

SCOPING REPORT

65 Albert Avenue, Chatswood
Cammeraygal Country

Prepared for:

Mandarin Developments Pty Ltd

May 2025

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Report Number	Final



Acknowledgement of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on.

We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.

We pay our respects to First Nations Elders, past and present.

The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

Title: Sacred River Dreaming
Artist Hayley Pigram
Darug Nation
Sydney, NSW

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1. INTRODUCTION

This Scoping Report has been prepared on behalf of Mandarin Developments Pty Ltd (**Mandarin Developments**). It constitutes a request for Secretary's Environmental Assessment Requirements (**SEARs**) to guide the preparation of an Environmental Impact Statement (**EIS**) that will accompany a State Significant Development Application (**SSDA**) for the mixed-use and residential development of the Mandarin Centre (**Mandarin Centre**) site at 65 Albert Avenue, Chatswood (**the site**).

The SSDA will seek approval for demolition of an existing building and construction of a new mixed-use development consisting of a single residential tower form (to max height of circa RL 246.8m above a mixed-use podium that includes residential units, residential amenities, retail centre and associated basement parking).

The proposed 'shop top housing' development is permissible, subject to the granting of development consent, under the provisions of clause 6.24(2) of the Willoughby Local Environmental Plan 2012 (**WLEP**). However, in accordance with the Housing Delivery Authority (**HDA**) program, a separate but concurrent Planning Proposal will be submitted to amend the provisions of the WLEP to:

- Remove the current restriction requiring a minimum commercial GFA to be delivered on the site, for a development for the purpose of shop top housing.
- Replace the current height restriction on the site with a new maximum building height.
- Include a site-specific provision under clause 6.24 of the WLEP restricting additional overshadowing to Chatswood Oval between 12:15pm – 2pm mid-winter (in lieu of the current 11am control which applies under clause 6.15).

The proposed amendments to the LEP will facilitate development of the site to a scale and form consistent with the approach applied to other sites in the Chatswood CBD whilst ensuring acceptable impacts on adjoining properties.

Concurrent to this application, a request for a 'waiver' from the requirements of clause 6.23 of the WLEP for a design excellence competition to be replaced with a 'design excellence review' process, managed by the Government Architects Officer is submitted.

The SEARs request has been prepared to address both the Scoping Proposal requirements and the Strategic and Site-Specific Merits of a Planning Proposal.

The purpose of this Scoping Report is to:

- Describe the project in simple terms.
- Analyse the feasible alternatives considered and identify the alternatives that will be investigated further in the EIS.
- Indicate early community views on the project and identify what engagement will be carried out during the preparation of the EIS.
- Identify the key matters requiring further assessment in the EIS and the proposed approach to assessing each of these matters.
- Provide a preliminary strategic and site-specific merit assessment of the proposed amendment to the WLEP 2012.

The proposed development qualifies as State Significant Development (**SSD**) in accordance with the *Environmental Planning and Assessment (Housing Delivery Authority) Order 2024 (HDA Order)*, following the positive evaluation of an Expression of Interest (**EOI**) submitted to the HDA on 14 January 2025 (reference 231448). A subsequent recommendation to the Minister for Planning for this project to be declared State Significant was made by the HDA on 19 February 2025. The site and project were declared as SSD by the Minister for Planning on 26 February 2025.

1.1. APPLICANT DETAILS

The details of the Applicant for this SSDA are provided in **Table 1**.

Table 1 Applicant Details

Category	Information
Entity	Mandarin Developments Pty Ltd
ACN	096 111 385
Address	Suite 5, Level 7, 66 Hunter Street, Sydney 2000

1.2. PROJECT OVERVIEW

A high level overview of project details is provided in **Table 2**.

