

Groundwater Technical Memorandum prepared by Elite Geosciences dated 14 February 2025

- The date of this report, predates the Architectural Plans, meaning that the Acoustic Consultant did not review the final design and the recommendations may be invalid.

Salinity and Acid Sulfate Soil Management Plan prepared by Elite Geosciences dated 14 February 2025

- The date of this report, predates the Architectural Plans, meaning that the Acoustic Consultant did not review the final design and the recommendations may be invalid.

Detailed Site Investigation prepared by EI Australia Pty Ltd dated 22 January 2025

- The date of this report, predates the Architectural Plans, meaning that the Acoustic Consultant did not review the final design and the recommendations may be invalid.

4. CONCLUSION

For the reasons contained in this submission, SSDA No. SSD-78520463 described by the Department of Planning, Housing and Infrastructure (the Department) as, "*Construction of a mixed used development with in-fill affordable housing and basement parking*" results in significant adverse environmental impacts in relation to its surrounding context. In addition, there is insufficient information provided to assess the actual impact on solar access, wind and acoustic impacts that the proposed development has on the dwellings in B2E, Altura, Epica and on the Pacific Place communal open space.

Insufficient information has been submitted with the SSDA to determine the full extent of environmental impacts from the proposed development, with the following supporting reports to the SSDA not providing the necessary detail nor proper assessment required to determine the environmental impacts of the proposed development:

- Noise Impact Assessment prepared by Acoustic Logic Pty Ltd, dated 21 January 2025
- Geotechnical Investigation Report prepared by Elite Geosciences dated 14 February 2025
- Dewatering Management Plan prepared by Elite Geosciences dated 14 February 2025
- Groundwater Technical Memorandum prepared by Elite Geosciences dated 14 February 2025
- Salinity and Acid Sulfate Soil Management Plan prepared by Elite Geosciences dated 14 February 2025
- Detailed Site Investigation prepared by EI Australia Pty Ltd dated 22 January 2025

We request that the Department require the Applicant to significantly reduce the car parking rate provided on site in accordance with the requirements of DCP 2023 to mitigate the traffic, parking, congestion, environmental and amenity impacts of the proposed development on the Chatswood CBD. A site located in close proximity to a major transport interchange including rail, metro and buses does not need to provide 1.08 car parking spaces per apartment, and allowing this would be a direct contradiction to TfNSW's *Future*

Transport Strategy 2022. The only reason for so much car parking to be provided is to increase the sale price of the apartments and this directly values the amenity of the future residents of the proposed development over the amenity of the established residents in Chatswood.

We request that any additional information submitted as part of this SSDA as detailed in this submission is placed on public exhibition so that the community have an opportunity to review and comment on any amended design or additional documentation/assessment.

We would appreciate the opportunity to discuss our concerns with you and also invite the Department's Officers as part of this planning assessment process to inspect the communal open space managed by the Pacific Place Community Association as well as residential apartments of B2E, Altura and Epica, both internally and externally, to better understand the nature of the concerns and proposed recommendations.

If you have any queries in relation to this matter please do not hesitate to contact the undersigned.

Yours sincerely

Milestone (AUST) Pty Limited



Aidan Harrington
Associate



Lisa Bella Esposito
Director

Encl.