

Scoping Report

Request for State Significant Rezoning
and Concept Masterplan Project-Specific
SEARs

Chatswood Dive Site

Submitted to NSW Department of Planning, Housing and
Infrastructure

on behalf of Landcom

18 November 2025

gyde.com.au

GYDE

Acknowledgment of Country

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.



Towards Harmony by Aboriginal Artist Adam Laws

This report was prepared by:

Approver: Juliet Grant – Executive Director
Author: Sophia Veitch – Senior Planner
Project: Request for State Significant Rezoning and Concept Masterplan Project-Specific SEARs
Report Version: Final
This report was reviewed by: Juliet Grant

Disclaimer

This report has been prepared by Gyde Consulting with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Gyde Consulting accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

Copyright © Gyde Consulting
ABN 58 133 501 774

All Rights Reserved. No material may be reproduced without prior permission.

Contents

1.	Introduction.....	1
1.1	Proponent Details.....	2
1.2	Landowners Consent	2
1.3	Planning Background	2
1.4	Pre-Lodgement Consultation	4
2.	Site Analysis	6
2.1	Regional Context.....	6
2.2	Site Description	7
2.3	Surrounding Development	9
2.4	Existing Site Constraints and Opportunities.....	9
3.	The Project	12
3.1	Project Description	12
3.2	Project Need.....	13
3.3	Build-to-rent – keys in doors by 2028	13
4.	Proposed Amendments to Willoughby LEP	13
5.	Concept SSDA Works	15
6.	Feasible Alternatives	16
7.	Strategic Context.....	18
7.1	Strategic Merit	18
7.2	Key Site Features.....	21
7.3	Cumulative Impact Assessment.....	21
7.4	Agreements and Offsetting	24
8.	Statutory Context	25
8.1	Statutory Planning Framework.....	25
8.2	Power to Grant Approval.....	25
8.3	Permissibility	26
8.4	Other Approvals	26
8.5	Pre-conditions to exercising the power to grant consent	27
8.6	Mandatory matters for consideration	28
9.	Community Views and Proposed Engagement.....	34
9.1	Matters for Further Assessment.....	34
9.2	Approach to Engagement	34
9.3	Engagement Stages.....	34
9.4	Community Considerations	34
9.5	Identification of Stakeholders	34
9.6	Community Engagement and the Social Impact Assessment	35
9.7	Post-Lodgement Engagement	37
10.	Proposed Assessment of Impacts.....	38
10.1	Matters Requiring Further Assessment	38
10.2	Matters Requiring No Further Assessment.....	42
11.	Conclusion	43

Appendices

Appendix A	Preliminary Concept Masterplan Pack
Appendix B	Social Infrastructure Scoping Report
Appendix C	Proposed Consultant Engagement List
Appendix D	Draft Subdivision Layout
Appendix E	BDAR Waiver
Appendix F	TfNSW Request for land
Appendix G	TfNSW proposed acquisition area
Appendix H	Sydney Metro – Land Owners Consent

1. Introduction

This updated Scoping Report has been prepared on behalf of Landcom (Proponent) by Gyde Consulting in support of a request for Project-specific Secretary's Environmental Assessment Requirements (SEARs) to guide the preparation of an Environmental Impact Statement (EIS) that will accompany a Concept State Significant Development Application (SSDA) and concurrent Planning Proposal (PP) to amend Willoughby LEP 2012 to enable development at the Chatswood Dive Site.

The site is situated at 339 Mowbray Road, 569, 589, and 607 Pacific Highway, and 5-8 Bryson Street, Chatwood. The Concept SSDA will seek approval for a site Concept Plan and Stage 1 works including subdivision, civil works, public domain delivery and initial revitalisation of the heritage item. Specifically, the Proponent envisages the master plan and development of the Chatswood Dive Site for the purposes of a mixed-use precinct, including residential and commercial uses within the built forms, protection of an existing heritage item, and the delivery of well-designed public open space.

To ensure the people serving our community can afford to live in key locations close to their places of work, the concept masterplan supports the delivery of two key forms of 'for-purpose' housing, including build-to-rent and affordable housing. In addition to approximately 180 build-to-rent dwellings which will be available to essential workers at a discount to market rent, Landcom is committed to providing up to 10% affordable housing within the build-to-sell towers managed by a registered Community Housing Provider for 15 years. The final quantum of affordable housing will be determined by the financial feasibility for the project.

The development is for the purpose of a residential mixed-use development (including commercial/retail components). 'Commercial premises' (of which retail premises are a sub-category) are permissible with consent in the MU1 Mixed Use zone under the Willoughby Local Environmental Plan 2012 (WLEP). 'Residential accommodation' (of which residential flat buildings are a sub-category) in the MU1 Mixed Use zone is prohibited, however the concurrent PP seeks to include 'residential flat buildings' as an additional permitted use on site.

Schedule 2 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) identifies projects that are classified as State Significant development (SSD). The Planning Systems SEPP was amended on 14 November 2025 to include the subject site as State Significant Development subject to the following threshold:

"Development on land identified as "Chatswood Dive Site" on the State Significant Development Sites Map if the development has an estimated development cost of at least \$30 million."

The proposed Concept SSDA and PP will establish key controls that will inform the delivery of a Detailed Build-to-Rent (BTR) SSDA, led by Landcom, which will be delivered concurrently with this Concept SSDA. The BTR SSDA will be subject to an alternative planning pathway, pursuant to Schedule 1, Part 27 of the Systems SEPP. A separate scoping report will be provided to the Department for to seek Industry-Specific SEARs for the purposes of the BTR scheme.

This Report provides context as a Scoping Proposal and request Project-specific SEARs for the proposal, has been prepared with regard to the LEP Making Guideline – Appendix A and Section 1.3 of Appendix A - Preparing a scoping report of the SSD Guidelines.

This Report contains relevant information including:

- a detailed site description
- identification of site constraints
- feasible alternatives
- a description of the proposal
- a high-level consideration of the applicable statutory planning framework
- identification of key issues for environmental assessment

- a list of identified documentation and specialist consultant reports considered necessary for the assessment and determination of a future SSDA
- engagement undertaken to-date, and
- the intended approach to future engagement for the project.

Once issued, the SEARs will guide the preparation of a future SSDA and Environmental Impact Statement (EIS) to accompany a future Concept SSDA for the proposal. The Concept SSDA will be made under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and will be pursuant to the Concept SSDA applying to the site which will be lodged concurrently with a Detailed SSDA.

1.1 Proponent Details

The proponent’s details are provided in Table 1 below.

Table 1 Proponent Details

Item	Details
Proponent name	Landcom
ABN	79 268 260 688
Address	Level 14, 60 Station Street, Parramatta 2150

1.2 Landowners Consent

Sydney Metro is the current owner of all lots associated with the Chatswood ‘Dive Site’. Landowners consent has been provided for the formal lodgement of a Scoping Proposal relating to the redevelopment of the site for the purposes of a Concept SSDA and concurrent rezoning proposal, see Appendix H.

1.3 Planning Background

Essential Worker Build-To-Rent Program

The NSW Government’s 2024-25 Budget committed \$450 million to Landcom to support delivery of the *Essential Worker Program* which will increase housing supply for essential workers, where Landcom will deliver new homes for rent at a discounted market rate through a separate subsidy mechanism.

This Program aims to develop build to rent dwellings to provide essential workers with rental opportunities closer to their jobs and to the city, as the site provides an opportunity to support greater housing choice, security and affordability for essential workers in a highly accessible location. Essential workers include nurses, paramedics, teachers, allied health care workers, police officers and fire fighters.

Premier Chris Minns announced on 2 October 2025 that the Chatswood Dive Site is the next site in the NSW Government’s *Essential Worker Build to Rent Program*, with a commitment to delivery by 2028.

The objectives of this program are to:

- provide well-located housing for essential workers
- increase supply of market housing
- increase the supply of Government owned housing
- provide sustainable non-government funding to Landcom
- enhance collaboration with the private sector to unlock housing supply and develop innovative solutions.
- improve confidence in the construction sector
- demonstrate the viability of diverse tenure projects.

Identification of the site as a School in local government planning

The Chatswood Dive Site was earmarked by the Coalition Government as an opportunity site for infrastructure, with a commitment to deliver a 1,000-place primary school. As at February 2025, the Budget Estimates identified the State Government decision to not proceed with a school over the Chatswood Dive Site. This decision was undertaken in response to address the housing crisis and State Government targets to urgently deliver housing in accessible locations, as part of State-led housing reforms and goals transit-oriented development. The future application will provide a detailed consideration and discussion on this outcome.

Surplus Government land - Sydney Metro Site

The site was previously under the ownership of Sydney Metro and was subject to a previous State Significant project, the application related to the delivery of the Sydney Metro Northwest line, the first stage of Sydney's metro system, connecting Tallawong to Chatswood on May 26, 2019. The Chatswood Dive Site was previously used for tunnelling works as part of the delivery of the Metro line and Dive Site continued to be utilised for maintenance until the delivery of the new Sydney Metro City Line (SSI-7400) for about 15.5 kilometres of submerged twin rail tunnels and about 250 metres of new aboveground metro tracks between Chatswood Station and the Chatswood dive structure. Other works included the:

- Demolishing buildings and structures at the station sites and other construction sites
- Constructing dive structures and tunnel portals
- Constructing tunnels and cross passages
- Excavating a shaft for a temporary tunnel boring machine retrieval site at Blues Point
- Excavating, constructing and fitting out metro stations
- Carrying out surface works between Chatswood Station and Brand Street, Artarmon
- Excavating a shaft, carrying out structural work and fitting out ancillary infrastructure at Artarmon
- Carrying out structural work and fitting out ancillary infrastructure at Marrickville
- Fitting out the tunnel with rail operating systems
- Testing and commissioning of stations, tunnels, ancillary infrastructure, rail systems and trains.

Subject to the connection from the existing Tallawong to Chatswood to the Chatswood to Sydenham line, the western portion of the site remained unoccupied. The eastern portion of the site, directly adjacent to the rail corridor, is being retained by TfNSW for locating permanent infrastructure to serve and provide maintenance to the Sydney Metro line. Access to the permanent maintenance access via Mowbray Road will need to be maintained in perpetuity as part of any future proposal.

As part of the approved works for the Sydney Metro line, remediation works to residential standards are currently being undertaken by Sydney Metro and are nearing completion.

The existing heritage item 'Mowbray House' was retained during these works and was utilised as the on-site office for Sydney Metro.

Demonstrating how surplus government land can be used for public good, the well-located site will be used to deliver a significant number of much-needed homes near transport, jobs and services, and fund new high-quality public open spaces and restoration of Mowbray House for community use.

1.4 Pre-Lodgement Consultation

An extensive engagement strategy has been prepared to inform the pre-lodgement consultation. A detailed Engagement Outcomes report will accompany the SSDA. In summary, the key stakeholder engagement has included:

Department of Planning, Housing and Infrastructure

The proponent has had ongoing and comprehensive engagement with the Department of Planning, Housing and Infrastructure (DPHI) State Rezoning and Agency Partnerships teams throughout the pre-lodgement phase.

Landcom Design Review Panel

The initial project scheme was presented to the Landcom Design Review Panel (LDRP) on 10 July 2025 and 14 August 2025. The meetings were attended by the Landcom team, architects (FK), landscape architects (Oculus), and planners (Gyde).

State Design Review Panel

The preliminary project scheme was presented to the State Design Review Panel (SDRP) on 3 September 2025 and 16 October 2025. Discussion and design refinement in response to matters raised by the Panel is on-going.

Willoughby City Council

The proponent undertook an initial workshop with Willoughby City Council on 15 August 2025, attended by the Landcom team, architects (FK), landscape architects (Oculus), planners (Gyde), and Council's principal planners and urban design team. Subsequent regular discussions and site walks with Council officers have continued to inform the design development. A briefing to the Mayor, Councillors and Executive staff was provided on 3 November 2025.

Transport for NSW (TfNSW) and Sydney Metro

The proponent has undertaken regular workshops with TfNSW and Sydney Metro, briefing the teams on the proposed development, site access arrangements, road widening and intersection requirements, network modelling and acquisitions.

Community Consultation

The public engagement program aimed to reach stakeholders directly impacted or interested in the proposal, along with likely future beneficiaries of the project. The purpose of the engagement was to build project awareness and to ensure that the community and key stakeholders had access to information about the proposed development, with opportunity to ask questions and provide feedback to inform project design and development.

The engagement was consistent with the NSW Government Undertaking Engagement Guidelines for State Significant Projects (2024). A wide range of engagement activities were undertaken as follows:

Engagement activity	Key Statistics
Letterbox Newsletter Drop	13,605 newsletters delivered
Essential worker outreach phone calls and emails	13 phone calls with follow up emails to essential services near the site, and an additional 4 services contacted by email. Contacts included Fire, Police and Ambulance stations, and the Royal North Shore Hospital.
Stakeholder email outreach	38 project emails sent to local community interest groups, cultural centres, peak bodies, key stakeholders.
Email Newsletter (EDM)	401 recipients
Social Media Posts	Facebook - 32,705 total views Instagram - 26,893 total views LinkedIn - 15,622 total impressions
Project & Join In Webpages	2,835 unique visitors
Online Survey	393 responses
Drop-in Session	53 attendees
Pop up at Chatswood Mall Markets	65 participants
Connecting with Country	3 First Nations stakeholders
Targeted Focus Groups	3 sessions with 37 attendees
Heritage Workshop	8 attendees
SIA/SINA Interviews	2 stakeholder interviews
Project Hotline & Email	17 email submissions; 7 phone and email enquiries

2. Site Analysis

2.1 Regional Context

The site is located within the Eastern Harbour City, within the Willoughby Local Government Area.