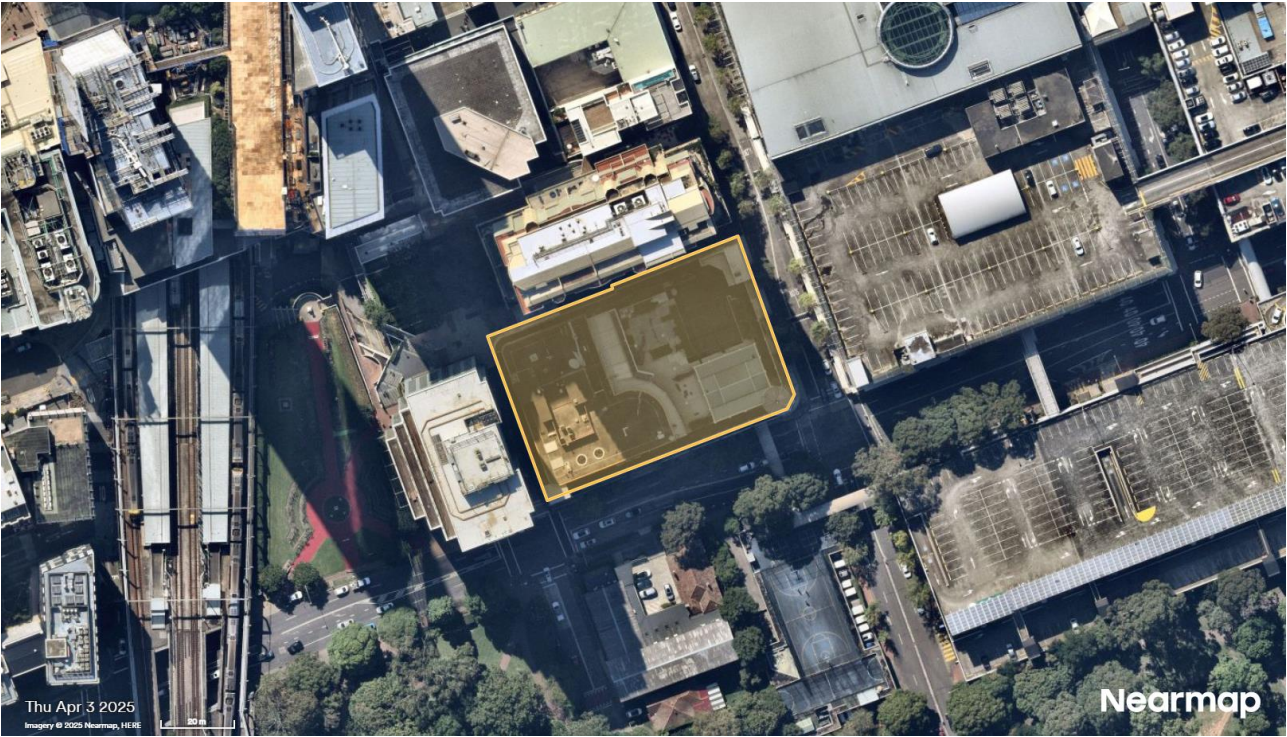
Table 2 Project Overview

Matter	Description
The Site	
Country	Cammeraygal People of the Eora Nation
Street Address	65 Albert Avenue, Chatswood 2067
Legal Description	Folio Identifier 2 in DP1035379
Site Area	3,524m ²
Street Frontages	Albert Avenue, with a frontage length of 74m
	Victor Street, with a frontage length of 46m
Adjoining Properties	North: 31-37 Victor Street (Sebel building).
	West: 67 Albert Avenue (Sage building).
LGA	Willoughby
Existing Development	A commercial retail premises known as the Mandarin Centre.
The Project:	
Development	Demolition of existing building and construction of a new mixed-use development consisting of a single residential tower form (to max height of circa RL 246.8m) above a retail podium, comprising residential amenities, retail centre and associated basement parking.
Planning Proposal	- Remove the current restriction requiring a minimum commercial GFA to be delivered on the site. - Replace the current height restriction on the site with a new maximum building height.

Matter	Description
	Include a site-specific provision under clause 6.24 of the WLEP restricting additional overshadowing to Chatswood Oval between 12:15pm – 2pm mid-winter (in lieu of the current 11am control which applies under clause 6.15).
Affordable Housing	10% contribution towards affordable housing for a period of 15 years.

A site aerial is provided at **Figure 1** (overleaf).

Figure 1 Site Aerial



Source: Urbis

2. PROJECT BACKGROUND

The site has a long planning history, commencing in 2013 when a Planning Proposal was submitted to Willoughby Council seeking to amend the provisions of the WLEP to facilitate redevelopment of the site to enable mixed use development with approx. 70% of the overall floor space comprising 'shop top housing'. In supporting this proposal, a Council report dated May 2014 stated as follows:

'A commercial building with no residential development would be more aligned with the B3 zone for the site and the long term employment strategies for the Chatswood CBD. However, given the uncertainties in the current commercial office building market and the retention of the employment potential and additional retail choice envisaged by the Planning Proposal, it is conceded that the inclusion of a residential shop top housing component will be more likely to facilitate the redevelopment of the site as a rejuvenated and successful shopping centre.'

'It is considered that support for this Planning Proposal will not set a precedent for other B3 Commercial Core sites in the Chatswood CBD to develop for shop top housing as this site is at the southern boundary of the B3 Commercial Core land and although adjacent to the Sage commercial office building, is removed from the primary office precinct on the western side of the railway line'

Planning Proposal_2014_Willo_004 received Gateway Approval in August 2014 and proceeded to public exhibition and referral to Government agencies. Notwithstanding the Gateway Approval, the Council resolved in September 2015 to reject the proposal on various grounds. Following this decision by Council, the Department of Planning recommended that the Applicant initiate a fresh process through the lodging of a new Planning Proposal addressing Council's areas of concern.

Planning Proposal PP-2020-323 was submitted to Council in 2016 seeking to amend the provisions of the WLEP to facilitate redevelopment of the site to enable mixed use development with approx. 60% of the overall floor space comprising 'shop top housing'. Council refused this application in 2019 and the applicant sought a Pre-Gateway Review. The Sydney North Planning Panel in September 2019 recognised the strategic and site specific merits of the proposal and resolved that the proposal be advanced for Gateway determination. The Department of Planning resolved in June 2020 to grant Gateway Approval.

In February 2016, Council released the Draft Chatswood CBD Planning and Urban Strategy for public comment in February 2016. This strategy was finalised in September 2020 and has informed the Willoughby Council Chatswood CBD Strategy to 2036 (CBD Strategy). Key recommendations in the CBD strategy included a 'blanket prohibition on residential land uses in the Commercial Core zone. Importantly, the Strategy was informed by a 'market feasibility' analysis prepared by BIS Oxford Economics that recognised that **new commercial office development in the CBD was 'not financially feasible'** but made assumptions that market demand was expected to improve over the coming years.

Council initially approached the applicant in support of a potential rezoning and redevelopment of the site to a mixed-use development. Council subsequently encouraged the submission of a pre-DA package aligned with the mixed-use vision before ultimately refusing the package.

Submissions were made by the applicant to Council on the basis that the 'blanket prohibition' was unwarranted and failed to recognise the evident lack of demand for new commercial office development in the CBD and ignored the strategic and site benefits associated with mixed use development on selected sites in the commercial core.

While Council rejected this submission, the Department of Planning in 2019 issued 'conditional' endorsement of the Chatswood CBD Strategy stating as follows:

'That mixed used development can be permitted within appropriate parts of the remaining CBD Core area (i.e. east of the North Shore rail line), but only where this results in demonstratable, significant and assured job growth, thereby aligning with the key objective of the District Plan to support job growth.'

Following the finalisation of the CBD Strategy and reflecting Councils continued opposition to the quantum of residential development on the site, the applicant reluctantly amended the Planning Proposal in 2020 to

reduce the residential floor space component of the proposal to 30% of the overall floor space with associated building height, FSR and other provisions. This was the form of development permitted in the final approval of the Planning Proposal and is the basis for the current controls applying to the site, which is not feasible to construct.

2.1. MARKET CONDITIONS

Since the Gazettal of PP-2020-323 enabling 'shop top housing' to be approved on the site, there has been no evident demand for new commercial office development in the Chatswood CBD. Despite major infrastructure investments including the opening of the Sydney Metro station, market conditions for commercial office land uses has reduced even further, than when BIS Oxford Economics identified in 2016 that new commercial office development in the CBD was 'not financially feasible'.

