

Scoping Report

SSD and Concurrent Planning Proposal:
815 Pacific Highway, Chatswood

Prepared on behalf of
815 Pacific Highway Pty Limited

June 2025



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

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1 Introduction

1.1 Overview

This Scoping Report has been prepared on behalf of 815 Pacific Highway Pty Limited (the **applicant**) in support of a State Significant Development Application (**SSDA**) and concurrent Planning Proposal as part of the Housing Delivery Authority (**HDA**) Pathway.

The proposed development has been declared as State Significant Development (**SSD**) in accordance with the *Environmental Planning and Assessment (Housing Delivery Authority) Order 2024 (HDA Order)*, following acceptance of an Expression of Interest (**EOI**) submitted to the HDA on 30 January 2025 (reference 235229). The site and project were declared as SSD by the Minister for Planning on 2 April 2025.

This report seeks project-specific Secretary's Environmental Assessment Requirement (**SEARs**) for the preparation of an Environmental Impact Statement (**EIS**) that will accompany a SSDA.

The SSDA will seek approval for a mixed-use development, comprising shop-top housing and in-fill affordable housing (**IAH**) above commercial and retail premises at 815 Pacific Highway, Chatswood (**the site**).

The proposal is expected to create a total of approximately 506 residential units (subject to more detailed design and assessment). A component of the development is in-fill affordable housing. The affordable housing component is expected to be 15% of the Gross Floor Area (**GFA**) of the development. This 15% of GFA would create the opportunity for approximately 100 affordable housing units.

Chapter 2, Part 2, Division 1, section 18 of the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)* applies to this site and enables the maximum permissible building height of the land under the *Willoughby Local Environmental Plan 2012 (WLEP)* to be increased by up to 30% (if 15% of the GFA is in-fill affordable housing). The additional height enabled by this incentive is reflected in the unit numbers described above.

As enabled by the HDA program, the concurrent Planning Proposal will be submitted to amend the WLEP as follows:

- Enable 'shop top housing' as an Additional Permitted Use to be permitted with consent at 815 Pacific Highway, Chatswood, under Schedule 1 of the WLEP.
- Amend the 'Height of Buildings Map' referenced in clause 4.3 of the WLEP to specify a maximum building height for the site of RL 262.7 (increased from the existing RL 246.8 Height of Buildings control). This is an additional element to the scope of the concurrent Planning Proposal from that described in the EOI; to facilitate an increase in the number of homes created. Including the IAH incentive would lead to a total building height of 61 storeys (leading to approximately 506 units, as stated). The indicated building height in the EOI was 54 storeys, but this change is considered to reasonably remain within the scope of the overall intent of the EOI.

Overall, the project provides the opportunity replace an existing dated building with substantial blank façades with a contemporary design response to the rapidly changing Chatswood CBD context, whilst providing significant numbers of new homes in a highly accessible, well-serviced and sustainable location.



1.2 Applicant Details

The Applicant's details for the proposal are provided in **Table 1** below.

Table 1 - Applicant Details

| Descriptor | Applicant Details |
|------------|----------------------------------------------------|
| Name | 815 Pacific Highway Pty Limited |
| ACN | 633 597 403 |
| Address | Level 17, 275 Alfred Street, North Sydney NSW 2060 |

1.3 Project Description

An overview of the project is provided in **Table 2** below.

Table 2 – Summary Project Description

| Item | Description |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site | 815 Pacific Highway, Chatswood |
| Summary Description of HDA SSD | <p>Demolition of existing building and construction of mixed-use development, comprising shop-top housing and in-fill affordable housing above commercial and retail premises, with basement car parking and servicing.</p> <p>The proposal is expected to create a total of approximately 506 residential units. A component of the development is in-fill affordable housing. The affordable housing component is expected to be 15% of the GFA of the development. This would create the opportunity for approximately 100 affordable housing units.</p> <p>Chapter 2, Part 2, Division 1, section 18 of the Housing SEPP applies to this site and enables the maximum permissible building height of the land under the WLEP to be increased by up to 30% (if 15% of the GFA is in-fill affordable housing).</p> |
| Concurrent Planning Proposal | <p>Amend the WLEP as follows:</p> <ul style="list-style-type: none">• Enable 'shop top housing' as an Additional Permitted Use to be permitted with consent at 815 Pacific Highway, Chatswood, under Schedule 1 of the WLEP.• Amend the 'Height of Buildings Map' referenced in clause 4.3 of the WLEP to specify a maximum building height for the site of RL 262.7 (increased from the existing RL 246.8). |

The proposal will comprise an approximately 61-storey mixed use development of a total GFA of approximately 56,702m². The ground floor will be retail use, with potentially some commercial use in podium floors above.

The objective for the development proposal is to assist in meeting the need for more homes for the growing population by boosting housing supply – and to provide a component of affordable housing to assist affordability and access to housing by lower income households.

15% of the GFA will be designated as infill affordable housing. This will potentially create approximately 100 affordable housing units (subject to the final scheme parameters following the detailed design process and assessment of the SSDA). A further objective of the proposal is to optimise the benefit of



this location as an accessible, sustainable location to live. Chatswood CBD is highly accessible; served by the T1 North Shore and Sydney Metro lines, together with multiple frequent bus services.

Overall, the project provides the opportunity for a contemporary urban design response to the rapidly changing Chatswood CBD site context, whilst providing significant numbers of new homes in response to housing targets. Construction can begin within 12 months of securing development consent.

1.4 Project Background

1.4.1 Chatswood CBD Planning and Urban Design Strategy 2036

The Chatswood CBD Planning and Urban Design Strategy 2036 was prepared to guide future private and public development as the Chatswood CBD grows over the next 20 years. It aims to provide capacity for future growth and employment, achieve exceptional design and a distinctive, resilient and vibrant CBD.

The Strategy informed changes to WLEP 2012 and Willoughby Development Control Plan (**WDCP**) that affect the site and surrounding sites, such as:

- Rezoning some residential land to mixed use
- Increasing maximum building heights and floor space ratios
- Provisions relating to:
 - affordable housing
 - minimum commercial floor spaces in developments
 - design excellence

1.4.2 Proponent-led Planning Proposal

A proponent-led site specific Planning Proposal (**PP**) was lodged with Willoughby City Council (**Council**) in September 2020 ref. PP-2021-2473 for the 815 Pacific Highway site. This intended to facilitate commercial redevelopment of the site and adjacent 15 Help Street. The Planning Proposal reached Gateway Determination in April 2021.