The site is located in the Chatswood CBD, which is identified as a Strategic Centre, and is directly adjacent to the Lane Cove Local Government Area.

The site is situated approximately 650 metres south of Chatswood Train Station which includes access to both Train and Metro services, 650 metres north-west of Artarmon Train Station and approximately 7km north of the Sydney CBD.

REGIONAL CONTEXT TRANSPORT & ESSENTIAL WORKPLACES

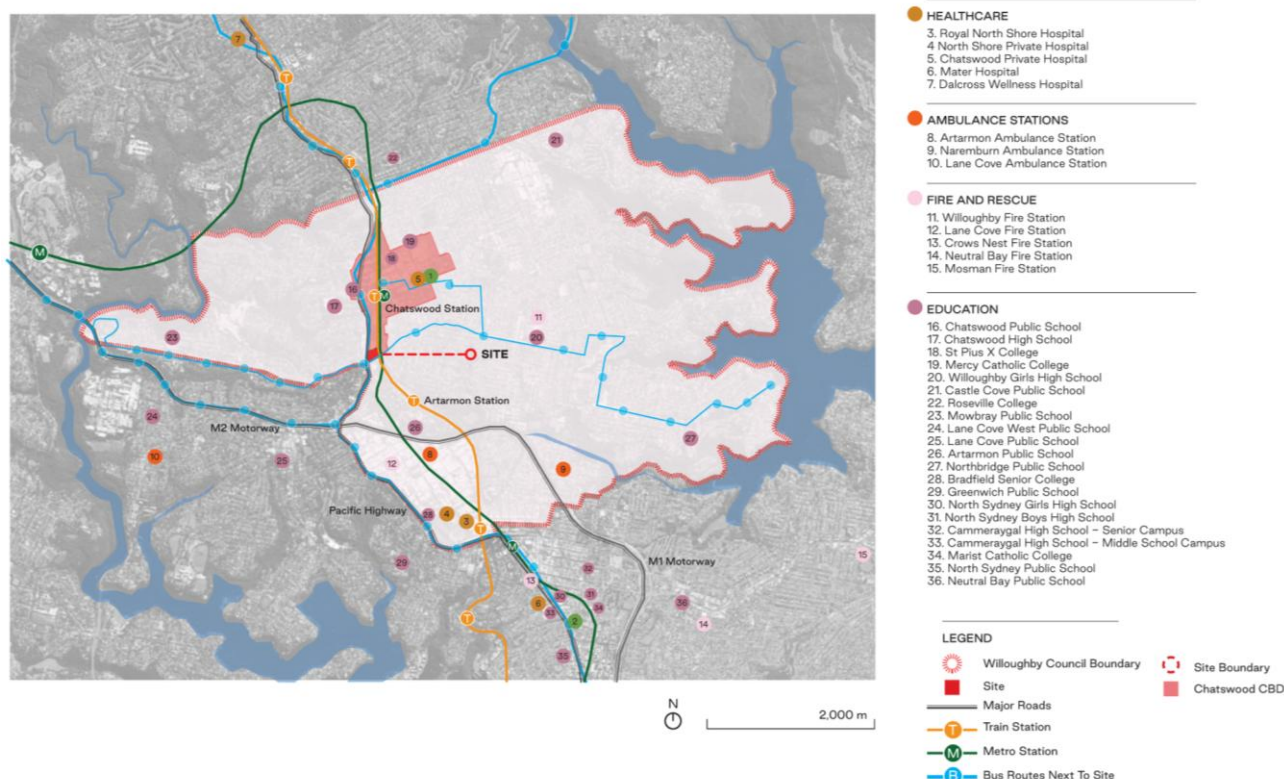


Figure 1 Regional Context of the site - FK

Chatswood is a significant transport hub in the north shore and is a main connection point between the train and metro lines. Chatswood Station and transport interchange, which was upgraded in 2019 to include the new Sydney Metro network, provides access to new trains operating between Rouse Hill and Chatswood, with trains running every four minutes at peak times. Chatswood Station is an integrated transport interchange and includes direct links to the strategic centres of Macquarie Park, North Sydney, and the Sydney CBD. Chatswood is also a major commercial and retail hub, supported by close connections to surrounding health and industrial precinct in Artarmon and North Sydney.

Situated in close proximity to public transport, hospitals and schools, the site holds significant strategic significance for urban development initiatives and opportunities for housing development, housing for key workers and ground level activation. The *Chatswood CBD Strategy* identifies how the Chatswood CBD precinct will establish a new capacity for housing delivery and an activation of the locality for retail and public open space.

2.2 Site Description

The site has a total area of approximately 17,780sqm and consists of 20 lots as follows:

Address	Lot / Section / Plan
339 Mowbray Road, Chatswood	1/-/DP243111, 2/-/DP537580, 5/-/DP65670, 18/-/DP60346, 4/-/DP65670, 6/-/DP65670, 2/-/DP221896, 5/-/DP524631, 6/-/DP66854
569 Pacific Highway, Chatswood	1/-/DP204133
589 Pacific Highway, Chatswood	1/-/DP216408, 1/-/DP508715, 3/-/DP58646
L 591 Pacific Highway, Chatswood	1/-/DP503447
607 Pacific Highway, Chatswood	1/-/DP537580, 3/-/DP455907, 4/-/DP455907
5 Bryson Street, Chatswood	3/-/DP961402
8 Bryson Street, Chatswood	6/-/DP72759
Bryson Street, Chatswood	2/-/DP1223080

The site includes the previously used Sydney Metro Dive Site, Frank Channon Walk and local heritage item known as 'Mowbray House' on the south-eastern corner. The remainder of the site is unoccupied, and remediation works to residential standards are near completion. The site is currently cleared with the exception of Mowbray House.

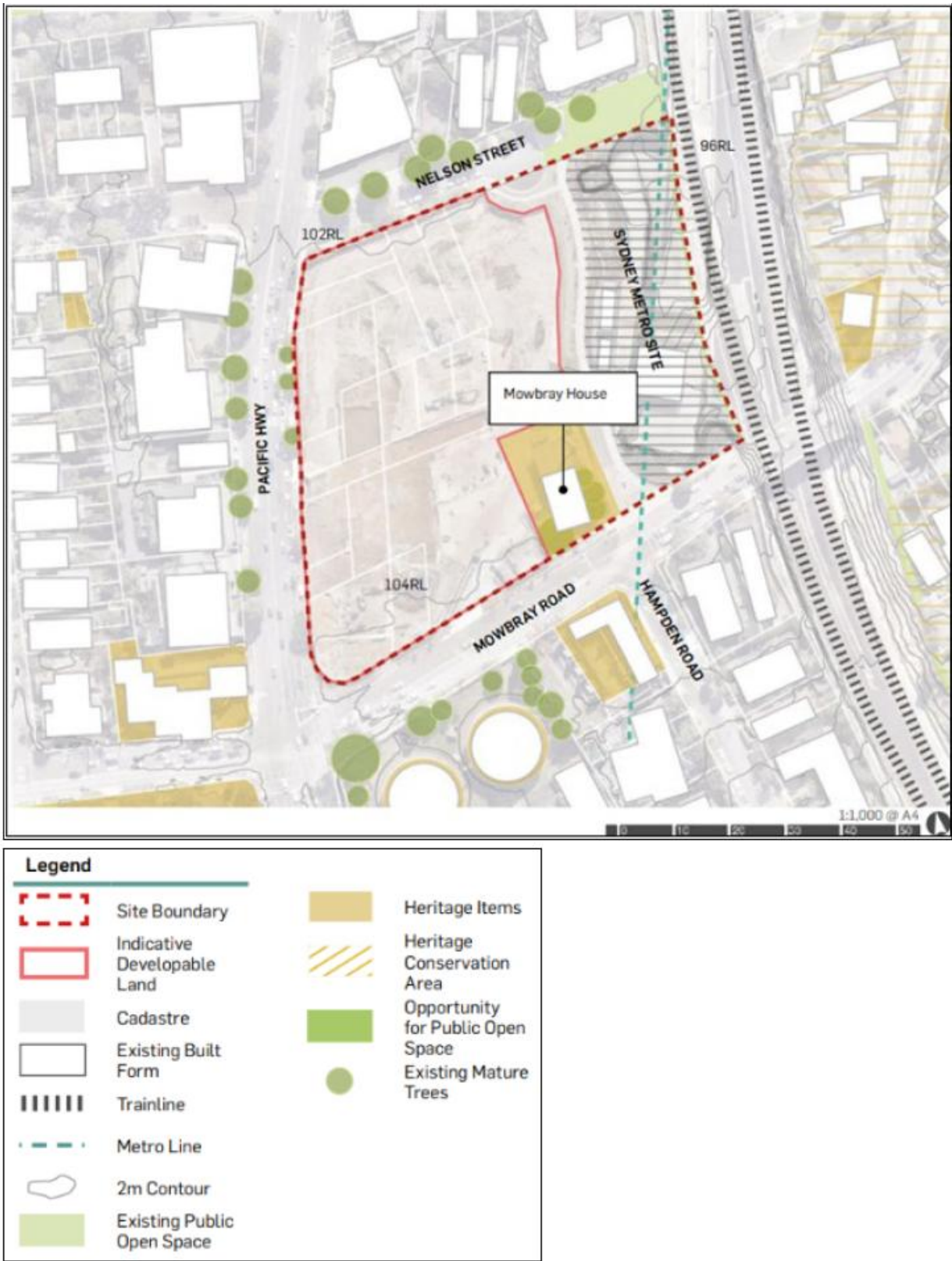


Figure 2 Site Details - FK

2.3 Surrounding Development

The site is bordered by a diverse mix of land uses. To the north, Nelson Street features medium-density residential development, however, is subject to a variety of planning proposals and applications which present significant uplift across the Chatswood CBD precinct and will be appropriately addressed in considering cumulative impacts.

To the east, the site adjoins the Chatswood rail network, providing strong public transport connectivity, with medium to low-density residential over the rail line. To the south, Mowbray Road is flanked by the Sydney Water Chatswood Reservoir and a telecommunications tower jointly owned by Channels 7 and 9.

To the west, on the opposite side of Pacific Highway includes a mix of 2 storey business developments and low-medium density residential developments. However, the area is undergoing a transition with the introduction of the new WLEP upzoning around the Chatswood Centre.

2.4 Existing Site Constraints and Opportunities

Constraints

The site includes a heritage item of local significance, known as 'Mowbray House', which was been retained during the works relating to Sydney Metro, and was utilised as the on-site office. The heritage item will be conserved as part of the Stage 1 works to maintain the potential for adaptive reuse as part of future development, and consideration of heritage fabric and value will be undertaken as part of the environmental assessment.



Figure 3 Mowbray House (as at July 2025)

As above, the site was previously used for the development of the Sydney Metro line, of which maintains the eastern portion of the site for ongoing routine maintenance. The Chatswood Dive Site and the Sydney Metro site have a shared access to Pacific Highway that is utilised by maintenance vehicles which will need to be maintained in any future development.

Constraints also relate to the existing development applications, approved and under assessment, and previous planning proposals which exist directly north of the site. These proposals relate to a significant uplift to the existing context which provide constraints to the site in relation to overshadowing on future development and will require consideration regarding cumulative impacts on infrastructure, both in public transport and social infrastructure demand.'

Opportunities

The site benefits from the works previously undertaken by Sydney Metro Subject as the site has been previously cleared and does not include any significant vegetation or topographic issues. In addition, the previously approved works included the site remediation to accommodate residential development in the future. The previous delivery of Frank Channon Walk also provides the future development with a direct access to an active transport network that links towards key transport nodes.



Figure 4 Existing Site Conditions

The site is also subject to minimal physical constraints as it is located within a dense urban area and along a ridgeline, it is not subject to bushfire or flooding impacts on site. However, a detailed analysis of downstream and run-off analysis will be included as part of the detailed assessment.

The delivery of the master plan and Stage 1 works for the Chatswood Dive Site also benefits from single site ownership, to be acquired from Sydney Metro by Landcom, to efficiently deliver a well-planned and cohesive precinct.

Opportunities also relate to the existing development applications, approved and under assessment, and previous planning proposals which exist directly north of the site. These proposals relate to a significant uplift to the existing context which provide a precedent for growth in the Chatswood CBD and contextually relates to the future development on site.

Other opportunities and constraints have been considered by FK in the development of the concept masterplan.