The absence of market demand for commercial office space is clearly documented in Willoughby Council's 'Land use mix in the Chatswood CBD – Discussion Paper' dated October 2024. This report includes the following statements:

- Investment in commercial office floorspace that was forecast when the preparatory studies were undertaken has not kept pace with initial projections and in some instances has not occurred at all. (Page 4).
- Although it remains one of Sydney's major office markets, there have been no major additions of office floorspace in the Chatswood Central Business District (CBD) over the past 30 years. While many landlords have invested in refurbishments, the take-up of leasing opportunities remains very low and office vacancy rates are high. (Page 24)
- The total amount of office space in Chatswood is around the same as 30 years ago when there was 272,546 square metres of office space in Chatswood. (Page 28)
- At present, there is only one new office development under construction, with Vicinity Centres undertaking expansion and upgrades to Chatswood Chase Shopping Centre. (Page 29)
- There has been less demand for office space than available supply (i.e. negative net absorption) in most of the major office markets in Sydney in the 5 years to January 2024, including Chatswood CBD. However, the current cycle of declining demand appears to be more pronounced and sustained in Chatswood compared to other Sydney metropolitan office market. (Page 29)

It is noted that build to rent (**BTR**) housing is permissible with consent in the E2 Commercial Centre zone in the Chatswood CBD under provisions of the Housing SEPP. The Chatswood CBD has been subject to many BTR projects that have been built or are approved and demonstrate that mixed use and residential development are economically feasible, can be supported and result in good mixed use and residential living outcomes in the Chatswood CBD.

The absence of demand for new commercial office floor space in the Chatswood CBD, along with the existing large supply of retail floor space, means that development of the Mandarin Centre in accordance with the current planning controls (i.e. requiring 70% of overall floor space to be non-residential) remains commercially unfeasible.

The proposal sought in this application seeks to achieve a mixed use development with a predominate residential emphasis as originally proposed by the applicant and supported by Council in 2014.

2.2. RECENT ENGAGEMENT

Recent engagement with DPHI in relation to the site is outlined below:

- **15 January 2025 – Expression of Interest submitted to progress down HDA approval pathway.**

An Expression of Interest to progress a under the newly established HDA approval pathway was submitted on 15 January 2025.

- **26 February 2025 – Recommendation to progress under HDA approval pathway.**

The HDA recommended that this project could progress under the newly established HDA approval pathway on 26 February 2025.

- **26 March 2025 – Initial briefing with DPHI**

The applicant and project team attended an initial project briefing meeting with the DPHI Housing Delivery Assessments team.

3. PROPOSED DEVELOPMENT

The project will seek SSD consent for the following:

- Demolition of the existing building on the site.
- Construction of an approx. 46-storey (RL 246.8m) mixed-use tower, including the following elements:
 - Single residential tower, comprising approx. 300 apartments inclusive of 30 affordable housing units (10% of the dwelling yield).
 - Retail podium, comprising approx. 10,000m² commercial floor space.
 - Approx. 550 underground car parking spaces across five (5) basement levels.

A preliminary (numerical) overview of the proposed development is provided within **Table 3**.

Table 3 Preliminary Numerical Overview

Descriptor	Value
Land Use	Shop Top Housing comprising retail podium with residential above.
Gross Floor Area	Total: approx. 50,000m ² <i>Residential:</i> approx. 40,000m ² <i>Retail:</i> approx. 10,000m ²
Floor Space Ratio	Approx. 14.19:1
Building Height	Approx. 46 storeys (including Ground Floor) up to a maximum height of approx. RL 246.8m
Residential Yield	Approx. 300 apartments
Affordable Housing Contribution	Approx. 30 apartments (or 10% of the dwelling yield) will be dedicated as affordable housing. The quantum of affordable housing aligns with Willoughby Council's affordable housing policy and would be enforceable as a condition of consent.
Car Parking	Approx. 550 spaces

Extracts from the preliminary Design Report that accompany this Scoping Report are provided at **Figure 2** for reference.

SEBEL BUILDING

ORCHARD ROAD

SAGE BUILDING (lower)

PLANT

SUPERMARKET 1035 SF

AMBURY

RESIDENTIAL LOBBY 58 SF

RESIDENTIAL LOBBY 102 SF

RETAIL 141 SF

RETAIL 132 SF

RETAIL 282 SF

RETAIL 102 SF

DROP-OFF

ALBERT AVENUE

The site plan illustrates the layout of the proposed retail building. Key features include:

- Adjacent Buildings:** Sage Building (over) to the west, Sebel Building to the north.
- Streets:** Orchard Road to the east, Victor Street to the south, and Albert Avenue to the south.
- Building Footprint:** A large rectangular building with a curved corner on the south side.
- Rooms and Areas:**
 - Retail (165 sq ft), Retail (271 sq ft), Retail (167 sq ft), Retail (204 sq ft), Retail (202 sq ft), Retail (200 sq ft).
 - Waste (WTL), Waste (WTR), Plant, Loading Dock, Amenity.
 - MPV Turntable, Loading Dock (LTL), Loading Dock (LTR).
- Orientation:** North arrow pointing towards the top-left.
- Scale:** 1" = 10'.

SEBEL BUILDING

connection to railway concourse

24.0 m

RETAIL 75 sq ft

RETAIL 127 sq ft

RETAIL 173 sq ft

RETAIL 175 sq ft

RETAIL 327 sq ft

RETAIL 442 sq ft

RETAIL 232 sq ft

RETAIL 477 sq ft

AMENITY

VICTOR STREET

SAGE BUILDING

ALBERT AVENUE

[illegible]

8 PROPOSED DEVELOPMENT

Figure 3 Indicative Massing



Source: SOM

4. PROPOSED AMENDMENT TO THE WLEP 2012

As part of the site selection and EOI process for the HDA, a key component of the application is to progress a Planning Proposal concurrently with the SSDA. This is consistent with Section 3.58 of the EP&A Act.

The proposed development of the site to accommodate 'shop top housing' is permissible subject to the granting of development consent under the provisions of s6.24(2) of the WLEP. However, in accordance with the HDA program, a separate but concurrent Planning Proposal will be submitted to amend the WLEP as follows:

- Delete clause 6.24(3) of the WLEP removing the current FSR restriction on shop top housing.
- Delete clause 6.24(4) to remove the prohibition of 'serviced apartments' on the site (noting this clause is redundant given the overall prohibition of 'serviced apartments' in the E2 Commercial Centre zone).
- Amend the 'Height of Buildings Map' referenced in clause 4.3 of the WLEP to specify a maximum building height of RL 246.8m.
- Amend the 'Floor Space Ratio Map' referenced in clause 4.4 of the WLEP to remove a maximum FSR from the site.
- Insert a new clause within 6.24, that states despite clause 6.15(2) Sun Access of the WLEP, development consent may be granted to development on the land, providing it results in no additional overshadowing to the Chatswood Oval between 12:15pm – 2pm at mid-winter.