The provisions of the PP and resulting LEP changes (Amendment No. 29) included the following:

- amending the maximum permitted height to RL246.8 (142.8m)
- deleting the maximum FSR control
- amending the land use table
- amending the lot size controls
- associated LEP mapping changes

1.4.3 Amendment No. 34 to WLEP 2012

Amendment No. 34 to Willoughby LEP was gazetted on 30 June 2023. This resulted in consolidated changes to the LEP, covering the majority of the LGA, including in relation key controls – such as land use zoning, height of buildings, FSR and affordable housing.

1.4.4 HDA Determination

On 30 January 2025 an EOI was submitted by the applicant to the HDA for a shop top housing development comprising commercial floor space and approximately 500 dwellings including 15% of GFA as affordable housing. Following this, in March 2025, the HDA recommended that the project (reference



235229) be declared in accordance with the HDA Order as an SSD under s4.36(3) of the EP&A Act. The site and project were declared as SSD by the Minister for Planning on 2 April 2025.



2 Strategic Context

2.1 Project Justification

2.1.1 National Housing Accord 2022

In October 2022, the Federal Government announced the National Housing Accord (**the Accord**), which committed to delivering 1 million new homes in well-located areas in the 5 years starting from the year 2024. This was updated by National Cabinet in August 2023 to 1.2 million homes. The Accord includes a target to support the delivery of 20,000 affordable homes.

The production of affordable housing is being encouraged by the NSW Government (supported by the Accord) by introducing the new in-fill affordable housing provisions to the Housing SEPP.

The proposed development is committed to providing both market and infill affordable housing to contribute to achieving NSW's Accord targets. This will be achieved by providing well-connected homes and affordable housing, with access to jobs, public transportation systems, social infrastructure (hospitals, schools), open spaces and household amenities.

On this basis, the proposed development, being well-located within the Chatswood CBD and to deliver new and affordable homes, is in alignment with the Accord.

2.1.2 Housing 2041 – Housing Strategy

Housing 2041 represents a 20-year vision for housing across NSW. It embodies the Government's goals and ambitions to deliver better housing outcomes by 2041— housing in the right locations, housing that suits diverse needs and housing that feels like home. This vision for housing across the state is reflected in four key pillars being supply, diversity, affordability, and resilience.

The proposal has the potential to facilitate the delivery of up to a total of approximately 506 apartments. 15% of the GFA dedicated as infill affordable has the potential to enable approximately 100 affordable housing apartments – subject to detailed design and assessment. This would represent a significant boost to the supply of housing within the Willoughby City LGA.

2.1.3 The Greater Sydney Region Plan – A Metropolis of Three Cities

The site is situated in the Northern District of the Greater Metropolitan Sydney under the Greater Sydney Region Plan: A Metropolis of Three Cities (**Region Plan**). Chatswood is identified as a Strategic Centre and major asset along the well-connected Eastern Economic Corridor from Macquarie Park to Sydney Airport.

Through the delivery of a mix of housing opportunities (both affordable and market) the proposal will enhance the existing cultural diversity that is evident in the Chatswood CBD. The development will also foster healthy, creative and socially connected communities, in alignment with Objective 7 of the Region Plan. This will be created by providing housing that is within close proximity to open green and communal spaces, numerous retail and commercial uses, as well as residential amenity spaces provided as part of the development.

This proposal will support and contribute to the housing supply within the Willoughby LGA and more specifically the Chatswood CBD, a centre within close proximity to significant existing and future infrastructure. The proposed apartments will be diverse in their sizes and typology, in alignment with



Objectives 10 and 11 of the Region Plan. This represents a significant economic and public benefit and is directly aligned with the Plan.

2.1.4 North District Plan

The North District Plan (**District Plan**) is a 20-year plan to manage growth in the context of economic, social and environmental matters, that builds upon the Greater Sydney Region Plan. The intent of the District Plan is to inform LSPS and LEPs, supporting the equitable growth and change across the eastern district.

Chatswood is identified in the District Plan as a Strategic Centre with a highly successful retail focus and vibrant night-time economy.

The proposed development is consistent with the priorities of the District Plan, with the following actions set to strengthen Chatswood and wider North District:

- Maximise the land use opportunities provided by Sydney Metro;
- Provide an additional supply of affordable and market housing to address the ongoing population growth in the North District; and
- Encourage diversity in housing supply by providing different unit sizes and layouts to accommodate all people.

2.1.5 Willoughby Local Strategic Planning Statement

The Willoughby City Council Local Strategic Planning Statement (**LSPS**), dated March 2020, sets out the 20-year vision for land use in the LGA, the special character and values that are to be preserved and how change will be managed into the future.

Relevant to the site, Council's LSPS supports the delivery of the key elements of the Chatswood CBD Planning and Urban Design Strategy as this is the key driver for housing, jobs and investment within the Willoughby LGA. The projection for housing growth is focused in the Chatswood CBD, given its proximity to jobs, growth and public transport. The proposed development will meet the aims and demands of the growing Chatswood CBD by providing a large number of dwellings, ranging in size and layout to accommodate the future needs for new homes in the Chatswood CBD.

2.1.6 Chatswood CBD Planning and Urban Design Strategy 2036

The Chatswood CBD Planning and Urban Design Strategy 2036 (**Chatswood CBD Strategy**) guides future private and public development as the Chatswood CBD grows over the next 20 years.

As discussed in Section 1.4.1 above, the Strategy informed changes to WLEP 2012 and WDCP.

Changes to the LEP (Amendment No 34) and the new Willoughby DCP 2023 were gazetted on 30 June 2023 and 31 June 2023 respectively. These new development standards that facilitate significant new development opportunities as a response to enhancements to public transport connectivity to Chatswood CBD, including the opening of the Sydney Metro station.

In October 2024 Council published a Discussion Paper on land use mix in the CBD, revisiting the principles of the balance in previous policy assumptions between employment and housing.

Page 4 of the Discussion Paper states that *“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”*. Declining demand for office space is driving consideration to be given to mixed-use and residential redevelopment of existing commercial office sites – to facilitate more

beneficial longer term use opportunities to create much needed new homes. This SSD proposal is reflection of this critical market shift.