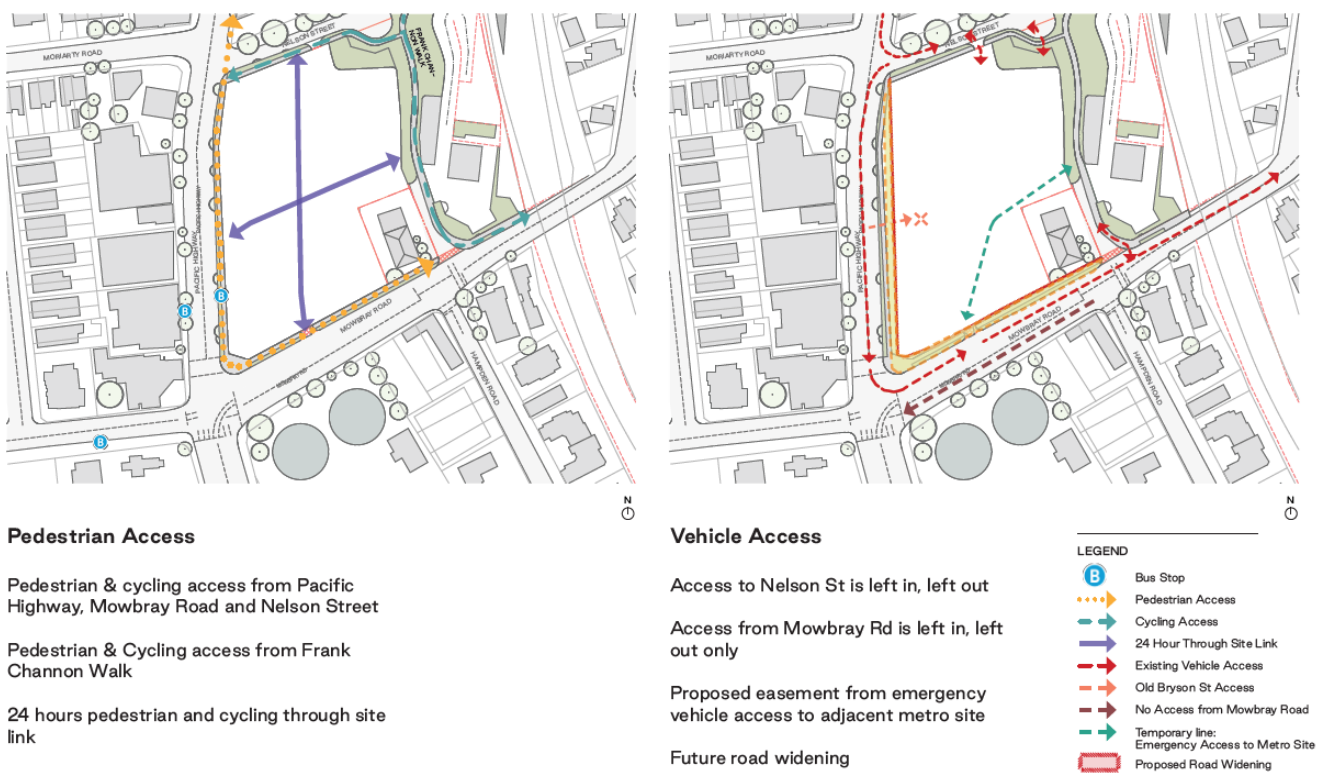


Figure 5 Pedestrian and Vehicle Access – Opportunities and Constraints - FK

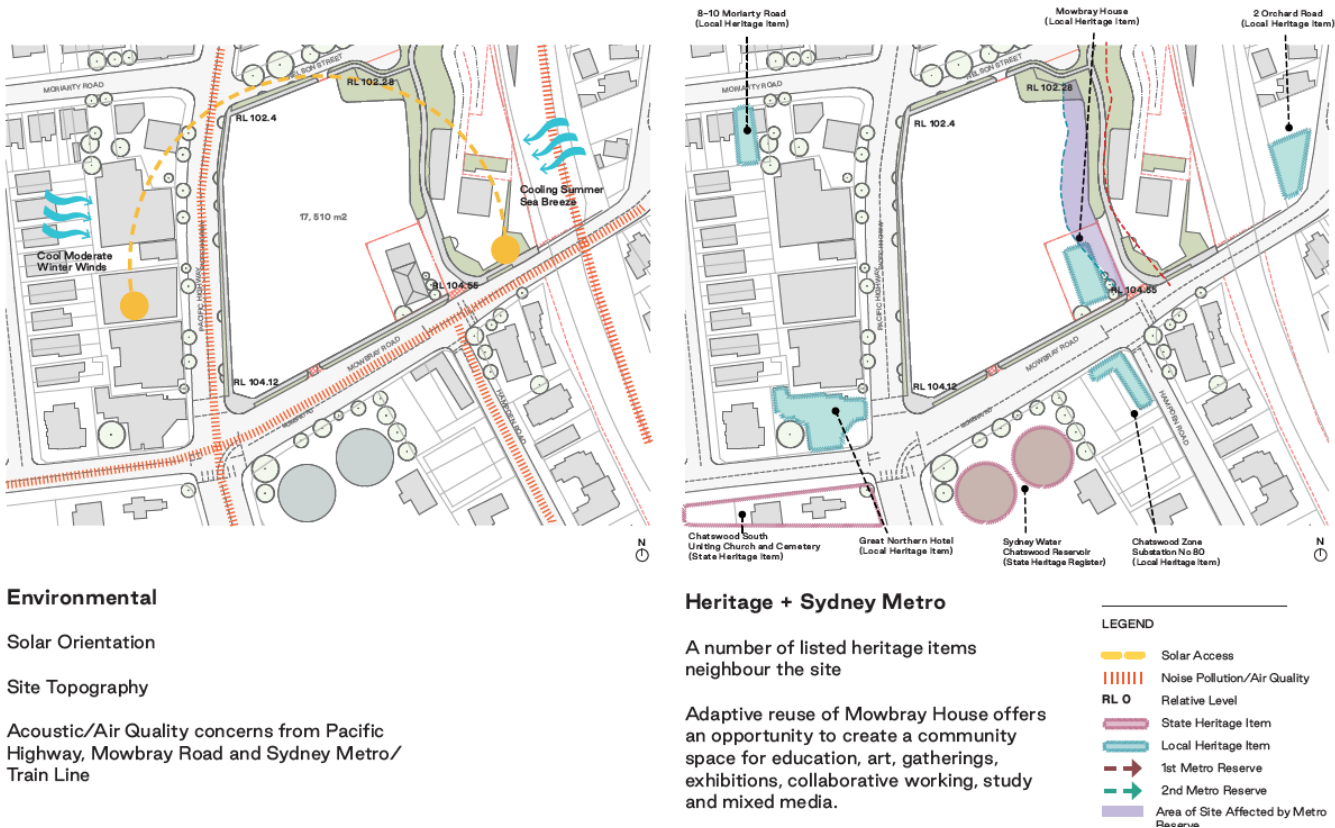


Figure 6 Environmental, Heritage and Sydney Metro - Opportunities and Constraints - FK

3. The Project

3.1 Project description

The project includes a Concept Master Plan for the purposes of a mixed-use precinct, including residential and commercial built form envelopes and Stage 1 works to conserve the existing heritage item and deliver well-designed public open space and internal road network.

The project is proposed to be delivered via an initial Concept SSDA and concurrent planning proposal to establish a defined masterplan and key development controls which will inform all future applications on site. It is expected that SSDAs will be subsequently undertaken for future components of delivery of the Concept SSDA, including the build to rent and build to sell components as well as adaptive reuse of Mowbray House.

The concept masterplan provides a commitment to the delivery of up to 10% affordable housing within the build-to-sell residential dwellings and approximately 180 build-to-rent dwellings.

This Scoping Report relates specifically to the Concept SSDA and concurrent planning proposal as illustrated in Figure 4 and the indicative Concept Plans in Appendix A.



Figure 7 Master Plan – FK

3.2 Project need

The site is a unique addition to the Chatswood CBD precinct, as one of the only un-developed sites remaining. The site provides a significant opportunity to work from a blank slate to establish a well-designed concept plan that ensures a cohesive, activated and high amenity precinct.

This project aligns with the Government's goals for integrated land use, transport planning, and transit-oriented development principles. The proposal allows for significant housing delivery that enhances access to high-frequency public transport nodes at Chatswood, Artarmon and the surrounding connected areas. The Concept SSDA will help provide much-needed new housing opportunities, including allowing for the future development of build-to-rent housing for key workers, close to high-frequency public transport, services, and facilities. This contributes directly to meeting the housing targets set in the North District Plan.

Additionally, the retail activation of the ground plane will ensure that the Chatswood CBD maintains its economic role by providing job opportunities and amenity access to the community. The proposal will also allow for the delivery of a significant public and social infrastructure including new public open space, landscaped public domain, upgrades to the Frank Channon Walk and revitalisation of the 'Mowbray House' heritage item. The proposal ensures a high level of amenity for the future and existing community via the access to enhanced public and social infrastructure.

3.3 Build-to-rent – keys in doors by 2028

The inclusion of a dedicated BTR tower as part of the overall concept master plan for the transformation of the Chatswood Dive Site is a result of the NSW Government's commitment to the *Essential Worker Build-To-Rent Program*. This commitment will provide approximately 180 build-to-rent dwellings for essential workers available at a discount to market rent, with for 'keys in doors' by 2028.

To achieve this timeframe for delivery, the BTR tower must be unimpeded by interdependencies from other built form elements. As such, the site for the BTR must have its own street access and be designed to function independently, perhaps with the exception of open space.

The location of the BTR tower on the Nelson Street frontage has been selected with two key principles in mind:

- unimpeded site access; and
- opportunities to maximise solar access across the proposed open space by locating the lowest building to the north of the site.

4. Proposed Amendments to Willoughby LEP

In order to achieve the proposed outcomes set out by the Master Plan and overall site redevelopment, both the Concept SSDA and BTR SSDA will be supported by a concurrent planning proposal. The planning proposal seeks the following amendments to the WLEP:

Clause 2.2 – Zoning of land to which Plan applies

A small portion of land in the south-west portion of the site will be acquired from Sydney Metro, this land is currently zoned SP2 Infrastructure. This proposal seeks to amend the Land Zoning Map to include revise the applicable zoning from MU1 Mixed Use zone to the SP2 Infrastructure. Refer to request from TfNSW in Appendix F.

The proposed zoning outcome is to retain the existing MU1 Mixed Use zoning for the purposes of retaining strategic merit. An alternative approach can be undertaken to rezone the site to R4 High Density Residential subject to feedback from DPHI.

Clause 4.3 – Height of Buildings

The proposal seeks to amend the Height of Building control from the existing 53m to 180m across the site. The intended built form outcomes will allow for varying heights which respond to the site and local context.

Clause 4.4 – Floor Space Ratio

The proposal seeks the amendment of the application of the Floor Space Ratio control from the existing 4.2:1 to 7.9:1.

Clause 6.7 – Active Frontages

The proposal seeks to amend the “Active Street Frontages” map to remove the identification of the Nelson Street and Byron Street frontages, as identified below.



Figure 8. Proposed Amendment to Active Frontages Map WLEP

Clause 6.8 – Affordable Housing

The proposal seeks to amend the application of Clause 6.8 Affordable Housing in the WLEP, by removing the identification of the site from ‘Area 4’ within the *Affordable Housing Map*, which requires a contribution of 10% of residential GFA for affordable housing.

Schedule 1, Part 27 – Use of Certain land in Chatswood CBD

The proposal seeks to amend the application of Schedule 1, Part 27 in the WLEP, which identifies the site under ‘Area 8’ within the *Special Provisions Area Map*, which requires residential flat building in the MU1 Mixed Use Zone to contribute 17% of the gross floor area of the building to be used for non-residential purposes. The proposal seeks to amend the proposed non-residential gross floor area to approx. 5% across the whole site area as defined in the Concept Masterplan.

Additional Clause under Schedule 1 – Use of Certain land at the Chatswood Dive Site

The proposal seeks to include the Chatswood Dive Site within Schedule 1 of the WLEP to allow for ‘residential flat buildings’ to be permitted with consent under the MU1 Mixed Use Zone.

5. Concept SSDA Works

The Concept SSDA will seek consent for:

- **Concept Master Plan, involving the high-level design of:**
 - High density mixed-use precinct, including an activated commercial/retail ground plane and residential tower with a maximum height of 180m, and associated services, including:
 - 4 towers consisting of a commercial/retail podium and residential tower, including one build-to-rent residential tower, to deliver approximately 1,500 dwellings
 - The delivery of parking across the site, including both timed on-street public parking and approximately 800 private parking spaces for the 3 residential build-to-sell towers
 - An activated commercial and retail ground plane
 - A delivery of public open space and social infrastructure, including:
 - A new central public park
 - Embellishment and upgrade of Frank Channon Walk integrated with the new public domain as part of an active transport network
 - The revitalisation and retainment of the heritage item, 'Mowbray House', to reinstate a future community use
 - A well designed, accessible and landscaped public domain.
- **Stage 1 works, involving:**
 - Lot amalgamation and defined subdivision layout for future detailed SSDAs and public domain components
 - Civil works relating to servicing, road layout, and associated infrastructure
 - Delivery of the public open space and landscaping treatment for the public domain.
 - The embellishment and upgrade of Frank Channon Walk
 - Initial restoration of Mowbray House, including removal of the unsympathetic rear extension and general conservation works.

6. Feasible Alternatives

Under the provisions of the *Environmental Planning and Assessment Regulation 2021* and in accordance with the Government's SSD Guidelines, there is a requirement to analyse feasible alternatives.

Table 2 outlines four project alternatives:

- Do nothing
- Use existing controls
- Alternative design approaches
- Proposed design.