The proposed amendments to the LEP facilitate development of the site to a scale and form consistent with the approach applied to other sites in the Chatswood CBD whilst ensuring acceptable impacts on adjoining properties.

The removal of Clause 6.24(3) of the WLEP 2012 is proposed which will enable the delivery of a mixed-use development outcome that reflects the current market demand. This amendment is aligned with Council's housing target to build 3,400 new completed homes by 2029 in accordance with the National Housing Accord period.

For reference, Clause 6.24(3) of the WLEP 2012 currently provides that:

Development consent must not be granted to development for the purposes of shop top housing unless the floor space ratio of commercial premises or health services facilities on the land is at least 7.68:1.

The removal of Clause 6.24(4) of the WLEP 2012 is proposed to remove the site-specific prohibition of 'serviced apartments' on the land for housekeeping purposes. Clause 6.24(4) is redundant as 'serviced apartments' are already prohibited under the E2 Commercial Centre zone applicable to the site.

For reference, Clause 6.24(4) of the WLEP 2012 currently provides that:

Development for the purposes of serviced apartments is prohibited on the land.

Insertion of a new sub-clause under Clause 6.24, that provides for the site-specific refinement of Clause 6.15(2) of the WLEP, relating to overshadowing of Chatswood Oval. This refinement will enable the development of the site to a scale and form consistent with the approach applied to other sites in the Chatswood CBD and ensuring acceptable impacts on the sports oval and retention of solar access during the core hours.

For reference, Clause 6.15 of the WLEP 2012 currently provides that:

(2) Development consent must not be granted to development that results in additional overshadowing on Chatswood Oval at mid-winter between 11am and 2pm.

An initial strategic merit assessment for the proposed amendment to the WLEP 2012 is provided at **Section 6** of this Scoping Report.

4.1. DESIGN EXCELLENCE COMPETITION WAIVER

Clause 6.23 of the WLEP 2012 requires that development on certain identified land must exhibit design excellence. Specifically, Subclause 6.23(2) identifies that Clause 6.23 applies to the site:

(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “Area 5” on the [Special Provisions Area Map](#).

Subclause 6.23(6)(b) requires that a design competition must be held for proposed buildings with a height of 35m or more above ground level:

*(6) Development consent must not be granted to development to which this clause applies unless—
(b) for a building with a height of 35m or more above ground level (existing)—the design of the development is the winner of a competitive design process held in relation to the development.*

The site is identified as “Area 5” on the *Special Provisions Area Map* under the WLEP 2012, and the proposed development comprises a building with a height greater than 35m. Therefore, a competitive design process must be held for the development under Subclause 6.23(6)(b).

However, Subclause 6.23(8) of the WLEP 2012 provides that Subclause 6.23(6)(b) does not apply if the consent authority waives that requirement and a design review panel reviews the development:

*(8) Subclause (6)(b) does not apply if—
(a) the consent authority certifies in writing that a competitive design process is not required, and
(b) a design review panel reviews the development, and
(c) the consent authority takes into account the advice of the design review panel.*

Ordinarily, the requirement for an architectural design competition is satisfied prior to the preparation and lodgement of a detailed development application. However, the proposal finds itself in a unique set of circumstances, having now been accepted by the HDA for the progression of a concurrent rezoning and SSDA. The newly established HDA leads a streamlined State Significant Development (SSD) pathway and SSD with a concurrent rezoning process. sets out the following timeframes to achieving accelerated housing supply during the Housing Accord Period:

- Proponents must lodge an application within 9 months of approval.
- HDA targeting 275 days for issuing SSD and concurrent rezoning approvals.
- Proponents must commence construction within 12 months of approval.

The undertaking of a design competition would eliminate any ability to meet these required timeframes. Therefore, the proposed development will seek a waiver from the requirement to undertake a design competition for this development.

Although seeking a waiver, the proponent remains committed to achieving design excellence on the site. An alternative design excellence review strategy is proposed to fulfil the intention of the design excellence provisions within the WLEP 2012 and achieve a high quality design outcome in accordance with the matters set out in Subclause 6.23(5) of the WLEP 2012. The design excellence review will be managed by Government Architect NSW (**GANSW**). The project team will meet with the State Design Review Panel (**SDRP**) to review and receive design advice for the proposal. In utilising the SDRP, the proposal will satisfy the requirements under Subclause 6.23(8) whereby the requirement for a design competition does not apply.

Further details and justification will be provided in the formal Design Competition Waiver Request to be submitted to GANSW.

5. STATUTORY CONTEXT

This section of the report provides an overview of the key statutory requirements relevant to the site and the project, including:

- *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999 (EPBC Act).*
- *NSW Biodiversity Conservation Act 2016 (B&C Act).*
- *Environmental Planning and Assessment Act 1979 (EP&A Act).*
- *Environmental Planning Assessment Regulation 2021 (the Regulations).*
- *Heritage Act 1979 (Heritage Act).*
- *State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP).*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP).*
- *State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP).*
- *State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP).*
- *State Environmental Planning Policy (Sustainable Buildings) 2021 (SB SEPP).*
- *Willoughby Local Environmental Plan 2012 (WLEP 2012).*
- *Willoughby Development Control Plan 2023 (WDCP 2023).*

The following table categorise and summarises the relevant requirements in accordance with the DPHI guidelines. Each of these matters will be addressed in further detail within the future EIS.

5.1. STATUTORY REQUIREMENTS

Table 4 below categorises and summarises the relevant requirements in accordance with the DPIE *State Significant Development Guidelines*.