2.2 Key Features of the Site and Surrounding Area

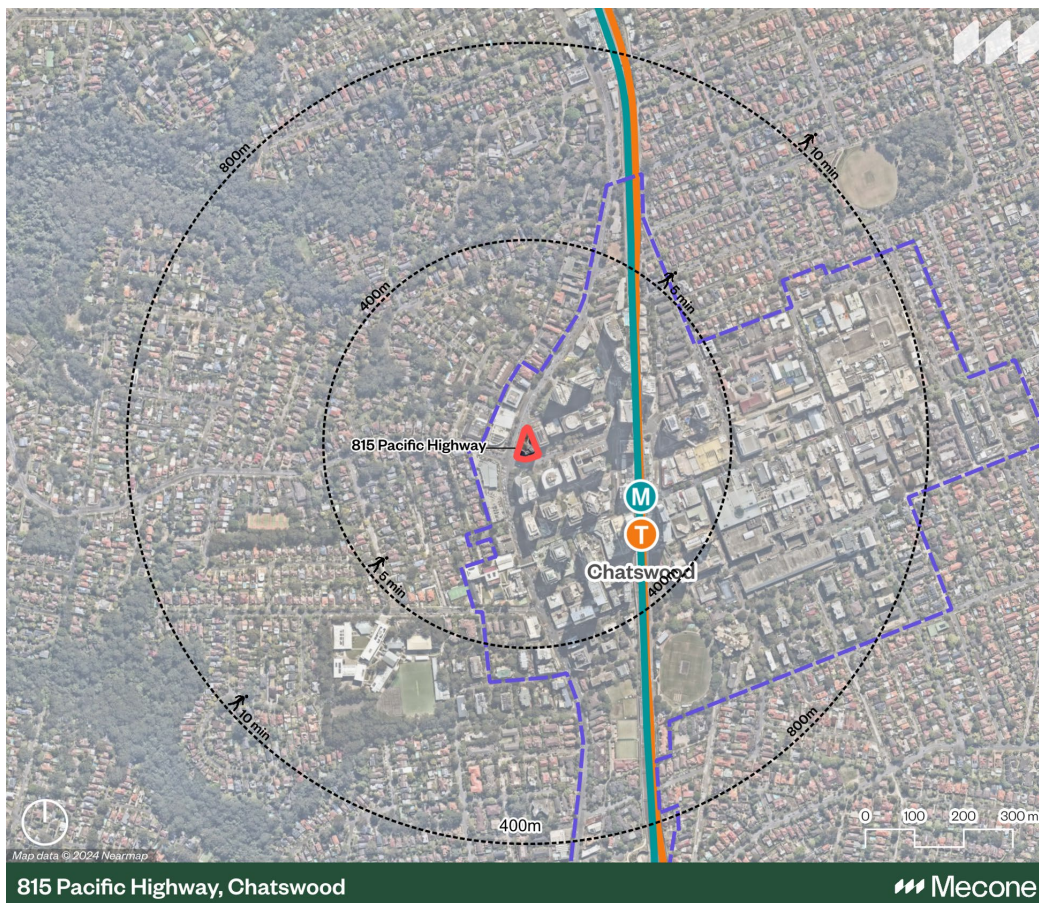
2.2.1 Site overview

The site is located on the north-west side of Chatswood CBD and immediately to the north-east of the intersection between Pacific Highway and Help Street. It comprises Lot 1/DP547585, with an area of approximately 1,657m². The site is bounded by Pacific Highway to the west, Help Street to the south, the commercial property of 15 Help Street to the east and McIntosh Street to the north.

The existing development on the site is a 15-storey commercial building, comprising retail uses at podium level, with offices above. This scale of development is significantly below the potential offered by the location of the site as part of the CBD and within close walking distance of train and Metro services at Chatswood Station.

There is very limited vegetation at the site, comprising three trees set within paving at the northern end of the site and four trees with hedging at the southern end of the site.

The site and its surrounds are shown in **Figure 1** and **Figure 2** below.



LOCAL CONTEXT MAP

Legend

- Site outline
- Chatswood CBD boundary
- T Train station
- Rail line
- M Metro station
- Metro line

Figure 1 Local Context

Source: Mecone



Figure 2 Site Context

Source: FJC

2.2.2 Local context

The site is within easy walking distance of services and facilities at Chatswood Strategic Centre. It is well-located in terms of public transport options being approximately 350 metres (walking distance) from Chatswood Station interchange on the T1 and Sydney Metro North West Line. The Sydney Metro City & Southwest line provides fast connections from Chatswood Station to locations including Crows Nest, Barangaroo, Martin Place and Central. The site also benefits from being within walking distance to two shopping centres being Westfield and Chatswood Chase.

The site is located close to key educational facilities, including several primary and high schools within a 600m radius to the site. The Royal North Shore Hospital is also located in proximity, being within a 5-minute drive from the site.

Adjoining properties to the east, and also on the opposite (south) side of Help Street, benefit from the same current 246.8m RL height control as the site. This is promoting significant interest from property owners in regeneration and renewal of the streets west of Chatswood Station which benefit from the same height control.

2.2.3 Key features of site and locality

Table 2 below summarises the key features of the site and the locality.



Table 3 - Key features of site and locality

| Component | Details |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land configuration | The site is located at 815 Pacific Highway and is legally defined as Lot 1 DP547585. |
| Land ownership | 815 Pacific Highway Pty Limited |
| Site access | The site is located along Pacific Highway as a State Classified Road. Existing vehicular access to the site is provided on Help Street. |
| Services | Services including electricity, telecommunications, gas, water and waste water infrastructure are available to the site. These will be augmented and upgraded to meet the infrastructure demand. |
| Acid sulfate soils | The site is identified to contain Class 5 acid sulfate soils but is not located within 500m of any Class 1, 2, 3 or 4 land. |
| Contamination | A Preliminary Site Investigation will be submitted as part of the EIS. |
| Flooding | The site is not identified as flood prone land. A Flood Assessment will be submitted. |
| Bushfire prone land | The site is not located on bushfire prone land. |
| Natural environment | The site is located in an urban context and is not affected by risks such as bushfire, flooding, land slip or coastal hazards. |
| Environmental heritage | The site is not identified as a local or State heritage item, nor is it located in a heritage conservation area. |
| Aboriginal heritage | The site is assessed as having low Aboriginal cultural heritage significance, noting that there is no evidence of a specific Aboriginal cultural association with the area and the high level of ground disturbance is likely to have diminished any social and cultural value. |

2.3 Cumulative Impacts with Future Projects

Through the implementation of the Chatswood CBD strategy and increases in height and FSR controls arising from the WLEP 2012 and infill affordable housing incentives in the Housing SEPP, many sites in and around Chatswood CBD are anticipated to experience redevelopment, leading to increased development heights and densities in the CBD.