Table 2 Project Alternatives

Project alternatives	Details
Do nothing	The subject site would continue to remain underutilised and is an undesirable outcome as it fails to adequately plan for future growth and opportunities to increase the diversity of housing types and the need for more rental housing within the Chatswood locality and across the LGA more broadly. The retention of the existing built form at the site does also not represent its highest and best use and is inconsistent with the current planning controls and the outcomes encouraged under the Willoughby Local Housing Strategy (2019) and Willoughby Local Strategic Planning Statement (2020), and Chatswood CBD Planning and Urban Design Strategy 2036. This option was dismissed because it would not meet the proposal's objectives, including the Government's goal of creating a fully integrated, mixed-use, transit-oriented development precinct within the Chatswood CBD precinct to facilitate employment and residential growth. Without the proposed development, the site would miss a key strategic opportunity to establish a new integrated precinct in the Chatswood/Artarmon area. The "Do Nothing" approach would also represent a missed opportunity to contribute to the desired vibrancy, growth and character of Chatswood CBD which is transforming into a distinctly high-density mixed-use area. On this basis, the "Do nothing" scenario is not considered to be an acceptable approach.
Use existing controls	The site would utilise the existing LEP controls on the site without a concurrent PP and would produce an outcome which it fails to adequately plan for future growth or produce a scheme that actions the strategic positioning of the site. The existing controls were developed by Council for the purposes of a school prior to key strategic and Government incentives for housing delivery, and therefore no longer reflects the existing strategic planning framework. As a key gateway location for Chatswood, located on the edge of the Chatswood CBD precinct, and becoming the new "face of Chatswood" from Pacific Highway; the existing controls are not suitable for maximising the outcomes on site. The deliver of uplifted controls as part of the concurrent PP allows for a design that better suits the strategic context. The concurrent PP allows for greater flexibility in design that is tailored to the site, including increased heights to reduce overshadowing impacts due to fast moving shadows, and a more appropriate delivery of non-residential FSR on the site that better reflects demand to improve future retail activation. The concurrent PP would also allow for the permissibility of residential flat buildings in the MU1 zone, which ensures the proposed uses on site are supported as part of an updated planning framework. In this sense, this project alternative is not considered to be an acceptable approach as it would establish an outcome that is not conducive to delivering on the strategic intentions of the site and Government incentives.
Alternative design approaches	The Indicative Concept Plans (Appendix 1) demonstrate a variety of alternative designs undertaken on the site which tested outcomes against recognised constraints and

Project alternatives	Details
	opportunities. These designs were brought to the Landcom Design Review Panel (LDRP), however, were recommended to be revised to achieve a preferred design for the site. The Proponent, through the LDRP process and in accordance with the relevant design guidelines provided by GANSW, explored a number of tower design options, each bearing unique characteristics, quantity of towers and spatial configurations. These options included a diverse range of forms in their endeavour to create an innovative and fitting architectural solution for the site. An alternative design was brought forward to a second LDRP and Council, whom provided advice to inform a revised design. Further rigorous and detailed design testing was conducted across to ensure that the siting and building envelope meaningfully addressed the LDRP and Council commentary, responded to the existing site features and site constraints, and achieved residential amenity targets. The previous designs were not considered an acceptable approach.
Proposed design	Following the highest and best use analysis of the site, it was determined that a mixed-use development comprising predominantly residential apartments (including build-to-rent housing) with some commercial components was the most appropriate outcome for the development. The Proposal is considered an optimal outcome for the site as it has been informed by the key LDRP feedback, Council feedback, and remains respectful of preserving the amenity of the surrounding development. This option was primarily selected for the following reasons: • <u>Housing Supply and Population Growth:</u> The Site will provide additional housing to accommodate a growing population, where the proposed pathway maximises the delivery of highly accessible and high amenity housing. Sydney may also see 65,000 more people than projected over the next 5 years, increasing housing demand, especially near transport and job hubs which this proposal directly addresses. • <u>Housing Diversity:</u> The proposed pathway will allow for an optimal delivery outcome of future build-to-rent and affordable housing on the site that supports housing diversity in Chatswood. Proposed build-to-rent housing at a discounted rate in addition to affordable housing will benefit productivity and welfare of the future community. • <u>Mixed-Use Development Opportunity:</u> The concurrent PP allows for a more appropriate delivery rate of non-residential FSR, where commercial and retail delivery is tailored to the site. The indicative concept will develop a diverse typology of retail and highly activated site that supports the success of the scheme and delivers significant amenity to future and surrounding residents. • <u>Open Space and Heritage:</u> A concurrent approach to delivering the precinct allows a cohesive design of the site, where the Concept SSDA sets out an established public domain and open space network. It allows the design of varying built forms to address open space and domain outcomes which support a well-designed and high amenity location. • <u>Economic Viability:</u> The concurrent SSD approach will support economic viability and speedy housing delivery by fast-tracking a large-scale development and promoting strategic projects that deliver housing, jobs, and infrastructure. • <u>Future-Proofing Development:</u> The proposed Concept SSDA establishes a design guidance for a significant gateway site and any future development proposals. It establishes a well-designed precinct that will ensure a cohesive site delivery across varying projects in the future.

7. Strategic Context

7.1 Strategic Merit

The Concurrent PP and Concept SSDA demonstrates significant strategic merit as it directly aligns itself with Federal, State, and Local Governments priorities and strategic plans. The proposed scheme will deliver upon the objectives and priorities found within the strategic planning framework.

The strategic plans / documents most relevant to the site's development potential are summarised below in Table 3. Consistency with these Plans/documents will be addressed in detail in the EIS.

Table 3 Strategic context and relevancy to subject Concept SSDA

Strategic Plan/Document	Details
National Housing Accord 2022	In October 2022, the National Housing Accord was introduced by the Federal Government, pledging to construct 1 million houses in prime locations within a five-year timeframe, commencing in 2024. The proposal will deliver up to 1,500 new dwellings, both private and build-to-rent, within a highly accessible and high amenity location. Given the growing demand for the population to live in the vicinity of their work and in areas with high amenity, BTR housing is emerging as a highly feasibly alternative housing option. In more detail, the accord delineated the imperative for enhanced backing of institutional investment. The National housing Supply and Affordability Council, in collaboration with State Governments, are currently reviewing barriers to innovation in housing, such as BTR. Considering this, the Federal Government is exploring methods to incentivise innovative housing options. The proposed development is in alignment with the above priorities, as it aims to increase housing by implementing a contemporary housing model, in a highly accessible location.
Greater Sydney Region Plan – A Metropolis of Three Cities	In March 2018, the Greater Sydney Commission's (GSC) published the A Metropolis of Three Cities and the associated District Plans. The Plan divides the Sydney Region into 3 Cities, with a vision of growth until 2056 and aims to anticipate the housing and employment needs of a growing and vastly changing population. Of the 3 cities, the site is located within the Eastern Harbour City. The division into 3 cities puts workers and the wider community closer to an array of characteristics such as, intensive jobs, 'city-scale' infrastructure and services, entertainment and cultural facilities. The proposal aligns with the following objectives: • <u>Objective 1</u>: Infrastructure supports the three cities • <u>Objective 4</u>: Infrastructure use is optimised • <u>Objective 5</u>: Benefits of growth realised by collaboration of governments, community and business • <u>Objective 7</u>: Communities are healthy, resilient and socially connected • <u>Objective 9</u>: Greater Sydney celebrates the arts and supports creative industries and innovation • <u>Objective 10</u>: Greater housing supply • <u>Objective 11</u>: Housing is more diverse and affordable • <u>Objective 12</u>: Great places that bring people together • <u>Objective 13</u>: Environmental heritage is identified, conserved and enhanced • <u>Objective 14</u>: A Metropolis of three cities – integrated land use and transport creates walkable and 30 minute cities • <u>Objective 15</u>: The Eastern, Greater Parramatta and the Olympic Peninsula and Western Economic Corridors are better connected and more competitive. • <u>Objective 22</u>: Investment and business activity in centres • <u>Objective 28</u>: Scenic and cultural landscapes are protected

Strategic Plan/Document	Details
	• <u>Objective 30</u>: Urban tree canopy is increased • <u>Objective 31</u>: Public open space is accessible, protected and enhanced • <u>Objective 32</u>: The Green Grid links parks, open spaces, bushland and walking and cycling paths • <u>Objective 33</u>: A low-carbon city contributes to net zero emissions by 2050 and mitigates climate change The proposed development aims to advance the objectives of the Greater Sydney Region Plan by creating an interconnected, high amenity, transit-oriented community. It will capitalise on the Government's investment in the public transport network, facilitating new housing opportunities in proximity to frequent public transport, services, and amenities.
North District Plan	The GSC has prepared District Plans to inform regional and local-level planning and assist the actions of State agencies. The aim of the District Plans is to connect local planning with longer-term metropolitan planning for Greater Sydney. The proposal is located within the North District area. The North District Plan sets out a twenty-year vision to help achieve the goals contained in A Metropolis of Three Cities – the GSC vision for developing Sydney as a world-class future city. The Plan establishes a number of priorities and actions to guide growth, development and change. It also emphasises connectivity to infrastructure, collaboration, liveability, productivity and sustainability. The proposed development aligns with the following planning priorities: • <u>Planning Priority N1</u>: Planning of a city supported by infrastructure • <u>Planning Priority N4</u>: Fostering healthy, creative, culturally rich and socially connected communities • <u>Planning Priority N5</u>: Providing housing supply, choice and affordability with access to jobs, services and public transport • <u>Planning Priority N6</u>: Creating and renewing great places and local centres and respecting the District's heritage • <u>Planning Priority N7</u>: Growing a stronger and more competitive Harbour CBD • <u>Planning Priority N8</u>: Eastern Economic Corridor is better connected and more competitive • <u>Planning Priority N10</u>: Growing investment, business opportunities and jobs in strategic centres • <u>Planning Priority N12</u>: Delivering integrated land use and transport planning and a 30-minute city • <u>Planning Priority N17</u>: Protecting and enhancing scenic and cultural landscapes • <u>Planning Priority N20</u>: Delivering high quality open space • <u>Planning Priority N22</u>: Adapting to the impacts of urban natural hazards and climate change
Willoughby Local Strategic Planning Statement	The Willoughby Local Strategic Planning Statement (LSPS) applies to the subject site and aims to deliver on key planning priorities. The proposal aligns with the following relevant planning priorities: • <u>Priority 1</u>: Increasing housing diversity to cater to families, the aging population, diverse household types and key workers • <u>Priority 3</u>: Enhancing walking and cycling connections to Willoughby's urban areas, local centres and landscape features • <u>Priority 4</u>: Ensuring that social infrastructure caters to the population's changing needs and is accessible to foster healthy and connected communities • <u>Priority 5</u>: Respecting and enhancing heritage and local suburban character • <u>Priority 6</u>: Planning for local centres which are vibrant places that meet the everyday needs of the population • <u>Priority 7</u>: Developing Chatswood's role as a true transport hub for Willoughby City and the North Shore

Strategic Plan/Document	Details
	• <u>Priority 9</u>: Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor • <u>Priority 14</u>: Increasing Willoughby's tree canopy coverage • <u>Priority 15</u>: Improving the efficiency of Willoughby's built environment • <u>Priority 17</u>: Augmenting local infrastructure and using existing infrastructure more intensively and efficiently to accommodate planned growth • <u>Priority 18</u>: Leveraging planned major infrastructure investments and projects to support growth.
Willoughby Housing Strategy	The Willoughby Local Housing Strategy outlines that the population of Willoughby LGA is expected grow from 78,018 in 2016 to 91,848 in 2036. This is a 17.7% increase in population over the next 20 years that is consistent with the expected growth with the wider North District. To accommodate the growing demand for housing in the LGA and larger district, the proposed development will assist Council in meeting the forecast demand for additional housing, by providing additional private, affordable, and BTR apartments.
Chatswood CBD – Planning and Urban Design Strategy 2036	The Chatswood CBD – Planning and Urban Design Strategy 2036 was adopted in 2020. The Plan was developed as a strategic land use plan, including traffic and transport inputs, to guide development in the precinct. It seeks to unlock and define areas of delivery to facilitate the development of the precinct to achieve an activated and resilient CBD. The Plan recognises that Chatswood is identified as a Strategic Centre through the North District Plan and the introduction of the Chatswood Metro Station at the time presented an opportunity for renewal and activation in the area. The recent and ongoing expansion of the Metro line across greater Sydney only enhances the defined opportunities of Chatswood CBD. The Plan specifically identifies the site as part of the Chatswood CBD precinct and will provide guidance around intended outcomes. The development of the Concept Plan has been informed by the objectives of the plan and directly addresses all planning principles of the Plan.
Future Transport Strategy 2056	The Future Transport Strategy 2056 sets out a transport vision, directions and outcomes framework for NSW to guide transport investment and policy over a 40-year period. The Strategy aims to achieve greater transport capacity, improved accessibility to housing, jobs and services, continued innovation, address challenges and support the State's economy and social performance. The proposal is consistent with the key outcomes of the Strategy as it provides new homes and jobs above and around two train stations and a metro station, while also encouraging active transport to and from the site to reduce reliance on private vehicles.
Community Strategic Plan – Our Future Willoughby	The Willoughby Community Strategic Plan, prepared by Council on behalf of and in consultation with the community, sets out the overarching vision for Willoughby and guides our planning and decision making for the next 10 years. The Concept SSD and the pursuant process will work to incorporate the community priorities and provide genuine engagement opportunities with community during the planning process to ensure an optimal outcome on site.

7.2 Key Site Features

The site is located within the Chatswood CBD Precinct, a strategic centre for transport and commercial activity in the Northern District. The site is defined by its proximity to transport hubs, located directly between Artarmon and Chatswood Station. It is sited between both major road infrastructure and rail infrastructure, with Pacific Highway adjoining the western boundary of the site, and the T1 Rail and Metro line adjoining the east. In addition, the existing Frank Channon Walk provides direct access for pedestrians and cyclists along the rail corridor to Chatswood Interchange.