Table 4 Identification of Statutory Requirements for the Project

Statutory Relevance	Action
Power to grant approval	This project was declared as SSD by the Minister on 26 February 2025 (State Significant Development Declaration Order 2025) (No 2)). The Minister (or Delegate) is the consent authority that will formally determine the SSDA.
Permissibility	The following activities are permitted with Development Consent in the E2 Commercial Centre zone: ▪ 'Commercial Premises', including 'Retail Shops'. The following land uses are permitted with Development Consent on the site under Clause 6.24 of the WLEP 2012: ▪ 'Shop Top Housing', ▪ 'Amusement Centres'. The proposed development is for the purpose of shop top housing, comprising ground floor and podium retail with residential above.
Other approvals (General)	A Biodiversity Development Assessment Report (BDAR) Waiver Request will be submitted in due course.

5.2. PRE-CONDITIONS

Table 5 below outlines the pre-conditions to exercising the power to grant approval which are relevant to the project.

Table 5 Pre-Conditions

Pre-conditions to Granting Consent	Comment
Section 4.24 of the EP&A Act – Concept Development Consent	The proposed development does not relate to land that is subject to a Concept Development Consent.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP)</i>	Chapter 4 Remediation of Land: requires the consent authority to be satisfied that the land is suitable in its current state – or will be suitable, after remediation – for the purpose for which the development is proposed to be carried out. A Preliminary Site Investigation (PSI) will be conducted to examine any potential sources of contamination existing on the site.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022 (SB SEPP)</i>	Chapter 3 applies to the proposed development. Under section 3.4, the consent authority must consider whether the development will minimise the use of on-site fossil fuels as part of the goal of achieving net zero emissions. Compliance with the applicable provisions of the SB SEPP will be demonstrated at lodgement, and a BASIX Certificate will be provided in relation to the residential component of the proposed development.

5.3. MANDATORY CONSIDERATIONS

Table 6 below outlines the relevant pre-conditions to exercising the power to grant approval and the section where these matters are addressed within the EIS.

Table 6 Mandatory Considerations

Statutory Reference	Mandatory Consideration
Consideration under the EP&A Act and Regulations	
Section 1.3	The relevant objects of the EP&A Act will be addressed in the EIS.
Section 4.15 (1)(a)(i) Relevant Environmental Planning Instruments (EPIs)	All relevant EPIs will be addressed in the EIS, these include: ▪ <i>Willoughby Local Environmental Plan 2012 (WLEP 2012).</i> ▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP).</i> ▪ <i>State Environmental Planning Policy (Housing) 2021 (Housing SEPP).</i> ▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP).</i> ▪ <i>State Environmental Planning Policy (Planning Systems) 2021 (Systems SEPP).</i> ▪ <i>State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP).</i> ▪ <i>State Environmental Planning Policy (Sustainable Buildings) 2021 (SB SEPP).</i>
Section 4.15 (1)(a)(ii) Draft EPIs	There are no draft EPIs relevant to the site or proposal.
Section 4.15 (1)(a)(iii) Development Control Plan (DCP)	Clause 2.10(1) of the Planning Systems SEPP provides that the provisions of DCPs do not apply to SSD. Notwithstanding, the <i>Willoughby Development Control Plan 2023 (WDCP 2023)</i> includes site-specific provisions provided in Part L of the DCP, which will be considered insofar as relevant within the EIS.
Section 4.15 (1)(a)(iiia) Any Planning Agreement or Draft Planning Agreement.	There is no Planning Agreement or Draft Planning Agreement that applies to the site of the proposed development.
Section 4.15 (1)(a)(iv)	The following relevant matters are applicable and will be addressed in the EIS:

Relevant matters prescribed by the Regulations.	<i>CI 61 – Additional matters that consent authority must consider</i> <i>CI 62 - Consideration of fire safety</i> <i>CI 63 – Considerations for the erection of temporary structures</i>
Section 4.15(1)(b) Likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development have been identified in Section 8 of this Scoping Report. These matters will be addressed as they relate to the site and the proposed development within the EIS.
Section 4.15(1)(c) Suitability of the site for the development.	An assessment of the suitability of the site will be undertaken within the EIS including whether the proposal fits within the locality and whether the site attributes are conducive to the proposed development. The site is in the centre of the Chatswood CBD east of the railway line, in close proximity to major employment, transport, and retail hubs. Key locational attributes that make it a highly suitable site for the proposed development include: ▪ Exceptional Public Transport Access: – The site has direct pedestrian access to Chatswood train and metro station, ensuring seamless connectivity to the Sydney CBD (10 minutes), North Sydney (5 minutes), and Macquarie Park (8 minutes). ▪ Walkability and Amenity-Rich Environment: – Future residents will benefit from direct access to retail, open space and essential services in the Chatswood CBD, including Chatswood Interchange, Westfield Chatswood, and Chatswood Oval. ▪ Proximity to Employment Opportunities: – Chatswood is Sydney's sixth largest CBD and comprises a healthy mix of employment opportunities in retail and professional service, making it an attractive residential location for workers who prefer to live close to work. The excellent public transport access provides further convenient employment opportunities within 15 minutes to the Sydney, North Sydney and Macquarie Park CBDs.
Section 4.15(1)(d)	Early engagement with DPHI, the SDRP and Council has recently been undertaken in relation to the redevelopment of the site for mixed-use (including residential) purposes is outlined at Section 7. Advice from DPHI, State agencies, the SDRP and Council will continue to be

Submissions made in accordance with the Act or regulations.	considered as the scheme is progressed along with any public submissions that are received while the SSDA is on Public Exhibition.
Section 4.15(1)(2) Public Interest	The requirement for development to be in the public interest will be addressed within the EIS. Given the alignment of the project with Federal, State and the applicable strategic planning framework (refer to Section 6), the proposed development is considered to be in the public interest.
Section 4.24 Status of Concept Development Applications and Consents	This SSDA does not relate to or seek approval for a full or partial (staged) Concept Development Consent.
Mandatory Relevant Considerations (EPIs)	
<i>Willoughby Local Environmental Plan 2012 (WLEP 2012)</i>	The WLEP 2012 is the principal environmental planning instrument that that sets out land use zones and development controls for the site. The LEP includes the following provisions that will be addressed in the EIS: ▪ Part 2 Land use permissibility and consistency with zone objectives. ▪ Section 4.3 Height of buildings. ▪ Section 4.4 Floor space ratio. ▪ Section 5.10 Heritage conservation. ▪ Section 6.5 Signage. ▪ Section 6.7 Active street frontage. ▪ Section 6.8 Affordable housing. ▪ Section 6.15 Sun access. ▪ Section 6.23 Design excellence. ▪ Section 6.24 61A Albert Avenue.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP)</i>	Section 4.6 – Contamination and remediation to be considered in determining development application. A preliminary site investigation will be submitted as part of the SSDA.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)</i>	Section 2.122 –The traffic impact will be assessed as part of the SSDA and referral to TfNSW as required.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021(B&C SEPP)</i>	Chapter 2 – Vegetation in non-rural areas will be considered within the SSDA.