Approved and likely future development which may be relevant in the cumulative impact assessment of this HDA SSDA proposal are summarised in **Table 3** below. It should be noted that there will unlikely be a cumulative impact from every project on every key matter (e.g. traffic impact, shadow impact, visual impact). Therefore, an issue-specific approach is to be taken to assessing potential cumulative impacts.

Table 4 – Potential Cumulative Impacts: Approved and Likely Future Development

| Address | DA Reference | Development Description | Status |
|-----------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 3-5 Help Street | DA-2023/160 | Construction of a 27-storey mixed use development comprising 127 residential units, commercial, 3-4 levels of basement carparking, publicly accessible through site link and associated works. | Approved |



| | | | |
|-----------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| | SSD-76555711 | Construction of a 33-storey mixed use development including commercial at ground and podium levels, a residential tower and associated landscaping and public domain works. | Exhibition |
| 845 Pacific Highway | SSD-61559214 | Mixed use BTR development comprising 369 dwellings | SEARs issued |
| Chatswood Grand Residences 849, 853, 859 Pacific Highway and 2-8 Wilson Street | SSD-74319707 | Construction of a 36-storey mixed use development including 308 residential apartments, retail, commercial and child care uses and associated excavation works | Response to Submissions |
| Novus on Albert 763-769 Pacific Highway | SSD-59805958 | Construction of 198 BTR units within a 27-storey shop top housing development, comprising a total GFA of 15,279m ² , ground floor retail, car parking and rooftop communal open space. | Recommendation |
| 688-692 Pacific Highway | DA-2023/176 | Construction of a seven storey shop top housing development with three levels of basement car parking, ground floor retail and commercial and 33 residential dwellings. | Approved by Land and Environment Court |
| 691-699 Pacific Highway | SSD-77127711 | Construction of a 34-storey mixed-use development with shop-top housing and in-fill affordable housing, including a residential tower with 101 units (including 27 affordable housing units), 3 levels of commercial units, and basement parking. | Exhibition |
| 38-42 Anderson Street, 3 McIntosh Street and 2 Day Street | SSD-74670720 | 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. | Exhibition |
| 44-52 Anderson Street | SSD-75408008 | 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. | Response to Submissions |
| 54-56 Anderson Street | SSD-78520463 | Construction of a mixed use development with in-fill affordable housing and basement parking | Exhibition |



3 Project

3.1 Project Overview

The SSDA will seek approval for a mixed-use development, comprising shop-top housing and in-fill affordable housing above commercial and retail premises at 815 Pacific Highway, Chatswood.

In accordance with the HDA program, a concurrent Planning Proposal will be submitted to amend Schedule 1 of the WLEP to enable 'shop top housing' as an Additional Permitted Use to be permitted with consent at 815 Pacific Highway.

Under the WLEP, the maximum height of buildings control for the site is RL 246.8 (which equates to a building height of 142.8m above ground level). The concurrent Planning Proposal will seek to increase the WLEP height control for the site to RL 262.7 (158.67m). This is an additional element to the scope of the concurrent Planning Proposal from that described in the EOI – and will facilitate an increase in the number of homes created.

Based on 15% of total GFA of the development being provided for infill affordable housing, the building height enabled by the 30% incentive under the Housing SEPP will then be RL 310.28¹ (206.28m). This would lead to a total building height of around 61 storeys. The indicated building height in the EOI was 54 storeys, but this change is considered to reasonably remain within the scope of the overall intent of the EOI.

This proposal is expected to create a total of approximately 506 residential units. Based on 15% of the GFA being provided for IAH, this would create the opportunity for approximately 100 affordable housing units. These figures are all subject to more detailed design and assessment of the SSDA once lodged. The benefits of the concurrent Planning Proposal to increase the WLEP height control are an increased contribution to addressing housing supply needs – particularly an increased proportion of larger-sized units, better suited to a wider range of family sizes.

The proposal therefore will better support the objectives of the HDA, meeting Council's housing targets, and meeting the goals of the National Housing Accord.

3.2 Detailed Development Description

The more detailed description of the proposal, including the key parameters, is as follows:

SSDA for demolition of the existing building and construction of an approximately 61 storey (RL310.28) mixed-use building, including the following elements:

- *A residential building, comprising approximately 506 apartments, inclusive of approximately 100 Infill Affordable Housing units,*
- *Commercial and retail uses within the podium,*

¹ Preliminary assessments show that the lowest critical airspace protection surface over the site is the Radar Terrain Clearance Chart (RTCC) at 335.28m AHD.



- *Up to eight (8) basement levels, to accommodate car parking, servicing and waste, plant and services,*
- *Vehicular access from Help Street, and*
- *Communal open space, ancillary plant, services and facilities.*

An overview of the proposed development is provided within **Table 4**.

| Table 4 – Overview of Proposed Scheme | |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Component | Details |
| Site Area | 1,657 m ² (Survey) |
| Land use | Shop top housing Retail use at ground floor level, with potential for an element of commercial premises on 1-2 floors above |
| Gross Floor Area (approximate figure) | Total: 56,702m² |
| Building Height | Approx. 61 storeys (including ground floor), plus roof plant, up to a maximum building height of RL 310.28 |
| Residential yield and Infill Affordable Housing | Approximately 506 apartments (total), 15% of GFA to be infill affordable housing which creates the potential for approximately 100 infill affordable housing units. <u>Indicative</u> apartment mix: <ul style="list-style-type: none">• 87 x studio (17%)• 170 x one-bedroom (34%)• 126 x two-bedroom (25%)• 123 x three-bedroom (24%) |
| Communal Space | Located at podium and upper levels |
| Landscaping | At ground, podium and upper levels |
| Car parking provision | Accommodated in up to 8 basement levels |
| Parking access, loading | Located at basement level and accessed via Help Street |



Figure 3 Indicative Massing (Aerial View from South-West)
Source: FJC



Figure 4 Indicative Massing (Aerial View from North-West)
Source: FJC



Figure 5 Indicative Massing (View from Pacific Highway looking South)
Source: FJC

