



**PLANNING AND INFRASTRUCTURE**  
Planning Unit

3 October 2025

Director Housing Delivery  
Housing Supply and Infrastructure  
Department of Planning, Housing and Infrastructure  
Locked Bag 5022,  
Parramatta NSW 2124  
Att: Edwina Ross

Dear Edwina,

Re: State Significant Development Application Number SSD-76555711  
Mixed use infill affordable housing: 3-5 Help Street, Chatswood  
Response to Submissions

I am writing to you regarding the State Significant Development Application Number SSD-76555711 at 3-5 Help Street, Chatswood, and in response to the proponent's Response to Submissions.

Council officers lodged a submission in response to the Environmental Impact Statement (EIS) on 10 July 2025. Following a review of the proponent's Response to Submissions (RtS), Council maintains its concerns raised in its original submission. In addition to those previously identified issues, further matters have emerged that require clarification or detailed consideration as outlined below.

**1. Objections raised in previous submission**

Council retains its objections to the proposal as specified in its submission provided for the Environmental Impact Statement in relation to the following:

- Background of project and development consent conditions
- Height in close proximity to CBD boundary
- Affordable housing contribution
- Infrastructure contributions
- Excessive car parking spaces
- Waste management issues
- Building sustainability
- Engineering issues

**2. Required public domain works**

The increase in density and activity proposed, combined with the traffic flow and servicing arrangements arising from the proposed vehicular access and egress to the site will require substantial public domain upgrades to accommodate the proposed uplift at this site. Section 7.11 Contributions cannot be relied upon to deliver these works as they are required to be in place for the safe operation of the development at its occupation.

Willoughby City Council has developed a schematic design for the works that will be required to ensure vehicles, including waste and delivery vehicles are able to safely access the site, noting the current intersection of Help Street and Cambridge Lane, and the current configuration of Cambridge Lane and of McIntosh Street require upgrades to accommodate the proposal and avoid dangerous conflicts between vehicles, cyclists and pedestrians.

At its Traffic Committee Meeting on 13 February 2025, the Schematic Design was endorsed by the Committee, in particular:

- **Cambridge Lane Shared Zone**

Cambridge Lane, and its intersection with Help Street, is required to be upgraded to more safely accommodate larger vehicles, and remove conflicts with cyclists.

- **McIntosh Street Upgrades**

Upgrades to McIntosh Street are required to safely accommodate larger vehicles, and remove conflicts with cyclists.

- **Day Street**

Upgrades to Day Street will be required to integrate the new development with the public domain in a manner consistent with the desired future character.

- **Anderson Street Cycleway and Greening**

The existing on-grade split cycleway will be reconfigured into a separated cycleway on the Western side of Anderson Street in the future. This will allow for upgrades to pedestrian footpaths and the public domain to accommodate the proposed density and the associated increase in movement patterns. Public Domain upgrades at Anderson Street will be required to provide an appropriate treatment in the interim, including raised thresholds at the entries to McIntosh and Day Street.

### **Proposed Traffic Management Measures**

Council also proposes the following traffic changes be integrated with the required public domain works to improve safety and amenity:

- No right turn from Help Street into Cambridge Lane.
- No right turn from McIntosh Street into Anderson Street.
- Updated speed limit and other signage reflecting new traffic conditions.

Details of the required works can be found in **Attachment 1** to this submission, extracted from the relevant Council Traffic Committee meeting minutes.

The development should be conditioned to provide public domain upgrades to Council's satisfaction, upgrading Cambridge Lane, including its entry point from Help Street, and implementing the no right turn arrangements specified above.

## Recommendation

To ensure the access and egress arrangements proposed by the development can be safely accommodated the following conditions are proposed:

### ***Prior to Construction Certificate: Public Domain Works***

*Construction Plans for Public Domain Upgrades are to be approved by Council prior to the issue of a Construction Certificate. The works should include, to Council's specification, raised thresholds, road paving, landscaping and signage upgrading of McIntosh Street, Help Street and Cambridge Lane. Cambridge Lane and McIntosh Street are to be a shared zones.*

### ***Prior to Occupation Certificate***

*Public Domain Upgrades on McIntosh Street, Help Street and Cambridge Lane are to be constructed to Council's satisfaction prior to the issue of an Occupation Certificate.*

## **3. Assessment of Traffic Volumes**

The updated Transport Impact Assessment indicates that “a conservative growth rate of 2% per annum has been adopted to forecast traffic growth at the Anderson Street / Help Street intersection to a 2035 future year” (p. 26, Traffic Impact Assessment 3-5 Help St, PDC Consultants, 9/09/2025).

No evidence has been provided to establish how this percentage appropriately reflects the expected growth and the mode split. The general statement that high density development in close proximity to public transport does not sufficiently account for the significant increase in residents in the local network at this location. Relevant data should be provided to support the 2% assumption so that a fulsome consideration of the local network impacts and any mitigation works that may be required can be undertaken.

## **4. Local Contributions**

Council anticipates the full payment of applicable s7.11 or s7.12 local contributions and requests the opportunity to confirm the requirements, including the specific value of contributions to be paid under *Willoughby Local Contributions Plan 2019* prior to the finalisation of any relevant conditions, should the application proceed to the drafting of a consent. The specific value of the contributions should be included in the condition of consent. Local contributions are payable for all dwellings that can be used as market housing, including those dwellings provided in satisfaction of the Affordable Housing SEPP, which will be market housing after a temporary period of management by an affordable housing provider and as such are not considered simply affordable housing. The exemption from local contributions applies only to affordable housing and not to housing which is market housing after a temporary period managed as affordable housing.

## **5. Open Space**

The lack of quality communal open space with sufficient amenity and solar access is also a significant concern and will exacerbate demand on local open space above and beyond that which was envisaged under Council's Contributions Plan.

## 6. Affordable Housing Contributions

If the proponent is seeking to deliver its Affordable Housing Contributions as a monetary contribution, the following condition is to be included in any consent (replacing Conditions 44, 43, 47 and 99 of the conditions proposed in Council's previous submission):

### Affordable Housing Monetary Contribution

In accordance with clause 6.8 Willoughby Local Environmental Plan, the applicant shall make a monetary contribution to Council for the purpose of providing Affordable Housing, calculated at **X%** of the residential gross floor area/accountable floor area (**XX.XXm<sup>2</sup>**) of the development;

Reference is to be made to the value of most recent sales price of such new dwellings of similar size at the subject development (in the absence of current sales price at the subject site, the recent sales price of similar sized dwelling(s) at other surrounding comparable development(s) within the Willoughby local government area is acceptable). In establishing an acceptable value of most recent sales price, Council will be benchmarking the value with the most recent median sales price for the Willoughby local government area reflected in the Rent and sales report - interactive dashboard published by NSW Communities and Justice.

Evidence such as a valuation report or document(s) of recent sales of such dwelling(s) are to be provided to Council for approval before Council accepts the monetary contribution.

In the event of a dispute between applicant / developer and Council in the valuation / validation of the evidence provided, Council will appoint an independent registered valuer to undertake a re-valuation. The applicant / developer is to pay Council all reasonable costs associated with the service provided by Council's appointed valuer for this revaluation.

Prior to payment of the contribution evidence shall be submitted to Council's Director of Planning & Infrastructure demonstrating how the contribution has been calculated in accordance with the above requirement. The contribution is to be paid prior to release of the Construction Certificate.  
(Reason: Ensure compliance)

Should you have any question in regards this letter and the attached, please contact Christopher Nguyen – Strategic Planner on (02) 9777 7646.

Yours sincerely,



Dyalan Govender  
Acting Team Leader Strategic Planning