<i>State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP)</i>	Any signage will be required to consider the Schedule 5 criteria under the Industry & Employment SEPP. Signage details will be included in the SSDA unless it is confirmed that separate application(s) for signage will be submitted.
Biodiversity Conservation Act 2016 Part 7 and Part 8 (2) (BCA)	A BDAR Waiver Request will be submitted in due course.
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i>	An Assessment of Significance is not required in accordance with the <i>Significant Impact Guidelines 1.1 – Matters of National Environmental Significance</i> published by the Commonwealth Department of Agriculture, Water and the Environment (DAWE) .
<i>Federal Airports Act 1996</i>	The provisions of the <i>Federal Airports Act 1996</i> will be assessed as they relate to the proposed development within the EIS.
<i>Water Management Act 2000 (WMA)</i>	Section 91 of the WMA regulates two types of activities: Controlled Activity Approvals and Aquifer Interference Approvals. While a water Use Approval, a Water Management Work Approval, or a Controlled Activity Approval (other than an aquifer interference approval) is not required for SSD, an aquifer interference approval can sometimes be necessary for specified aquifer interference activities. This will be considered in the EIS and addressed as/if required.
<i>Rural Fires Act 1997 (RFA)</i>	The site is not identified as bushfire prone land.
<i>Roads Act 1993 (Roads Act)</i>	Approval to undertake works within a public road reserve in accordance with Section 138 of the <i>Roads Act 1993</i> .
Strategic Land Use Plans	
Strategic Plans	The relevant strategic land use plans will be considered within the EIS and within the concurrent Planning Proposal. See Section 6 .
Development Control Plan	
<i>Willoughby Development Control Plan 2023 (WDCP 2023)</i>	Although the WDCP 2023 does not technically apply to SSDA's, the WDCP 2023, including the site-specific provisions provided in Part L, will be considered insofar as relevant within the EIS.

6. STRATEGIC MERIT

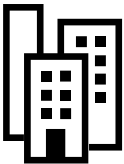
The proposed amendment to the WLEP 2012 seeks to:

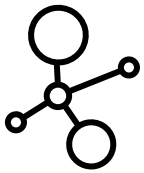
- Remove the current restriction requiring a minimum commercial GFA to be delivered on the site.
- Replace the current height restriction on the site with a new maximum building height.
- Insert a new clause within 6.24 that states despite clause 6.15(2) Sun Access of the WLEP, development consent may be granted to development on the land, providing it results in no additional overshadowing to the Chatswood Oval between 12:15pm – 2pm at mid-winter.

Table 7 below provides an initial assessment against the strategic drivers that support the concurrent LEP amendment.

A full assessment against the Strategic Merit Criteria will be undertaken at the Planning Proposal Stage.

Table 7 Initial Strategic Merit Assessment

Strategic Theme	Summary of findings
Housing supply 	The National Housing Accord has set a target to build 1 million new well-located homes over a five year period to 2029. The HDA has been introduced to assist NSW in achieving its target of 314,000 new homes by 2029. The Greater Sydney Region Plan (Region Plan) and North District Plan (District Plan) highlight the importance of housing choices for quality of life and community engagement. Objectives 10 and 11 of the District Plan project significant local housing demand by 2036, noting a shortfall of 7,800 studio and one-bedroom dwellings as of 2019. The <i>Willoughby City Local Strategic Planning Statement (LSPS)</i> and the <i>Willoughby Local Housing Strategy 2036 (Housing Strategy)</i> project a population growth of 13,830 people by 2036, requiring approximately 6,758 new dwellings. The NSW Government's <i>Housing 2041</i> Strategy emphasises strategically locating new housing and offering diverse housing types to meet various household needs. This aligns with the WDCP 2023, which supports diverse housing and tenure types for families. The proposed development will provide high-quality residential units including affordable housing units, supporting modern apartment living within the Chatswood CBD east of the rail line. This aligns with the strategic planning framework for the site. The delivery of additional housing at the site, which will be enabled by the proposed amendment to the WLEP 2012, is consistent with strategic planning priorities for housing delivery.
Locating housing at transport nodes 	The <i>Chatswood CBD Planning and Urban Design Strategy to 2036 (Chatswood CBD Strategy)</i> prioritises sustainable and active transport as a planning principle, advocating for new housing along key transport routes to utilise existing and proposed infrastructure. The Chatswood CBD Strategy also states support for planning proposals that do not result in significant traffic or transport impacts. The District Plan supports creating walkable and cyclable communities, connecting residents to retail and transport amenities, and offering diverse and affordable housing.

Strategic Theme	Summary of findings
	The Region Plan recommends aligning new housing with regional and district infrastructure, emphasising the impact of the Metro. The Northern Sydney Sub-Regional Planning Strategy calls for synchronising housing growth with infrastructure delivery to meet growth needs while minimising community impacts. The proposed development delivers an integrated land use and transport approach, leveraging its location with direct access to Chatswood railway and metro station and high-frequency bus services through the Chatswood CBD. The renewed mixed use podium will provide an improved through-building link from Albert Avenue and Victor Street to Chatswood Station and the Chatswood Interchange shopping mall. Given the strategic and highly accessible location of the site, the proposal represents an ideal traffic and transport outcome consistent with the strategic goals outlined in the relevant strategies and plans.
Diverse mix of uses 	The Chatswood CBD Strategy supports the growth of a diverse mix of uses east of the railway line where job growth can be demonstrated. The proposed development will revitalise the Mandarin Centre to support the sustainable growth of both employment and trade on the site. The residential component will provide housing for workers and support the sustainability of the existing retail and commercial office stock in the Chatswood CBD by providing a greater local workforce.

7. COMMUNITY ENGAGEMENT

A structured and transparent approach to communications and engagement will be undertaken. This will ensure that key stakeholders and the broader community are informed about the project, provided with opportunities for meaningful input, and supported in understanding the planning process.