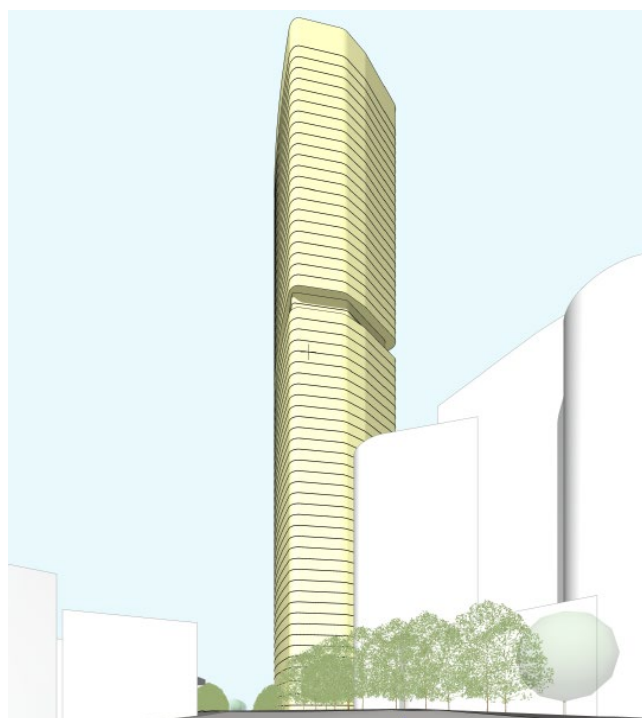


Figure 6 Indicative Massing (View from Pacific Highway looking North)
Source: FJC



3.3 Feasible Alternatives

The applicable provisions of the *Environmental Planning and Assessment Regulations 2021 (EP&A Regs)* establish the requirement to investigate any feasible alternatives to the proposed development, including the consequences of not carrying out the development.

The applicant has identified three project alternatives, each of these options is listed and discussed below. The identified alternatives are:

- do nothing,
- an alternative design, and
- the proposed development.

In summary, the proposed design is the preferred option for the site because it represents the best outcome for the site and locality, to meeting housing needs; considering urban design, environmental, economic and social outcomes.

3.3.1 Do Nothing

The 'Do Nothing' alternative would result in the retention of the existing building on site. The existing site is inconsistent with the desired future character identified by the Chatswood CBD Strategy and does not maximise the site's locational amenity and proximity to the Chatswood town centre and train and Metro station. No new homes would be created and no new affordable housing would be provided.

3.3.2 Alternative Design

It has been considered proceeding with the proposed scheme, excluding the in-fill affordable housing scheme. However, this option would result in the proposal not utilising the Housing SEPP incentive scheme and result in no provision of much needed affordable housing within the Chatswood CBD. This would be a compromised outcome in terms of housing benefits and social outcomes.

3.3.3 Proposed Design

It is considered that the proposal provides for an optimised outcome at the site, providing an opportunity for a contemporary urban response to a changed site context. The proposal presents a balanced and feasible option, as it will establish a significant contribution to meeting housing needs at the site – realising the opportunity offered by the site to meet strategic objectives for this accessible, well-connected and sustainable location.

The proposal takes up the benefit of the in-fill affordable housing provisions, incentivising the delivery of affordable housing and boosting the number of new homes that can be delivered from this site. The site qualifies for the locational criteria nominated under the Housing SEPP for these incentives. Subsequently, this option is identified as the most appropriate development, which can make a substantial contribution to assisting in meeting local housing needs, within the context of NSW State objectives and national objectives to deliver more homes.



4 Concurrent Planning Proposal - Amendment to the WLEP 2012

The EOI for the HDA application included the proposal to progress a Planning Proposal (**PP**) concurrently with the SSDA. The relevant provision for this is under section 3.38 of the EP&A Act.

There are two elements to the PP being proposed.

The first element is for the proposed development of the site to accommodate a 'shop top housing' use, which is currently prohibited in the E2 Commercial Centre land use zone in the WLEP 2012. Therefore, in accordance with the HDA program, the concurrent Planning Proposal will be submitted to amend Schedule 1 of the WLEP 2012 to enable 'shop top housing' as an Additional Permitted Use (**APU**) to be permitted with consent at 815 Pacific Highway, Chatswood.

The second element is to amend the 'Height of Buildings Map' referenced in clause 4.3 of the WLEP to specify a maximum building height for the site of RL 262.7 (increased from the current RL 246.8).

The proposed amendments to WLEP enable development of the site at a scale and form appropriate to the Chatswood CBD, while ensuring impacts on surrounding properties remain acceptable and considered.

The addition of an APU to the WLEP will enable the delivery of a mixed-use development outcome that is otherwise restricted under the current E2 zoning. The proposed APU enables a shop-top housing use that is compatible with the intended future character of the area and aligns with the strategic planning objectives outlined in the LSPS.

The additional building height further enables the delivery of additional market and affordable units on the site, in alignment with Council's housing targets and the National Housing Accord.

4.1 Design Excellence Competition Waiver

Clause 6.23 of the LEP requires that certain developments demonstrate design excellence. This applies to the subject site, which is identified as "Area 5" on the Special Provisions Area Map.

Under Subclause 6.23(6)(b), developments on this land that include buildings over 35 metres in height must be subject to a competitive design process. Since the proposed building exceeds this height, the requirement would ordinarily apply.

However, Subclause 6.23(8) allows the consent authority to waive this requirement 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.*

As this proposal is being progressed under the HDA program which introduces a streamlined SSDA and concurrent rezoning pathway. The HDA process has strict timeframes as follows:

- Applications must be lodged within 9 months of nomination;
- Determinations are targeted within 275 days;
- Construction must commence within 12 months of approval.



Undertaking a full competitive design process would likely prevent the project from meeting these timeframes. Therefore, the proponent will seek a Design Competition Exemption Waiver from the design competition requirement (at the guidance of DPHI).

Despite this, the proponent is committed to achieving a high standard of design that aligns with the matters under Clause 6.23. In this regard FJC Studio has been engaged as the project architect. FJC is a multi-disciplinary design studio noted for its commitment to design excellence and innovation, sustainability, reconciliation and the enhancement of the public domain. It has won multiple design competitions and architectural design awards.

The project will be reviewed by the State Design Review Panel (**SDRP**), overseen by Government Architect NSW (**GANSW**). This will ensure the proposal aligns with the design excellence objectives set out in the WLEP.