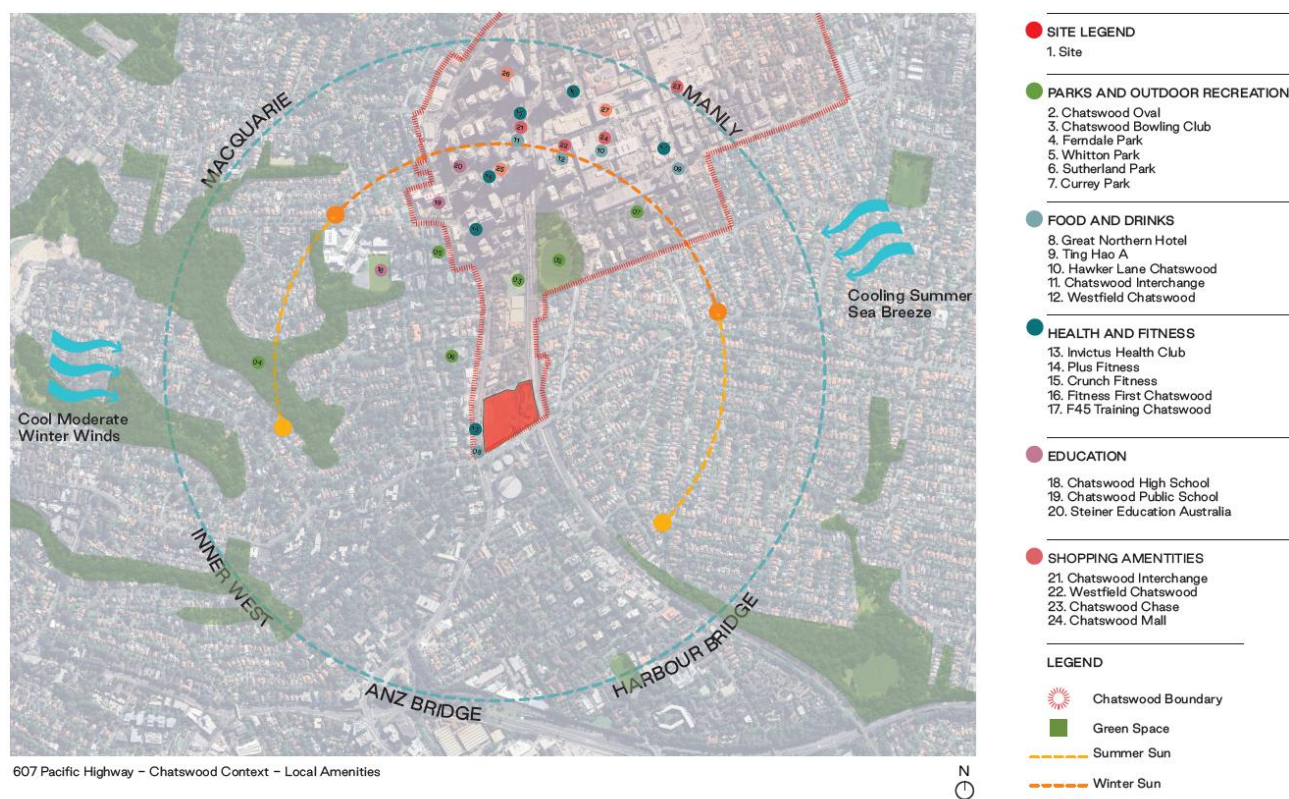


Figure 9 Local Context - FK

The site sits along a ridgeline which runs approximately north-south along Pacific Highway and acts as a high point between Lane Cove and Willoughby. As the site sits along a ridgeline, the flood constraints are minimal however Council's flood mapping identifies it is located over a stormwater channel, which will be considered as part of the detailed assessment. As the site has been previously cleared and is located in an urban centre, the site is not bushfire prone.

As part of the remediation works undertaken by Sydney Metro, the site has been prepared for the purpose of residential uses.

7.3 Cumulative Impact Assessment

After thoroughly reviewing the Planning Proposals, State Significant SSDAs and Development Applications (DAs) within a 1.2km vicinity of the site, we have identified at least 21 significant and relevant developments that may potentially have warranted consideration of potential combined effects alongside the proposed development. The below consider the location of the proposals in relation to the subject, not including planning proposals, and provides examples of the proposed scale of development.

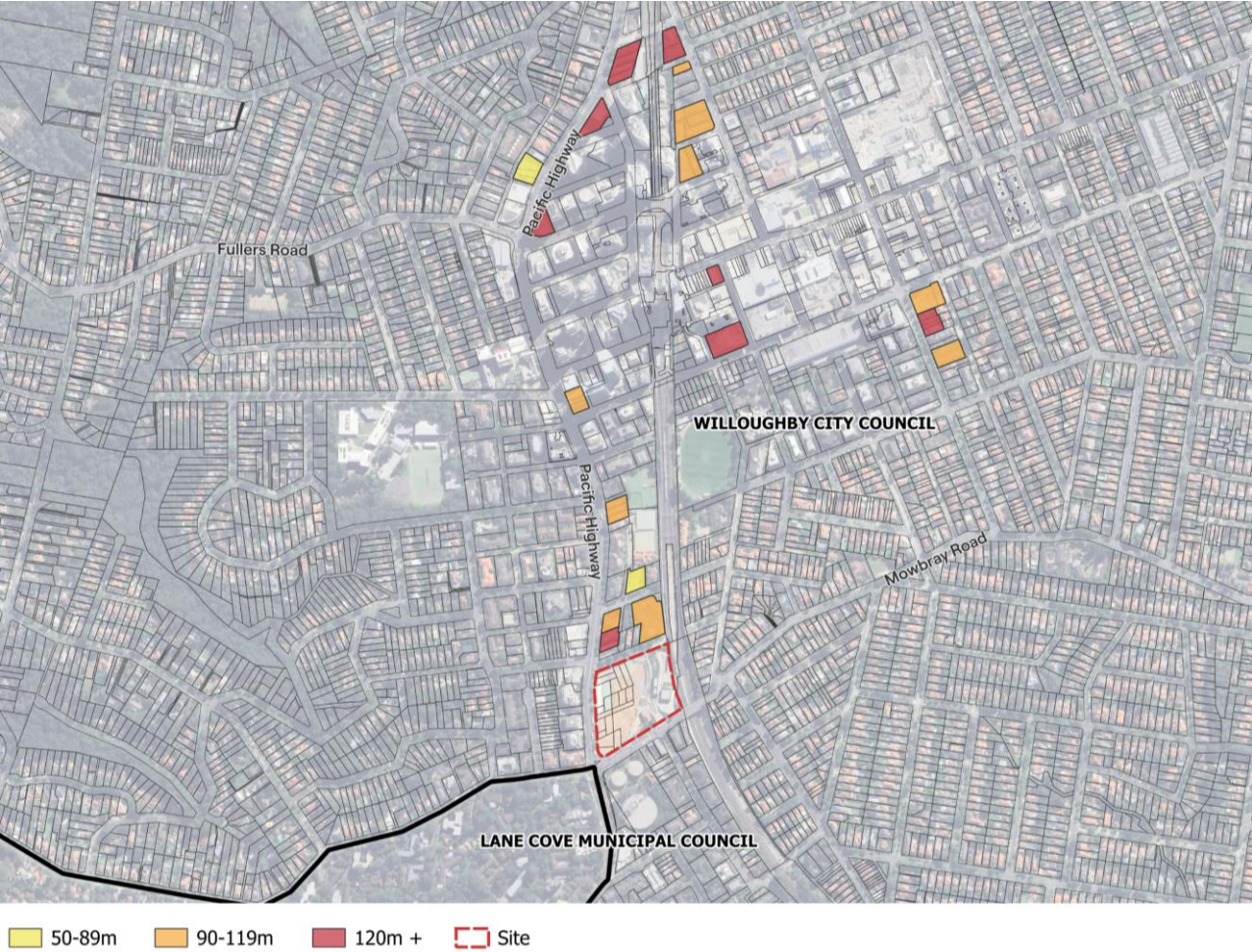


Figure 10 Proposed height context



Figure 11 Surrounding proposed development examples

The 21 projects identified are located within 1.2 kilometres from the site and include:

- **DA-2023/256** – 629-639 Pacific Highway, Chatswood – Approved in August 2025 – 27 storey mixed use development
- **DA-2023/237** – 9-11 Nelson Street, Chatswood – Lodged, in progress – 27 storey mixed use development
- **SSD-74439970** – 5-9 Gordon Avenue, Chatswood – Response to Submissions – 35 storey shop top housing development incorporating in-fill affordable housing
- **SSD-77127711** - 691-699 Pacific Highway, Chatswood – Exhibition – 34 storey mixed-use development with shop-top housing and in-fill affordable housing,
- **SSD-76555711** – 3-5 Help Street, Chatswood – Exhibition – 35 storey mixed use development
- **SSD-73277714** – 37 Archer Street, Chatswood – Exhibition – 28 storey mixed use development with infill affordable housing
- **SSD-85024458** – 65 Albert Avenue, Chatswood - Mandarin Centre – 46 storey mixed-use development
- **SSD-75408008** – 44-52 Anderson Street, Chatswood – Response to Submissions – 33 storey shop-top housing development with infill affordable housing
- **SSD-75116211** – 51-55 Archer Street, Chatswood – Preparing EIS – 35 storey mixed use shop top housing development including in-fill affordable housing
- **SSD-78520463** – 54-56 Anderson Street, Chatswood – Response to Submissions – 32 storey mixed used development with infill affordable housing
- **SSD-63324208** – 410-416 Victoria Avenue, Chatswood – Response to Submissions – 46 storey build-to-rent development with ground and first floor retail premises
- **SSD-87033962** – 815 Pacific Highway, Chatswood – Scoping submitted – 61 storey mixed-use building, comprising 506 apartments, including 100 affordable housing units, commercial and retail uses
- **SSD-73505961** – 613-627 Pacific Highway, Chatswood – Preparing EIS – 36 storey mixed use development with 15% infill affordable housing
- **SSD-72891212** – 57-61 Archer St & 34 Albert Ave, Chatswood – Response to submissions- 113m mixed use development with infill affordable housing
- **SSD-74319707** – 849, 853 and 859 Pacific Highway, and 2 and 8 Wilson Street – Response to submissions – 36 storey mixed use development
- **SSD-59805958** – 763-769 Pacific Highway, Chatswood – Approved – Construction of 198 BTR units within a 27 storey shop-top housing development
- **SSD-74670720** – 38-42 Anderson, 3 McIntosh and 2 Day Streets, Chatswood – Response to Submissions – 23-33 storey towers including mixed use development with infill affordable housing
- **HDA – SSD-96078708** – 754 Pacific Highway, Chatswood – Preparing EIS - 23 storey mixed use development including seniors living for 147 independent living units.
- **HDA - SSD-96776964** – 845 Pacific Highway, Chatswood – Construction of 56 storey shop top housing development containing approximately 500 dwellings (inc. 15% affordable housing)
- **HDA 290324** – 35 Albert Avenue, Chatswood - 100 apartments, including 10% affordable housing, above ground level retail.
- **HDA 290317** – 56 Archer Street, 66-70 Archer Street, 1 Spring Street, 3-9 Spring Street, 11 Spring Street, 13 Spring Street, Chatswood Successful HDA EOI - 4 buildings, 760 apartments including 10% affordable housing, 14,000sqm of commercial/ retail space, through site links and 3,600 sqm open space

From those listed above, 4 are related to the block directly north of the site. We recognise that the EIS will have to consider and include a more detailed review of surrounding applications as part of the EIS process. In preparing the EIS, we will include a cumulative assessment to ensure comprehensive understanding and evaluation of potential combined impacts with the proposed development.

7.4 Agreements and Offsetting

A Voluntary Planning Agreement will be prepared to dedicate the public open space and future road reserves to Council after the public domain included in the Stage 1 works as part of the Concept SSDA is constructed.

Based on consultation with TfNSW, a portion of the site to the south and west will be dedicated to TfNSW for future upgrades to the Pacific Highway. The exact location and scale of dedication is to be defined prior to formal lodgement of the EIS. A separate VPA will be undertaken regarding this land, see below for details of proposed land for acquisition.



Figure 12 Proposed land for acquisition with TfNSW

Transport has also advised a section of land along Mowbray Rd is no longer required for future road widening and are willing to return this land to Landcom for inclusion in the overall site. This land in the south-west portion of the site is currently zoned SP2 Infrastructure. This proposal seeks to amend the Land Zoning Map to include revise the applicable zoning from SP2 Infrastructure to the MU1 Mixed Use zone.

No agreements with relevant parties are required to mitigate or offset the impacts of the project.

8. Statutory Context

8.1 Statutory Planning Framework

The Statutory Planning provisions most relevant to the site and proposal are contained within the following documents:

State

- Heritage Act 1977
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 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 (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021

Local

- Willoughby Local Environmental Plan (WLEP) 2012
- Willoughby Local Strategic Planning Statement 2020
- Willoughby Housing Strategy 2019
- Chatswood CBD Planning and Urban Design Strategy 2036

Whilst Development Control Plans (DCPs) do not apply to State Significant Development pursuant to Section 2.10 of the Planning Systems SEPP, the following will be considered in the EIS, particularly with regard to any future character indicators for the area:

- Willoughby Development Control Plan (WDGP) 2023
- Willoughby Council - Draft Car Share Parking Policy

The following sections categorise and summarise the relevant requirements in accordance with the DPHI guidelines and confirms the planning pathway. Each of these matters will be addressed in further detail within the EIS/ Concept SSDA.

8.2 Power to Grant Approval

Division 4.7 of the *Environmental Planning & Assessment Act 1979* (the EP&A Act) establishes a specific framework to consider projects classed as SSD. SSD is development deemed to be of State significance and includes certain classes of development above a certain value, that is regarded as important to the NSW Government.