Engagement will align with DPHI's *Undertaking Engagement Guidelines for State Significant Projects* (March 2024) and *Community Participation Plan* (April 2024).

7.1. ENGAGEMENT APPROACH

Community engagement activities will be designed to:

- **Provide clarity.**
Provide clear and accessible information about the proposal, potential impacts, and benefits.
- **Enable early and ongoing consultation with stakeholders.**
Ensure early and ongoing consultation with key stakeholders, including government agencies, Willoughby Council, local businesses, and residents.
- **Encourage meaningful participation.**
Encourage meaningful participation, ensuring feedback is considered in project planning and assessment.

7.2. ENGAGEMENT ACTIVITIES

While a detailed Communications and Engagement Strategy for this project is in the process of being prepared, it is generally expected that the following activities will be undertaken at appropriate stages:

- **Project Newsletter:**
Distributed to the surrounding community within an appropriate radius of the site, including elected officials, and key stakeholders to provide updates and engagement opportunities.
- **Key Stakeholder Briefings:**
Meetings with government authorities, Willoughby Council, local business groups, and major stakeholders to discuss project details and address any key concerns as required.
- **Letter to Neighbours:**
Direct communication with adjacent property owners and managers to inform them of the project.
- **Community Information Sessions:**
In-person or virtual sessions to allow residents, businesses, and interest groups to learn more about the proposal and provide feedback.
- **Other Activities:**
Other engagement activities could include:
 - Establishing an online information hub with project details, FAQs, and engagement opportunities.
 - Establishing an enquiry hotline and/or email address for community stakeholders to ask questions and submit feedback.
 - Periodic digital and social media updates as necessary.

The outcomes of community and stakeholder engagement will be summarised in an Engagement Outcomes Report, which will inform the EIS for the SSDA. Further engagement activities can be undertaken as the project progresses, including during the public exhibition phase when formal submissions can be made.

8. PRELIMINARY ASSESSMENT OF IMPACTS

Table 8 below outlines the relevant matters and impacts which will be addressed in detail within the EIS. It outlines the matters and impacts of particular concern to the community and other stakeholders.

Table 8 Preliminary Assessment of Impacts

Matter	Description
SSDA	
Connecting with Country	All future development will consider the Connection to Country Framework prepared by the GANSW. The design has been informed by Country and will clearly demonstrate how the framework has been implemented and reflected in the design.
Urban Design and Landscaping	The SSDA will include an urban design and landscaping report, demonstrating that the proposal is of a high quality and landscape led design. The project aims to provide a high-quality landscaped outcome on the site. The Urban Design will be informed by Country and will reflect and embed the recommendations of the appointed cultural advisor to address the Connection with Country framework.
Amenity	The SSDA will need to address key environmental amenity matters to ensure the project can provide a high-quality outcome with strong liveability attributes. Key technical studies to inform the EIS will (if required) include overshadowing diagrams; noise and vibration impact assessment; visual impact assessment; and public domain and landscape strategy.
ADG Compliance	The Architectural Design Report will include a complete assessment against the applicable provisions of the <i>New South Wales Apartment Design Guide (ADG)</i> and a Design Verification Statement.
Overshadowing	Clause 6.15 of the WLEP 2012 currently restricts additional overshadowing to the Chatswood Oval between the hours of 11am and 2pm in mid-winter. To enable the orderly and economic use of the land, and the viable redevelopment of the site, consistent with the scale of buildings within the Chatswood CBD, a site-specific response is proposed that protects solar access between 12:15pm – 2pm. A detailed analysis of overshadowing impacts on the Chatswood Oval and broader area will be provided in the EIS.
Noise and Vibration	A Noise and Vibration Impact Assessment (NVIA) will accompany the assessment of noise and vibration matters in the EIS, to satisfy the Environmental Protection Authority's (EPA's) Noise Policy for Industry, Interim Construction Noise Guideline (ICNG) and Road Noise Policy. Mitigation, management, and monitoring measures will be documented and implemented over the demolition, construction, and operation of the site.
Transport Impact	A Traffic Impact Assessment (TIA) will be prepared to assess key traffic considerations in relation to the site and its development and will be documented and evaluated in the EIS. Existing and estimated future traffic conditions, parking, and access as well as the impact on surrounding road capacity and pedestrian/cycling routes are all key features to be analysed.

Matter	Description
Visual Impact	The proposed design will be developed with extensive and careful consideration to the site-specific visual impact constraints to Sebel and Chatswood Oval. The proposed single, slender tower form represents a significant improvement to the view and visual privacy impacts than as supported and approved under previous planning schemes. Visual impact will be assessed in detail in the EIS. As a part of this, impacts on viewpoints and vistas will be assessed as well as visual amenity assessment of landscaping, design and supporting works. The Visual Impact Assessment (VIA) will include an assessment at suitable intervals from construction (e.g. 0, 5, 10 years) to demonstrate the appearance of the development prior to and following the establishment of landscaping. The site's proposed use is suitable in terms of visual amenity.
Water and Flooding	Analysis of the sites water and stormwater conditions will be included in the civil infrastructure report and plans. A Soil and Water Management Plan (SWMP) will be required alongside the completion of an Erosion and Sediment Control Plan and Stormwater Management Strategy (SMS). These will help inform further analysis of the surrounding catchment capacity on and around the site as well as any irrigation risks.
Contamination	A Preliminary Site Investigation (PSI) will be conducted to provide an initial assessment of any potential sources of contamination at the site, including the existing structures on the site. If required, a Detailed Site Investigation (DSI) will further explore site contamination. An Unexpected Finds Protocol and HAZMAT Survey will be submitted before a Construction Certificate is issued.
Geotechnical	A Geotechnical Report will provide an assessment of the ground conditions of the site and any risks associated with ground stability or proposed excavation. The report will detail the findings from a desktop review of the site and borehole testing where necessary. The report will recommend appropriate temporary and permanent site support and retention measures if required. The Geotechnical Report will also assist to determine any required engineering and earthworks to achieve the proposed development outcome.
Waste	The proposed development is expected to generate waste during the demolition, construction, and operation phases. A Waste Management Plan (WMP) will be attained to determine the extent of management required and will be in accordance with waste regulatory frameworks and legislation.
Biodiversity	A BDAR Waiver Request will be submitted in due course. The proposed development is not expected to result in any unacceptable impacts to biodiversity values that cannot be appropriately mitigated.
Heritage	The 'Garden of Remembrance' is the sole heritage item (I236) under the WLEP 2012 within 100 metres of the site. In the wider vicinity there is the 'Orchard Tavern (including original interiors)', item I239 under the WLEP 2012, approximately 150 metres from the site. Unless otherwise directed, a Heritage Impact Statement (HIS) will be submitted out of an abundance of caution, to demonstrate that the proposed development