Further detail will be included in a formal Design Competition Waiver Request to be submitted to GANSW.



5 Statutory Context

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

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulations 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Willoughby Local Environmental Plan 2012*
- *Willoughby Development Control Plan 2023*

5.1 Statutory Requirements

Table 5 below summarises the relevant requirements in accordance with the DPHI *State Significant Development Guidelines (March 2024)*.

The Department recently called for expressions of interest for major housing developments above approximately \$60 million in Greater Sydney and \$30 million in regional NSW for a new streamlined State Significant Development pathway to be overseen by the HDA. This new streamlined pathway allows the lodgement of a concurrent SSD and planning proposal.

Table 5 – Statutory Requirements for the Project

| Statutory Relevance | Action |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Power to grant consent | This project was declared as SSD by the Minister on 2 April 2025 (<i>State Significant Development Declaration Order (No 4) 2025</i>). The Minister (or Delegate) is the consent authority that will formally determine the SSDA. |
| Permissibility | <p>The site is currently zoned E2 (Commercial Centre) in the <i>Willoughby Local Environmental Plan 2012</i>.</p> <p>Under the E2 zoning, shop-top housing is a prohibited use. However, the HDA declared that the SSD can be accompanied by a concurrent planning proposal to rezone the site. This rezoning of the site is discussed in detail Section 4 above.</p> |

5.2 Pre-Conditions

Table 6 below outlines the pre-conditions to exercising the power to grant approval which are relevant to the project.



Table 6 – Pre-Conditions

| Statutory Relevance | Pre-Condition | Relevance |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| Resilience and Hazards SEPP | A consent authority must be satisfied that land is suitable in its contaminated state – or will be suitable, after remediation – for the purpose for which the development is proposed to be carried out. Section 4.6 of the SEPP provides a State-wide approach to the remediation of contaminated land. It requires a consent authority to assess the potential for land to be contaminated and the works required to remediate the land to ensure it is suitable for its intended use. | The EIS will outline how the site is able to be made suitable for the proposed land uses with the support of a Preliminary Site Investigation. |
| Transport and Infrastructure SEPP | Section 2.122: Traffic-generating development: A public authority, or person acting on behalf of a public authority, must not approve traffic-generating development without written notice of the intention to carry out the development to Transport for NSW in relation to the development and taken into consideration any response to the notice that is received from Transport for NSW within 21 days after the notice is given. | The proposal is traffic-generating development under the TISEPP. The application will be required to be referred to Transport for NSW for a response. |

5.3 Mandatory Considerations

Table 6 below outlines the mandatory considerations which are relevant to the project.

Table 7 – Mandatory Considerations

| Statutory Reference | Mandatory Consideration |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Consideration under the EP&A Act and Regulation | |
| Section 1.3 | Relevant objectives of the EP&A Act |
| Section 4.15 | In determining a development application, a consent authority is to take into consideration such matters that are of relevance to the development subject of the development application, as stipulated in Section 4.15, including: <ul style="list-style-type: none"> • Relevant environmental planning instruments, • relevant draft environmental planning instruments, • relevant planning agreement or draft planning agreement, • development control plans, |



| | |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, • the suitability of the site for the development, • the public interest. |
| Section 4.38 | Section 4.38 contains the provisions for determining a State Significant Development |
| Mandatory relevant consideration under EPIs | |
| Transport and Infrastructure SEPP | <p>Sections 2.119 and 2.120 – Development with frontage to classified road: The consent authority must not grant consent to development on land that has frontage to a classified road, unless it is satisfied that: Safe access is provided to a road other than the classified road; the safety and efficiency of the classified road will not be adversely affected; and measures will be incorporated to ameliorate vehicle noise and emissions. Access, traffic impacts, traffic noise impacts and appropriate mitigation measures will be considered in the EIS.</p> <p>Section 2.122 – Traffic-generating development (as above)</p> |
| Sustainable Buildings SEPP | Section 2.1 – Standards for BASIX development and BASIX optional development |
| Housing SEPP | Chapter 2, Part 2, Division 1 – In-fill affordable housing |
| Biodiversity and Conservation SEPP | <p>The SEPP provides planning principles for development within the Sydney Harbour catchment. The site falls within the Sydney Harbour Catchment area. Planning principles for land within the Sydney Harbour Catchment relate to water quality, flooding, maintaining visibility to the water and cumulative environmental impacts.</p> <p>No significant adverse impacts on the Sydney Harbour Catchment are anticipated, given the site is already developed. The EIS will address stormwater run-off, sediment and erosion control, and water quality.</p> |
| Willoughby LEP 2012 | <p>Clause 6.23 – Design Excellence</p> <p>As this proposal is being progressed under the HDA program—which introduces a streamlined SSDA and concurrent rezoning pathway, it is subject to strict timeframes. Undertaking a full competitive design process would prevent the project from meeting these timeframes. Therefore, the proponent will seek a Design Competition Exemption Waiver in consultation with DPHI and GANSW.</p> <p>Despite seeking a waiver, the proponent remains committed to delivering a high-quality design in line with Clause 6.23 of the LEP. The proposal will be reviewed by the SDRP, overseen by GANSW, to ensure it meets the design excellence objectives. Further detail will be provided in a formal Design Competition Waiver Request to be submitted to GANSW.</p> <p>Clause 6.8 – Affordable Housing</p> <p>The site is located outside the WLEP Affordable Housing Area Map zones. Therefore, Clause 6.8 does not apply.</p> |



Consideration under other legislation

Biodiversity Conservation Act 2016 Section 7.9

Section 7.9 of the BC Act 2016 requires preparation of a biodiversity development assessment for SSD that is assessed under Part 4 of the EP&A Act. This SSDA will be assessed under Part 4 of the EP&A Act, and, therefore, would normally be required to include a biodiversity development assessment report. However, section 7.9(2) of the BC Act 2016 allows for exemption from the requirement where the development is not likely to have any significant impact on biodiversity values.

Given the lack of biodiversity values at (or surrounding) the site and the highly urbanised nature of the surrounding area, a request for Biodiversity Development Assessment Report (**BDAR**) waiver will be submitted (under separate cover).

National Parks and Wildlife Act 1974

The Act provides relevant guidelines to investigate and assess the nature, location and spatial extent of any potential Aboriginal cultural heritage resources within the area, investigate if the proposed development would harm those resources and provide recommendations for management options.