Section 4.36(2) of the EP&A Act states:

“A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.”

Pursuant to Schedule 2 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), the proposal is classified as SSD as the proposed development has an estimated development cost over \$30 million.

8.3 Permissibility

The *Willoughby Local Environmental Plan 2012* (WLEP) is the key environmental planning instrument that applies to the site. The site is zoned MU1 Mixed Use under the WLEP.

The development is for the purpose of a residential mixed-use development, including both 'commercial premises' and 'residential flat buildings'. 'Commercial premises' (of which retail premises are a sub-category) are permissible with consent in the MU1 Mixed Use zone. 'Residential accommodation' (of which residential flat buildings are a sub-category) in the MU1 Mixed Use zone, however the concurrent PP seeks to include 'residential flat buildings' as an additional permitted use on site.

8.4 Other Approvals

Section 4.41 of the EP&A Act stipulates certain authorisations that are not required for SSD. Additionally, Section 4.42 of the Act stipulates certain authorisations that cannot be refused if they are necessary for carrying out SSD. These are listed in table below which also lists out whether the approval would have been required if the proposed development was not SSD.

Table 4 Other Approvals under the EP&A Act

Act	Required?
Approvals that do not apply to SSD	
<i>Fisheries Management Act 1994</i>	No
<i>Heritage Act 1977</i>	No
<i>National Parks and Wildlife Act 1974</i>	No
<i>Rural Fires Act 1997</i>	No
<i>Water Management Act 2000</i>	No
Legislation that must be applied consistently	
<i>Fisheries Management Act 1994</i>	No
<i>Mine Subsidence Compensation Act 1961</i>	No
<i>Mining Act 1992</i>	No
<i>Petroleum (Onshore) Act 1991</i>	No
<i>Protection of the Environment Operations Act 1997</i>	No
<i>Roads Act 1993</i>	To be confirmed
<i>Pipelines Act 1967</i>	No

8.5 Pre-conditions to exercising the power to grant consent

The table below identifies pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent.

Table 5 Pre-conditions to exercising power to grant approval

Instrument	Response
State Environmental Planning Policy (Transport and Infrastructure) 2021 – Clause 2.122 (Transport & Infrastructure SEPP)	The site is directly adjacent to Pacific Highway which is a classified road. The proposal will be assessed having regard to the classified road, including access arrangements and the impacts of the proposed development on safety and efficiency of vehicle movements. The proposal comprises traffic-generating development in accordance with Schedule 3 the SEPP, and therefore under Section 2.122(4), the consent authority before determining the DA, must: • within 7 days after the application is made, give written notice of the application to TfNSW, and • take into consideration – ○ any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless before the 21 days, TfNSW advises that it will not be making a submission), and the accessibility of the site concerned
State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience & Hazards SEPP)	Resilience and Hazards SEPP requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose. <u>Chapter 4 – Remediation of land</u> Chapter 4, Section 4.6 of the Resilience & Hazards SEPP requires that where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless: <i>“(a) it has considered whether the land is contaminated, and</i> <i>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state</i> <i>(or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i> <i>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”</i> The Site is subject to the Sydney Metro Approval works which relate to the entire development site (SSI-7400). Investigation and remediation for contamination was addressed under the approval where DPHI considered the contamination in detail and were satisfied. Site remediation has since been undertaken and therefore unlikely to encounter contaminated soil on the site. EPA recommends that an unexpected finds protocol be implemented should contamination be encountered during construction.
State Environmental Planning Policy (Housing) 2021 (Housing SEPP)	Under Chapter 4 relates to the design of residential apartment development and states that the policy applies to development for the purpose of a residential flat building, shop top housing or mixed-use development with a residential accommodation component for buildings with at least 3 or more storeys or containing at least 4 dwellings. Specifically, Section 147 relates to determination of DAs and modification applications for residential apartment development and requires that: <i>“(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</i>

Instrument	Response
	(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.” The indicative masterplan will therefore be prepared in accordance with the relevant provisions of Chapter 4, Schedule 9 and the Apartment Design Guide (ADG), subject to the flexibility afforded to the application of the ADG under Chapter 3, Diverse Housing, Part 4, Build to Rent housing, Section 75. The provisions under Chapter 2, Affordable Housing, will be considered in the design development of the concept masterplan.

8.6 Mandatory matters for consideration

The table below identifies matters that the consent authority will be required to consider in deciding whether to grant consent to the Concept SSDA. These matters will each be addressed in the EIS.

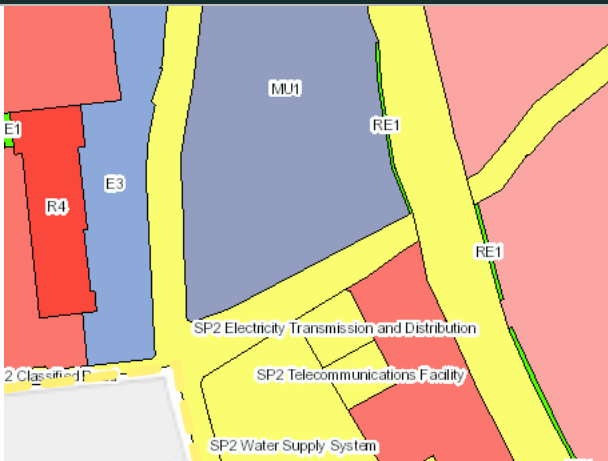
Table 6 Mandatory matters for consideration

Instrument	Response
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	Under the EPBC Act, a proponent must not take an action if that action is a controlled action, but instead must refer the proposed development to the Minister for the Environment for the Minister's decision as to whether or not the action is a controlled action. A controlled action is one that has or will have; or is likely to have an impact on matters protected under the EPBC Act (Matters of National Environmental Significance) (MNES). An action includes a project, development, undertaking, activity, or series of activities. Having regard for the existing disturbed nature of the site, referral to the Commonwealth Minister is not required.
Environmental Planning and Assessment Act 1979 (EP&A Act)	Section 1.3 - Objects of Act The Proponent will consider all objects of the Act in the EIS and the assessment of the proposal. Section 4.15 - Evaluation Section 4.15(1) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining SSD applications. These matters are summarised as: - the provisions of any environmental planning instruments (including draft instruments), development controls plans, planning agreements, the EP&A Regulation, - the likely environmental, social and economic impacts of the development, - the suitability of the site for the development - any submissions - the public interest, including the objects in the EP&A Act and the encouragement of ecologically sustainable development (ESD). The Proponent will consider all of these matters in the EIS and the assessment of the proposal.
Heritage Act 1977 (Heritage Act)	The site is not listed as a heritage item and is not located within a Heritage Conservation Area under the WLEP, however it includes a locally listed heritage item, identified as 'Mowbray House' on the south east of the site, see below mapping. Other local and state significant heritage items are identified

Instrument	Response						
	surrounding the site and will be addressed accordingly in a Heritage Impact Statement.  Figure 13 WLEP Heritage Map (Source: NSW Planning Portal, accessed August 2024)						
State Environmental Planning Policy (Housing) 2021 (Housing SEPP)	Chapter 3 – Diverse housing (Part 4 – Build-to-rent housing) The proposed development will include a build-to-rent housing component. Build to rent is permissible for development for the purposes for residential flat buildings housing on land in an MU1 zone, and that will result in at least 50 dwellings occupied. The EIS will consider the relative controls under Section 74 – ‘Non-discretionary development standards—the Act, s 4.15’. It is also acknowledged that Section 75 applies flexibility to the application of the ADG, in particular the design criteria under Part 4 of the ADG. Chapter 4 - Design of residential apartment development The proposed master plan will therefore be prepared with to the relevant provisions of Chapter 4, Schedule 9 and the ADG, subject to the flexibility afforded to the application of the ADG under Chapter 3, Diverse Housing, Part 4, Build to Rent housing, Section 75. A separate detailed SSDA will prepared as per the controls in Chapter 3, Diverse Housing, Part 4, Build to Rent housing.						
State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport & Infrastructure SEPP)	Chapter 2 – Infrastructure The relevant matters for consideration for the site are outlined below. Table 7 Relevant sections of the Transport & Infrastructure SEPP <table border="1"> <thead> <tr> <th>Section</th><th>Details</th></tr> </thead> <tbody> <tr> <td>Section 2.98 <i>Development adjacent to rail corridors</i></td><td>Section relates to any development which is likely to have an adverse effect on rail safety, or involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains. Section requires that before determining a development application the consent authority must give written notice of the application to the rail authority for the rail corridor, and take into consideration any response to the notice that is received within 21 days.</td></tr> <tr> <td>Section 2.99 <i>Excavation in, above, below or adjacent to rail corridors</i></td><td>This section applies to development within 25m of a rail corridor that involves the penetration of ground to a depth of at least 2m below ground level. Section requires that the safety, operation, and structural integrity of rail corridors are avoided, and the consent authority must give written notice of the application to the rail authority for the rail corridor, and take into consideration any response to the notice that is received within 21 days.</td></tr> </tbody> </table>	Section	Details	Section 2.98 <i>Development adjacent to rail corridors</i>	Section relates to any development which is likely to have an adverse effect on rail safety, or involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains. Section requires that before determining a development application the consent authority must give written notice of the application to the rail authority for the rail corridor, and take into consideration any response to the notice that is received within 21 days.	Section 2.99 <i>Excavation in, above, below or adjacent to rail corridors</i>	This section applies to development within 25m of a rail corridor that involves the penetration of ground to a depth of at least 2m below ground level. Section requires that the safety, operation, and structural integrity of rail corridors are avoided, and the consent authority must give written notice of the application to the rail authority for the rail corridor, and take into consideration any response to the notice that is received within 21 days.
Section	Details						
Section 2.98 <i>Development adjacent to rail corridors</i>	Section relates to any development which is likely to have an adverse effect on rail safety, or involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains. Section requires that before determining a development application the consent authority must give written notice of the application to the rail authority for the rail corridor, and take into consideration any response to the notice that is received within 21 days.						
Section 2.99 <i>Excavation in, above, below or adjacent to rail corridors</i>	This section applies to development within 25m of a rail corridor that involves the penetration of ground to a depth of at least 2m below ground level. Section requires that the safety, operation, and structural integrity of rail corridors are avoided, and the consent authority must give written notice of the application to the rail authority for the rail corridor, and take into consideration any response to the notice that is received within 21 days.						

Instrument	Response								
	<table border="1"> <tr> <td data-bbox="555 302 762 488"><i>Section 2.100 Impact of rail noise or vibration on non-rail development</i></td><td data-bbox="770 302 1428 488">Section applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration. Section requires that before determining a development application the consent authority must consider any guidelines issued by the Planning Secretary and that appropriate measures be taken to ensure noise levels are not exceeded in the future residences.</td></tr> <tr> <td data-bbox="555 492 762 627"><i>Cl 2.119 Development with frontage to classified road</i></td><td data-bbox="770 492 1428 627">Section requires vehicular access to the land is provided by a road other than the classified road and support the safety, efficiency and ongoing operation of the classified road.</td></tr> <tr> <td data-bbox="555 631 762 795"><i>Cl 2.120 Impact of road noise or vibration on non- road development</i></td><td data-bbox="770 631 1428 795">Section applies to residential accommodation on land adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles (this applies to the Pacific Highway at Chatswood). Section requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.</td></tr> <tr> <td data-bbox="555 799 762 1064"><i>Cl 2.122 Traffic generating development</i></td><td data-bbox="770 799 1428 1064"> Section applies to residential accommodation for 75 or more dwellings with direct vehicular or pedestrian access to a classified road. Requires notice being given to Transport for NSW and taking into consideration any comments received. The Pacific Highway frontage is a “classified road”. As the proposal is located along a “classified road” and will provide for residential floorspace equivalent to more than 75 dwellings, it is traffic-generating development and require referral to TfNSW. </td></tr> </table> The above matters will be addressed as part of the future EIS and supportive documentation.	<i>Section 2.100 Impact of rail noise or vibration on non-rail development</i>	Section applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration. Section requires that before determining a development application the consent authority must consider any guidelines issued by the Planning Secretary and that appropriate measures be taken to ensure noise levels are not exceeded in the future residences.	<i>Cl 2.119 Development with frontage to classified road</i>	Section requires vehicular access to the land is provided by a road other than the classified road and support the safety, efficiency and ongoing operation of the classified road.	<i>Cl 2.120 Impact of road noise or vibration on non- road development</i>	Section applies to residential accommodation on land adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles (this applies to the Pacific Highway at Chatswood). Section requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.	<i>Cl 2.122 Traffic generating development</i>	Section applies to residential accommodation for 75 or more dwellings with direct vehicular or pedestrian access to a classified road. Requires notice being given to Transport for NSW and taking into consideration any comments received. The Pacific Highway frontage is a “classified road”. As the proposal is located along a “classified road” and will provide for residential floorspace equivalent to more than 75 dwellings, it is traffic-generating development and require referral to TfNSW.
<i>Section 2.100 Impact of rail noise or vibration on non-rail development</i>	Section applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration. Section requires that before determining a development application the consent authority must consider any guidelines issued by the Planning Secretary and that appropriate measures be taken to ensure noise levels are not exceeded in the future residences.								
<i>Cl 2.119 Development with frontage to classified road</i>	Section requires vehicular access to the land is provided by a road other than the classified road and support the safety, efficiency and ongoing operation of the classified road.								
<i>Cl 2.120 Impact of road noise or vibration on non- road development</i>	Section applies to residential accommodation on land adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles (this applies to the Pacific Highway at Chatswood). Section requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.								
<i>Cl 2.122 Traffic generating development</i>	Section applies to residential accommodation for 75 or more dwellings with direct vehicular or pedestrian access to a classified road. Requires notice being given to Transport for NSW and taking into consideration any comments received. The Pacific Highway frontage is a “classified road”. As the proposal is located along a “classified road” and will provide for residential floorspace equivalent to more than 75 dwellings, it is traffic-generating development and require referral to TfNSW.								
State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)	The Sustainable Buildings SEPP sets standards for both residential and non-residential development and outlines the process of measuring and reporting on the embodied emissions of construction materials. The proposed mixed-use development comprises both residential and commercial (including retail) components. Chapter 2 - Standards for residential development—BASIX The proposed development will have regard to the provisions of the Chapter 2 of the Sustainable Buildings SEPP. Any future development will need to provide a detailed response in regard to Chapter 2. Chapter 3 - Standards for non-residential development This Chapter applies to development, other than development for the purposes of residential accommodation, that involves the erection of a new building, if the development has an estimated development cost of \$5 million or more. In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following— “(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials, (b) a reduction in peak demand for electricity, including through the use of energy efficient technology, (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design, (d) the generation and storage of renewable energy, (e) the metering and monitoring of energy consumption, (f) the minimisation of the consumption of potable water.”								