Matter	Description
	will satisfy the relevant provisions of Clause 5.10 of the WLEP 2012. It is expected that mitigation measures will not be required in relation to identified local heritage items within the general vicinity of the site, which will not be impacted by the proposed development.
Building Code of Australia	A Building Code Compliance Report will be prepared for the development and will present the findings of an assessment of the proposed building against the Performance Requirements of the Deemed-to Satisfy provisions of the Building Code of Australia (BCA). The assessment will also identify whether the development will rely on an Alternate Solution based assessment.
Access	An access report will be prepared for the development to ensure that disabled access can be provided in accordance with <i>Disability Discrimination Act 1992</i> . The access report will demonstrate how access for all users is addressed through the development.
ESD	An Ecologically Sustainable Development (ESD) Report will be prepared to provide a sustainability assessment development. The ESD report will provide an assessment of the building design and demonstrate ways in which the development can achieve best practice and compliance with sustainability requirements.
Economic Impact	A comprehensive Economic Impact Assessment (EIA) will be submitted to support the SSDA. The 2019 <i>Chatswood CBD Strategy Market Feasibility Testing</i> report prepared by BIS Oxford Economics for Council found that redevelopment of the site for commercial offices uses was likely to be unfeasible. Our preliminary review of existing and future market conditions has provided a strong initial indication that the proposed development will have a positive economic impact, given: ▪ The proposed development will revitalise the gateway to Chatswood which is currently run down, with vacant shops, derelict facades and has buildings that are boarded up. The proposed development will instead provide a modern retail space, reinforcing the role of Chatswood CBD as a strategic centre for retail whilst the site attributes make the site exceptionally attractive for high density housing that in turn will support the retail activity. ▪ The proposed development will augment the economic function of the Chatswood CBD by increasing housing supply in a manner that complements the surrounding area. ▪ The proposed development responds to structural shifts in employment and office space demand, and this approach is essential to the strategic function of the Chatswood CBD under the Region Plan. ▪ The development will offer numerous benefits, including increased community interaction, environmental sustainability and convenience close to the Metro / Rail. It will promote efficient land use and foster a sense of community whilst ensuring sustained local economic activation.

Matter	Description
Social Impact & CPTED	A Social Impact Assessment (SIA) will be prepared which assess the social consequences the project, namely the impacts on affected groups of people and on their way of life, health, culture, and capacity to sustain these. The SIA will address the positive and negative impacts associated with the project, as well as the measures to mitigate these impacts. The SIA will be prepared in line with the NSW Guidelines for Social Impact Assessments. A CPTED Assessment will detail how a development has been designed to reduce opportunities for crime by embedding a variety of design and place management principles into the Design.
Community Engagement	An Engagement Outcomes Report will be provided as required by the SEARs. The Report will outline the engagement carried out to date, the outcomes of that engagement and how it has informed the proposal. The report will provide evidence of a transparent and collaborative engagement process. This document will be included in EIS as part of the SSDA. The document will also outline: ▪ Issues raised by surrounding landowners & stakeholders. ▪ Project response to issues raised. ▪ Proposed future community and stakeholder engagement based on the results of consultation.
Proposed Amendment to the WLEP 2012	
Planning Proposal Report	In accordance with the HDA program, a separate but concurrent Planning Proposal will be submitted to amend the provisions of the WLEP to: ▪ Delete clause 6.24(3) of the WLEP removing the current FSR restriction on shop top housing. ▪ Delete clause 6.24(4) to remove the prohibition of 'serviced apartments' on the site (noting this clause is redundant given the overall prohibition of 'serviced apartments' in the E2 Commercial Centre zone). ▪ Amend the 'Height of Buildings Map' referenced in clause 4.3 of the WLEP to specify a maximum building height of RL 246.8m. ▪ Amend the 'Floor Space Ratio Map' referenced in clause 4.4 of the WLEP to remove a maximum FSR from the site. ▪ Insert a new clause within 6.24, that states despite clause 6.15(2) Sun Access of the WLEP, development consent may be granted to development on the land, providing it results in no additional overshadowing to the Chatswood Oval between 12:15pm – 2pm at mid-winter. A separate Planning Proposal Report will be submitted to support this amendment, which will be classified as a 'Standard' Planning Proposal under the LEP Making Guideline. The Planning Proposal will include a full assessment against the site specific and strategic merit test.

9. CONCLUSION

This Scoping Report has been prepared on behalf of Mandarin Developments. It constitutes a request for project specific SEARs to guide the preparation of an EIS that will accompany a SSDA for the mixed-use redevelopment of the site. It has outlined preliminary information regarding the site and proposal, identified the relevant strategic and statutory context, summarised the approach to engagement with stakeholders and, identified the scale and nature of the impacts of the project.

In accordance with the HDA program, a separate but concurrent Planning Proposal will be submitted to amend the provisions of the WLEP to:

- Remove the current restriction requiring a minimum commercial GFA to be delivered on the site, for a development for the purpose of shop top housing.
- Replace the current height restriction on the site with a new maximum building height.
- Include a site-specific provision under clause 6.24 of the WLEP restricting additional overshadowing to Chatswood Oval between 12:15pm – 2pm mid-winter (in lieu of the current 11am control which applies under clause 6.15).

A separate Planning Proposal Report will be submitted as part of the SSDA and PP package to support this amendment, which is expected to be classified as a 'Standard' Planning Proposal under the LEP Making Guideline.

We trust that the information detailed in this report is sufficient to enable the Secretary to issue SEARs.

DISCLAIMER

This report is dated 16 May 2025 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Mandarin Developments Pty Ltd (**Instructing Party**) for the purpose of a Scoping Proposal (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.