Development Control Plans

Willoughby Development Control Plan 2023

Part 2.2, Clause 2.10 of the Planning Systems SEPP identifies that development control plans do not apply to SSD. Consequently, there is no requirement for assessment against the Willoughby Development Control Plan 2023. However, consideration is given to certain provisions for guidance purposes.

Development Contribution Plans

Willoughby Contributions Plan

Section 7.11 contributions rates will be paid in accordance with the Willoughby Local Infrastructure Contributions Plan 2019.

Housing and Productivity Contribution (HPC)

A HPC will be payable, in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024*.



6 Engagement

6.1 Engagement Carried Out

In January 2025 an EOI was submitted to the HDA for a mixed-use development comprising commercial floor space and approximately 500 dwellings including 15% affordable housing. Following this, in April 2025, the project was declared as an SSD under s4.36(3) of the EP&A Act.

A further meeting was held with the proponent and the HDA team on 13 May 2025 to discuss the project particulars and clarifications.

In addition, advanced progress has been made to engage with Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the site and local area. This will feed into an Aboriginal Cultural Heritage Assessment Report (**ACHAR**).

Once the SEARs are received, the applicant will proceed with the formal consultation process as part of preparing the Environmental Impact Statement (**EIS**). An overview is provided below.

6.2 Engagement to be Carried out by the Applicant

Further community and stakeholder consultation will be undertaken in the preparation of the EIS including:

- Key stakeholders, including:
 - Department of Planning, Housing and Infrastructure
 - Willoughby City Council
 - Relevant Agencies, including Transport for NSW, Sydney Water and utilities such as Ausgrid
 - Surrounding residents, landowners, local community groups and businesses, and
 - Other interested stakeholders which may be identified during the EIS preparation.

The applicant will undertake actions to keep the local community, agencies, authorities and identified stakeholders informed regarding the project, obtain feedback from the community on the project and engage with stakeholders on the detailed assessment of key matters. These include:

- A dedicated engagement strategy will be prepared following the issue of SEARs.
- The EIS and supporting documentation will be placed on public exhibition, providing stakeholders with an additional opportunity to review the project, including the design material, detailed specialist studies and assessment reports accompanying the final EIS.
- Additional consultation actions may be identified following further engagement with key stakeholders and DPHI.

The proposed actions will be informed by, and consistent with the community participation objectives in the *Undertaking Engagement Guidelines for State Significant Projects, March 2024*.



7 Proposed Assessment of Impacts

This section identifies impacts which will be further investigated and assessed within the EIS, including the approach to assessing each of these matters. It also identifies the matters that are unlikely to result in significant impacts and are suggested do not warrant further consideration in the EIS.

7.1 Matters Requiring Further Assessment in the EIS

Based on the preliminary environmental assessment undertaken, the following environmental matters have been identified for consideration as part of the SSDA. A Scoping Summary Table is provided at **Appendix 2**.

7.1.1 Compliance with Strategic and Statutory Plans

The proposed development is compatible with the surrounding land uses and character of the broader precinct. The EIS will include a detailed assessment of the proposed development against the relevant strategic and statutory provisions previously identified. The EIS will outline how the proposed development is consistent with the strategic and statutory planning framework, as outlined in **Section 2** and **5** above.

7.1.2 Built Form and Urban Design

Indicative drawings have been prepared, as provided at **Appendix 1**.

These plans provide an indication of the proposed building footprint and envelope that will form the SSDA. The building will have a maximum height of RL 310.28 (206.28m) and an approximate total GFA of 56,702m² (inclusive of the 30% height incentive). Engagement with the SDRP will take place prior to lodgement of the EIS and responses provided to its comments and advice.

The EIS will assess the massing, scale and density of the proposed envelope and detail how the building envelope will complement existing and proposed development surrounding the site within the context of the Chatswood CBD. Assessments against guidelines in the Apartment Design Guide (**ADG**) will be included to demonstrate that the scheme responds to the guidelines for matters including solar access, cross ventilation and visual privacy.

7.1.3 Design Excellence

Despite seeking a Design Competition Exemption Waiver, the proponent remains committed to delivering a high-quality design in line with Clause 6.23 of the LEP. FJC Studio has been engaged as the project architect and is noted for its commitment to design excellence and innovation, sustainability, reconciliation and the enhancement of the public domain. The proposal will be reviewed by the SDRP and overseen by GANSW, to ensure it meets the design excellence objectives.

7.1.4 Environmental Amenity

Solar Access and Overshadowing

An analysis and assessment of the overshadowing impacts and solar impacts of the scheme on receivers and public open spaces will be included in the EIS.



Amenity Impacts

Potential amenity impacts arising from the proposed building on view loss, view sharing, visual amenity and visual privacy will be undertaken and included in the EIS. Assessment will be included of internal and external environmental amenity associated with access to natural daylight, ventilation and access to outdoor amenity spaces.

Wind Impacts

The EIS and associated Wind Impact Assessment will consider and discuss wind impacts and recommend any appropriate mitigation measures or design features needed to deliver a comfortable pedestrian environment around the site and its surroundings.

7.1.5 Views and Visual Impact

The EIS will assess the potential visual impacts of the proposed building and outline strategies to minimise visual impact. A Visual Impact Assessment will accompany the EIS to assess the visual effects of the proposal on nearby sensitive receivers and public domain views from key locations surrounding the site. Potential view loss will also be considered.

7.1.6 Ecologically Sustainable Development (ESD)

An ESD Report will be prepared to address sustainability requirements for the development. This Report will provide an assessment of the building design and features and demonstrate ways the development can achieve best practice and compliance with sustainability requirements, including under the SEPP (Sustainable Buildings) 2022.

7.1.7 Traffic, Transport and Accessibility

A Transport Impact Assessment report will be provided as part of the EIS and will consider the potential impact of the proposed development on the road network of the parameters of the SSDA as proposed. The report will analyse the applicable parking requirements, existing and potential traffic impacts on the local road network and principles for the design of proposed access and entry points for cars, cycles and for loading/servicing purposes.

Detailed assessment of impacts, including arrangements for access, loading and servicing during the construction and operational phases will be assessed in the EIS.

7.1.8 Noise and Vibration

The EIS will include a noise and vibration assessment prepared in accordance with the relevant NSW Environment Protection Authority (**EPA**) guidelines. The assessment will consider the noise environment of the Pacific Highway corridor adjacent to the site, construction noise impacts on nearby sensitive receivers and structures and outline the principles for suitable management and mitigation measures.