Instrument	Response
	Per subclause (2), development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified. Pursuant to Section 35B and 35C of the EPA Regulations, non-residential development (that is not excluded under Section 3.1(2) of the Sustainability SEPP) must provide an embodied emissions statement that is prepared by a Quantity Surveyor, qualified designer, engineer or an assessor accredited under NABERS. Any future development will consider the necessary requirements as part of a detailed SSDA.
State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity & Conservation SEPP)	Chapter 2 – Vegetation in non-rural areas As outlined above, the site was previously used for ongoing construction of the Sydney Metro line and has been disturbed. This site does not contain any existing vegetation. The site is also located within a highly urbanised area and the proposed development will have no impact on threatened species and native flora and fauna. A BDAR Waiver request has been lodged concurrently with this Scoping Report. Chapter 6 – Water catchments The site is identified as being within the Sydney Harbour Catchment. Appropriate regard will be had for stormwater management as part of the EIS.
Willoughby Local Environmental Plan 2012 (WLEP)	The WLEP is the primary environmental planning instrument that applies to the site. The relevant provisions of the WLEP as they relate to the subject site are considered below. Land use zoning and permissibility The site, located within the Willoughby Local Government Area (LGA). The site is zoned MU1 Mixed Use under the WLEP. Concurrent to the submission of the SSDA, the proponent is lodging a concurrent PP to amend the heights, FSR, and other applicable controls on site. The development is for the purpose of a residential mixed-use development (including commercial/retail components). ‘Commercial premises’ (of which retail premises are a sub-category) are permissible with consent in the MU1 Mixed Use zone under the Willoughby Local Environmental Plan 2012 (WLEP). ‘Residential accommodation’ (of which residential flat buildings are a sub-category) in the MU1 Mixed Use zone is prohibited, however the concurrent PP seeks to include ‘residential flat buildings’ as an additional permitted use on site. The EIS will assess the development against the following objectives of the MU1 Mixed use zone: “• To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities. • To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To allow for city living on the edges of the city centre of Chatswood, which encourages public transport use, shopping and the use of businesses and recreational services that contribute to the vitality of the city, without undermining its commercial role.”

Instrument	Response																				
	 Figure 14 WLEP Zoning Map (Source: NSW Planning Portal, accessed August 2024) Other controls under the WLEP applicable to the site are outlined in Table 8 below. Table 8 WLEP Development standards <table> <tr> <th>Standard</th><th>Comment</th></tr> <tr> <td><i>Clause 4.3 - Height of buildings</i></td><td>Maximum 53m. The application of this clause is proposed to be amended as part of the Concurrent PP.</td></tr> <tr> <td><i>Clause 4.4 - Floor space ratio</i></td><td>Maximum 4.2:1 The application of this clause is proposed to be amended as part of the Concurrent PP.</td></tr> <tr> <td><i>Clause 5.1 - Relevant acquisition authority</i></td><td>The site includes a portion of land zoned SP2 Infrastructure, where TfNSW acts as the Authority of the State. Any future acquisition outcomes will be undertaken in consultation with TfNSW.</td></tr> <tr> <td><i>Clause 5.10 – Heritage Conservation</i></td><td>The site is not identified as a local or state heritage item, nor is it located within a heritage conservation area. However, the site includes a locally listed heritage item 'Mowbray House' and is directly adjacent to a variety of locally listed heritage items. A Heritage Impact Statement will be prepared to accompany the Concept SSDA.</td></tr> <tr> <td><i>Clause 5.21 - Flood planning</i></td><td>The site is not mapped as in a flood planning area. Any cumulative impacts on flood behaviour and the environment will be considered as part of the EIS.</td></tr> <tr> <td><i>Clause 6.1 - Acid sulfate soils</i></td><td>The entirety of the site is mapped as Class 5 soils, to which this Clause then applies.</td></tr> <tr> <td><i>Clause 6.3 - Urban heat</i></td><td>The site will include a public domain and landscape plan which will consider the design of the site to reduce the potential of urban heat.</td></tr> <tr> <td><i>Clause 6.7 – Active Street Frontage</i></td><td>The site is zoned MU1 and identified on the Active Street Frontages Map and therefore this clause applies.</td></tr> <tr> <td><i>Clause 6.8 – Affordable Housing</i></td><td>The site is included under Area 4 of the <i>Affordable Housing Map</i> which requires the delivery of 10% affordable housing. The application of this clause is proposed to be removed from the site as part of the Concurrent PP.</td></tr> </table>	Standard	Comment	<i>Clause 4.3 - Height of buildings</i>	Maximum 53m. The application of this clause is proposed to be amended as part of the Concurrent PP.	<i>Clause 4.4 - Floor space ratio</i>	Maximum 4.2:1 The application of this clause is proposed to be amended as part of the Concurrent PP.	<i>Clause 5.1 - Relevant acquisition authority</i>	The site includes a portion of land zoned SP2 Infrastructure, where TfNSW acts as the Authority of the State. Any future acquisition outcomes will be undertaken in consultation with TfNSW.	<i>Clause 5.10 – Heritage Conservation</i>	The site is not identified as a local or state heritage item, nor is it located within a heritage conservation area. However, the site includes a locally listed heritage item 'Mowbray House' and is directly adjacent to a variety of locally listed heritage items. A Heritage Impact Statement will be prepared to accompany the Concept SSDA.	<i>Clause 5.21 - Flood planning</i>	The site is not mapped as in a flood planning area. Any cumulative impacts on flood behaviour and the environment will be considered as part of the EIS.	<i>Clause 6.1 - Acid sulfate soils</i>	The entirety of the site is mapped as Class 5 soils, to which this Clause then applies.	<i>Clause 6.3 - Urban heat</i>	The site will include a public domain and landscape plan which will consider the design of the site to reduce the potential of urban heat.	<i>Clause 6.7 – Active Street Frontage</i>	The site is zoned MU1 and identified on the Active Street Frontages Map and therefore this clause applies.	<i>Clause 6.8 – Affordable Housing</i>	The site is included under Area 4 of the <i>Affordable Housing Map</i> which requires the delivery of 10% affordable housing. The application of this clause is proposed to be removed from the site as part of the Concurrent PP.
Standard	Comment																				
<i>Clause 4.3 - Height of buildings</i>	Maximum 53m. The application of this clause is proposed to be amended as part of the Concurrent PP.																				
<i>Clause 4.4 - Floor space ratio</i>	Maximum 4.2:1 The application of this clause is proposed to be amended as part of the Concurrent PP.																				
<i>Clause 5.1 - Relevant acquisition authority</i>	The site includes a portion of land zoned SP2 Infrastructure, where TfNSW acts as the Authority of the State. Any future acquisition outcomes will be undertaken in consultation with TfNSW.																				
<i>Clause 5.10 – Heritage Conservation</i>	The site is not identified as a local or state heritage item, nor is it located within a heritage conservation area. However, the site includes a locally listed heritage item 'Mowbray House' and is directly adjacent to a variety of locally listed heritage items. A Heritage Impact Statement will be prepared to accompany the Concept SSDA.																				
<i>Clause 5.21 - Flood planning</i>	The site is not mapped as in a flood planning area. Any cumulative impacts on flood behaviour and the environment will be considered as part of the EIS.																				
<i>Clause 6.1 - Acid sulfate soils</i>	The entirety of the site is mapped as Class 5 soils, to which this Clause then applies.																				
<i>Clause 6.3 - Urban heat</i>	The site will include a public domain and landscape plan which will consider the design of the site to reduce the potential of urban heat.																				
<i>Clause 6.7 – Active Street Frontage</i>	The site is zoned MU1 and identified on the Active Street Frontages Map and therefore this clause applies.																				
<i>Clause 6.8 – Affordable Housing</i>	The site is included under Area 4 of the <i>Affordable Housing Map</i> which requires the delivery of 10% affordable housing. The application of this clause is proposed to be removed from the site as part of the Concurrent PP.																				

Instrument	Response
	<i>Clause 6.15 – Sun Access</i> The site is zoned MU1 and the potential solar impacts will be considered as part of the masterplan development and EIS.
	<i>Clause 6.16 – Minimum Lot Sized for commercial and mixed use development in Chatswood CBD</i> The site is in Area 8 and as such requires a minimum lots size of 1,200sqm in an MU1 zone for mixed use development.
	<i>Clause 6.23 – Design Excellence</i> The site is in Area 5 and requires a Design Review Panel to review the development and a design competition for buildings over 35m.
	<i>Schedule 1, Part 27 – Use of Certain Land in Chatswood CBD</i> The site is included under Area 8 in the <i>Special Provisions Area Map</i>, and proposes the delivery of RFBs in an MU1 zone which must include a non-residential floor space of 17% in the development. The application of this clause is proposed to be amended as part of the Concurrent PP.

9. Community Views and Proposed Engagement

9.1 Matters for Further Assessment

The NSW Government Undertaking Engagement Guidelines for State Significant Projects (March 2024) states that, to facilitate effective engagement, proponents will be expected to:

- provide clear and concise information about the project and its impacts
- implement activities that encourage and facilitate participation
- report back on what was heard, what has or hasn't changed, and why.

In order to meet the requirements of the Guidelines, engagement must be undertaken to gather feedback from impacted residents, the wider community and key stakeholders.

Initial engagement with the general community, Willoughby City Council and First Nations stakeholders (through Connecting with Country consultation), and a variety of agencies has commenced and will continue to be engaged throughout key stages in the project. The outcomes and findings of this engagement will be incorporated into the EIS.

Furthermore, the proponent must be able to demonstrate how feedback received from community and stakeholders has informed the design of the project. This will be reflected in the final proposal.

9.2 Approach to Engagement

An Engagement Strategy has been prepared to maximise participation of relevant stakeholders and the local community, providing multiple opportunities for people to hear about and provide feedback on the project. This will include community information sessions, a community survey and project email address for enquiries and feedback, social media posts, community postcards, focus groups and drop-in sessions. In addition, consultation will be extended to key NSW Government agencies, local Councils and other key stakeholders or interest groups in the local community.

Early consultation with DPHI identified that a maximum 28-day consultation period may be undertaken with the relevant agencies prior to the issue of project-specific SEARs. As detailed above, engagement activities have already been undertaken with key agencies and public consultation is proposed in September/October. Future commentary from the agencies during the formal public exhibition will also be welcomed. Based on this, it is requested that this initial consultation period be waived for the purposes of efficient delivery of the project.

9.3 Engagement Stages

Engagement will be facilitated early in the process, to ensure that feedback gathered from the community can be incorporated into the proposal. Following submission, the community will have further opportunity to provide formal feedback on the proposal during the public exhibition process.

9.4 Community Considerations

The Guidelines require engagement to be proportionate to the scale of the project. As this project is likely to generate a high level of community interest and feedback, the engagement program will be designed to maximise opportunities for engagement and provide open communication with the community about the proposal.

9.5 Identification of Stakeholders

A detailed Community and Stakeholder Engagement Strategy will be prepared and will identify key stakeholders for the project. The strategy will identify any relevant local interest and community groups, appropriate engagement with the Indigenous community and key stakeholders with an interest in the project. Community engagement will be far-reaching to ensure that all members of the local community have

opportunities to participate in the project. The engagement strategy will also identify risks and opportunities for the project.

Table 9. Key Stakeholder List

Stakeholders	
Site neighbours	Local residents Local businesses Wider community Community groups Relevant progress associations
First Nations community	Registered Aboriginal Parties Metropolitan Local Aboriginal Land Council
Willoughby City Council	
Lane Cove Council	
Northern Sydney Regional Organisation of Councils	
Department of Planning Housing and Infrastructure	
Government Architect NSW	
State Design Review Panel	
NSW Government Departments	– NSW Health – Heritage NSW – Transport for NSW / Sydney Metro – Health Infrastructure NSW – School Infrastructure NSW – Department of Education – Homes NSW – Department of Climate Change, Energy the Environment and Water
Utilities & Infrastructure	– Ausgrid – Jemena – NBN – Sydney Water – Sydney Airport Corporation Limited

9.6 Community Engagement and the Social Impact Assessment

Community engagement will be designed to maximise the outputs that will also inform the Social Impact Assessment. Community surveys and the community information sessions will provide opportunities for people to provide feedback about anticipated impacts of construction and operation of the project. Engagement collateral and resources will be designed to facilitate the SIA, maximising the value of community participation in a streamlined engagement process.