7.1.9 Contamination and Remediation

The EIS will include a Preliminary Site Investigation to enable an assessment to be provided in accordance with Chapter 4 of SEPP (Resilience and Hazards) 2021, to consider and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.



7.1.10 Engagement

Under the Housing Industry-Specific SEARs, Social Impact Assessment (**SIA**) is not strictly required. For this project an Engagement Report will be prepared covering the SSD and concurrent PP components on the development. This report will be prepared in accordance with the Undertaking Engagement Guidelines for State Significant Projects guidelines document.

Section 6 above outlines engagement carried out and to be carried out.

The applicant will consult with the DPHI HDA assessment team and undertake actions to keep the local community, agencies, authorities and identified stakeholders informed regarding the project, obtain feedback from the community on the project and engage with stakeholders on the detailed assessment of key matters. The EIS will detail the engagement undertaken and demonstrate how it was consistent with the *Undertaking Engagement Guidelines for State Significant Projects, March 2024*.

7.1.11 Infrastructure Requirements and Utilities

The site is already developed and benefits from existing infrastructure and utilities connections. Consultation will be carried out with utilities and service providers as part of the preparation of the EIS to assess the potential impacts of the development on utility infrastructure and assets on or close to the site and identify and potential upgrades which may be required.

7.1.12 Aviation

The EIS will identify any impacts of the proposal on the prescribed airspace for Sydney Airport, including the impact of construction and associated cranes. The proposal will consider the OLS/PANS-OPS for both Bankstown Airport and Sydney Kingsford Smith Airport. Any temporary or permanent structures that protrude into the OLS / PANS-OPS will require approval from the Civil Aviation Safety Authority. Preliminary assessments show that the lowest critical airspace protection surface over the site is the Radar Terrain Clearance Chart (**RTCC**) at 335.28m AHD.

7.2 Matters Requiring No Further Assessment in the EIS

The following matters are proposed to be scoped out of the EIS for the SSDA.

7.2.1 Public Space

The provision of access to any public domain or spaces will be determined alongside a detailed design scheme. A public domain plan and Crime Prevention through Environmental Design (CPTED) report will accompany the SSDA.

7.2.2 Trees and Landscaping

The SSDA will include a detailed Landscape Plan which will demonstrate that the proposal has contemplated the required landscaping on the site, embedded in the Connection with Country Framework.

7.2.3 Biodiversity

As the site is located within the highly urban Chatswood CBD, low biodiversity values are anticipated for the site and surroundings. A BDAR waiver application will be submitted under separate cover.



7.2.4 Ground and Water Conditions

A Geotechnical Report will provide a detailed assessment of the ground and water conditions on the site and identify risks associated with ground stability. The report is intended to recommend the appropriate temporary and permanent site support and retention measures as required.

7.2.5 Water Management and Flood Risk

A Water Management Plan will be prepared to analyse the site's water and stormwater conditions. Sediment and erosion control, and water quality will also be addressed.

7.2.6 Aboriginal Cultural Heritage

A Preliminary Historical Archaeological Assessment (**PHAA**) has been prepared by Urbis. This PHAA contemplated impact of development on the site. This impact assessment has concluded that no listed archaeological items or places have been identified within the subject area, and it is unlikely that the area retains any archaeological resources that would meet the thresholds requirements of the definition of a 'relic' under the Heritage Act. Therefore, any proposed works are unlikely to impact any relevant archaeological resources. Urbis has found that a further Historical Archaeological Assessment is unnecessary for the proposed works.

A further Aboriginal Cultural Heritage Assessment Report (**ACHAR**) has been undertaken by Urbis. As part of this, Urbis conducted a significance assessment of the site; finding that the area is assessed as having low Aboriginal cultural heritage significance, noting that there is no evidence of a specific Aboriginal cultural association with the subject area and the high level of ground disturbance in the subject area is likely to have diminished any social and cultural value. Therefore, recommending that the report prepared is sufficient for lodgement with a future SSDA.

7.2.7 Environmental Heritage and Archaeology

The site is not listed as a local or State heritage item or within a heritage conservation area. No sites in close proximity are heritage items. Consequently, no further assessment of built heritage values is considered necessary for this project. This will be addressed in the EIS.

7.2.8 Environmental Amenity

Reflectivity and Lighting Impacts

An assessment of amenity impacts arising from reflectivity and lighting will be included in the Reflectivity Assessment Report. This will resolve the parameters of materials and lighting required to minimise reflectivity.

7.2.9 Waste Management

The proposed development will generate waste during the construction and operation phases. A Waste Management Plan will be prepared to determine the extent of waste and recycling required at each stage and will be prepared against the regulatory frameworks and legislation.

7.2.10 Bush Fire Risk

The site is not identified as within a bushfire prone area or within a buffer zone to a bushfire prone area. Given the highly urban nature of the Chatswood CBD, it can be considered devoid of notable bushland, or fire prone land. As such consideration of bushfire matters is not considered necessary for this project.



8 Conclusion

This Scoping Report has been prepared on behalf of 815 Pacific Highway Pty Ltd in support of a SSDA and concurrent Planning Proposal as part of the HDA SSD Pathway. Consent will be sought for mixed-use development in the form of shop top housing with infill affordable housing above commercial and retail premises, plus basement parking at 815 Pacific Highway, Chatwood.

As outlined throughout this report, this project was declared as SSD by the Minister on 2 April 2025 (*State Significant Development Declaration Order (No 4) 2025*). The Minister (or Delegate) is the consent authority that will formally determine the SSDA.

In accordance with the HDA program, a concurrent Planning Proposal will be submitted to amend the provisions of the WLEP to include an APU for 'shop-top housing' on the site. An additional element to the Planning Proposal will seek to amend the maximum building height (to increase the number of residential units created, resulting in a height increase from the 54 storeys indicated in the EOI to 61 storeys).

It is considered that the proposal provides for an optimised outcome at the site, providing an opportunity to replace a dated unattractive building with a suitable contemporary design in response to a changed site context. The proposal will make a significant contribution to meeting housing needs – realising the opportunity offered by the site to meet strategic objectives for this accessible, well-connected and sustainable location.

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

This Scoping Report identifies impacts which will be further investigated and assessed within the EIS, including the approach to assessing each of these matters. It also identifies the matters that are unlikely to result in significant impacts and are suggested do not warrant further consideration in the EIS.

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