The social impacts resulting from the proposed development will be set out in detail within the EIS. The anticipated social impacts include:

Way of Life

Increased density supports greater housing diversity and affordability, providing a greater range of housing typologies. Planning for more diverse housing options ensures they cater to more diverse households, such as couples without children and downsizers. Higher density and a mix of housing produces a more diverse range of residents (such as young families, professionals, retirees, people with disabilities) and this increased population, density and vibrancy tends to mean a broader range of services can be supported within walking or cycling distance.

Although apartments are often seen as “stepping stones” for singles and couples before they buy detached houses, detached houses are out of financial reach for many people with children. This means that more and more people with children are drawn to apartment living

It is possible there may be some negative impact on people's way of life in terms of the way they get around through the construction stage.

Community

Communities are complex systems that can be characterised by community structure (the number and size of populations and their interactions) and community dynamics (how the members and their interactions change over time). These attributes contribute to a sense of place or sense of community.

The design of high-density apartment buildings should provide appropriate opportunities and spaces to accommodate social interaction between residents.

The proposed project will include a significant increase in public open space, including a new public park, which will be supported by a strong activation of retail and commercial activities on the ground plane that can be used for a diverse range of programs. Future remediation and adaptive reuse of Mowbray House could provide additional indoor community space, to be explored through detailed planning.

Accessibility

Having access to appropriate goods, services and infrastructure is important for everyone. Being able to live in a neighbourhood where shopping, transport, business services, education, community facilities, recreational and sporting resources are close by have a range of social, economic and environmental benefits. Having access to close by services and facilities also helps to develop and maintain social connections. Designing neighbourhoods so they are more accessible can also reduce greenhouse gas emissions, support physical activity and promote healthy eating.

The Concept Plan works to connect the development to the existing networks and parks, Frank Channon Walk, and access to surrounding train stations via pedestrian and cycling routes based around the transport nodes.

Culture

The National Agreement on Closing the Gap (the National Agreement) is a commitment between governments and Aboriginal and Torres Strait Islander people to achieve better life opportunities and physical, mental, cultural and spiritual wellbeing for all Aboriginal and Torres Strait Islander people. The Agreement identifies four Priority Reforms and 17 Socio -Economic Outcomes, including:

“Socio-Economic Outcome 15: Aboriginal and Torres Strait Islander people maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters”

The project will include distinctive Connecting with Country design outcomes informed by direct Consultation with local Aboriginal Elders and, acknowledging and celebrating Aboriginal people and culture. Reflecting First Nations culture in design elements in the proposed project is likely to have positive impacts for Aboriginal people and contribute to the outcomes identified in the National Agreement.

Health and Wellbeing

Infrastructure like local open spaces and parks are important to liveability, providing places for people to meet, socialise, recreate, play and connect. Access to these areas is associated with increased physical activity and improved mental health. Public open space includes parks and recreational reserves, sporting fields, public gardens, nature reserves, civic areas, and promenades. The proposed project increases opportunities for walkability and active transport options, as well as access to public space.

It is possible there will be some negative health and wellbeing impacts through the construction stage that will require mitigation measures.

Surroundings

Amenity is the pleasantness, attractiveness, desirability or utility of a place, facility, building or feature. Amenity is important to communities and other stakeholders. In some instances, local amenity can be adversely impacted by development. Loss of amenity can occur for a range of reasons, including significant increases to the heights of existing buildings, more traffic, reduced parking, overshadowing and higher population density. A loss of amenity has the potential to negatively impact residents in several ways, including their health.

Development surrounding the Chatswood Dive Site comprises a mix of future high density, mixed-use typology, with a combination of ground-floor retail, commercial office, and low-medium density residential development in buildings of varying heights, styles, and ages. The skyline is characterised by modern skyscrapers and office towers.

The proposed project is consistent with other future development applications and proposals in the area, and recognised that despite surrounding height increases, the proposal will likely have an impact on the visual amenity of the area. It is possible there will be some negative impacts on surrounding amenity through the construction stage. These will require mitigation measures.

Amenity will be supported through the ground plane, with a retail and commercial ground plane, activated pedestrian thoroughfares, connections to green space and landscaping as part of a significant public open space addition.

9.7 Post-Lodgement Engagement

Submissions received during the public exhibition process will be reviewed and analysed to identify any ongoing community concerns that may need to be addressed and respond to the enquiries of NSW Government agencies and authorities or Council. The proponent will provide a detailed response to issues raised during public exhibition for consideration by DPHI. Additional meetings will be held with key stakeholders post-lodgement as required.

10. Proposed Assessment of Impacts

10.1 Matters Requiring Further Assessment

The following section provides a description of the relevant matters and impacts which will be addressed in detail within the EIS. It also includes each of the Key Issues and Other Issues as identified in the Scoping Summary Table.

Matter	Comment/Justification
Compliance with strategic and statutory plans	The Concept SSDA will outline how the proposed development is consistent with the strategic and statutory planning framework, as outlined in Section 5 and Section 6 of this Report. The Concept SSDA package will be accompanied by a Concurrent PP which will provide additional detail regarding the strategic justification for amending the Willoughby LEP.
Interface with the approved Chatswood Metro Maintenance Site	The Sydney Metro site directly adjacent to the site is existing, and access to the maintenance corridor must be maintained. The access design and operation of the proposal will consider the accessibility and nature of the adjacent site as part of the detailed master plan development. The proposed development will demonstrate how it will integrate with the infrastructure including structural design, access, wayfinding, public domain works and construction management.
Design Excellence	The Concept SSDA will reflect the outcomes of the Landcom Design Review Panel and State Design Review Panel to ensure the concept masterplan demonstrates design excellence.
Connecting with Country	Comprehensive engagement with local Aboriginal Elders and the concepts and values established through this engagement will directly inform the design process and outcomes on site. The concept design will consider the Connection to Country Framework prepared by the NSW Government Architect and will clearly demonstrate how the framework has been implemented and reflected in the concept design.
Urban Design, Built Form,	The Preliminary Concept Masterplan (Appendix A) prepared by FK demonstrates a high-quality design outcome, supported by a strong landscape-led public domain outcome. They provide a preliminary indication of the proposed height, bulk, scale and building footprint which will be refined subject to feedback from DPHI and the SDRP. The proposed EIS will describe the design process leading to the Concept Masterplan including an urban design analysis demonstrating how the proposed building forms, typologies, orientation, height, setbacks, bulk, scale, and massing of the proposed development will fit within the context of the site and the existing and future desired character of the locality. This must include planning justifications for the proposed development density, scale and built form with consideration of strategic planning objectives of the wider Chatswood CBD Precinct. It will also illustrate how the proposal relates to existing and future developments at the locality with consideration of any relevant design guidelines, local development controls, draft strategic planning framework,

Matter	Comment/Justification
	and local policies. To date, a number of design solutions have been incorporated to improve amenity impacts to the residential development as well as those in the vicinity. The EIS will include an indicative design with supporting options analysis the proposed built forms illustrating the consideration of the benefits and potential impacts of each option and justifying the proposed option.
Amenity Impacts	The EIS will include extensive assessment of the impacts of the indicative building envelope on the amenity of surrounding areas, including overshadowing of the public domain and key public spaces, visual impacts from the surrounding public domain, visual impacts and view impacts. The EIS will include further detailed assessment with relation to a conceptual level of assessment will be undertaken to address the following amenity impacts: • Overshadowing (Overshadowing Impact Assessment) • Public and private views (View Analysis) • Visual impact of built form (Visual Impact Assessment) • Solar access (Solar Analysis Studies as part of Design Report)
European Heritage	Historical heritage and impacts will be assessed as part of the EIS and accompanied by a Statement of Heritage Impact which will confirm the history and heritage values on site. The Statement of Heritage Impact will include a series of key recommendations, which will particularly relate to the treatment of the proposal against the identified 'Mowbray House' on site and the surrounding local and State significant heritage items. Necessary mitigation measures will be incorporate as part of the future SSDA.
Aboriginal Heritage	An Aboriginal Cultural Heritage Assessment (ACHA) letter will be drafted as part of the SSDA, to confirm the historical use of the site and any cultural values to be recognised and addressed as part of the SSDA.
Wind	Due to the scale of indicative built form, a Wind Impact Assessment may be required to address potential wind conditions and impacts on the public domain to inform a successful massing outcome as part of the finalised master plan.
Public Domain and Landscaping	A public domain and landscaping plan will be prepared to accompany the future scheme, which will ensure the successful delivery of a well-design public open space and landscaped public domain that responds to the existing and future context of the site.
Noise and Vibration	The indicative development outcome is likely to have an acoustic and vibration impact, as well as contribute to cumulative impacts in relation to surrounding developments which are or likely to be approved. A Noise and Vibration Impact Assessment will be undertaken to detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented. This assessment will also include potential rail

Matter	Comment/Justification
	noise and vibration and road noise impacts on future occupants of the residential units.
Design quality and residential amenity	The Concept SSDA will include a Design Report with accompanying masterplan that will consider (amongst other things): • Site and context analysis; • Design principles and functional objectives which have informed envelope development; • An assessment on the Concept SSDA envelope massing against the relevant provisions of the SEPP Housing and ADG demonstrating that the residential components are capable of achieving a high residential amenity, in particular in relation to solar access and cross ventilation; • The impact of the Proposal on pedestrian connectivity, view corridors and site permeability; • Connecting with Country; and • Interface approaches with surrounding development, the surrounding public domain and public domain treatments. Key technical studies relevant to design quality that will inform the EIS will include: • Design Report; • Proposed architectural plans for approval; and • Site survey.
Traffic, Transport and Accessibility	The Concept SSDA will be accompanied by a Traffic Impact Assessment (TIA). The TIA will be prepared by Stantec, and will assess the traffic, transport and pedestrian impacts on the road and footpath networks and nearby intersection capacity. Cumulative impacts will be assessed for both the construction and operational phases. The TIA will also address: • traffic generation impact and any necessary road infrastructure upgrades to adjoining and nearby roads and intersections, • cumulative impacts of other developments, • vehicle and pedestrian safety within and around the site, • loading / unloading and servicing, • parking and accessibility, • pedestrian and bicycle infrastructure and facilities.
Social, Economic Impacts and Engagement	The Concept SSDA will be accompanied by a Social Impact Assessment will be prepared in accordance with the Department's Social Impact Assessment Guideline. The social impacts resulting from the proposal are expected to be positive and will likely include improved housing supply and diversity, affordable housing for front line workers, delivery of additional residential and non-residential floor space, creation of job opportunities and a built form that exhibits design excellence.

Matter	Comment/Justification
	A Retail Strategy will also accompany the proposal to ensure a successful design of retail uses on the site and appropriate activation and delivery on site supports positive economic impacts.
Safety	The Concept SSDA will need to be accompanied by a CPTED report, prepared in accordance with the relevant guidelines, which will ensure that the design and final outcomes support a safe and welcoming environment.
Electrolysis – Proximity to Radio Tower	The site is located directly adjacent to a functioning radio tower. Due to the proximity to future development and intended heights on the site, the Concept SSDA will include an Electrolysis Report to ensure no impacts are expected as a result of the development.
Utilities, Infrastructure and Services	As noted in the Concept SSDA documentation, the site is serviced by a full range of utilities and services, including stormwater drainage, sewerage, potable water, telecommunications, gas and electrical infrastructure. The EIS for the Concept SSDA will assess the capacity of the existing utility services and service provider assets surrounding the site, and the potential impacts and upgrade requirements. Appropriate utility and service connections will be and augmented accordingly for the proposed development, including water, sewer, electricity and communications. Consultation will be undertaken with all relevant service providers in relation to any required capacity augmentation of existing services to the site.
Flooding and Stormwater	The Concept DA will be accompanied by a Flood Impact Assessment and Stormwater Management Plan to consider flood risk management and set out a stormwater drainage strategy
Geotechnical, Contamination and Remediation	The geotechnical and contamination environment was assessed as part of the Sydney Metro SSD which considered the contamination in detail and were satisfied that any remediation works needed were undertaken as part of the works related to the Sydney Metro application and uses. A Geotechnical letter would confirm the suitability of this development and will be provided with the SSDA to demonstrate that the indicative development is safe and sustainable. A Contamination letter will be provided which confirm no additional remediation work is required and any unexpected contaminants found on the site would be managed accordingly.
Aviation Impacts	The site is not located within the OLS mapping for Sydney Airport, however, is included in the PAN-OPS map. The indicative development as a result of the Concept SSDA will produce tall buildings that will need to be considered against this mapping.
Waste	The indicative development as a result of the Concept SSDA is expected to generate waste during the construction and operational phases. A Construction and Operational Waste Management Plan will prepared to accompany the SSD to confirm that waste impacts and operation can be

Matter	Comment/Justification
	managed as part of these phases in accordance with the relevant frameworks and consideration to traffic access.
Visual and Views	The indicative development as a result of the Concept SSDA is expected to deliver heights and bulk which may have impacts to the visual presentation and view lines from surrounding development. A View Impact Analysis and Visual Impact Analysis will be prepared to ensure visual and view impacts are mitigated and managed where possible.
Crime Prevention Through Environmental Design (CPTED)	The development of the concept master plan will need to consider and incorporate the CPTED principles to establish a precinct that is safe, and ensure any future development works towards a safe public domain and built form outcome.
Other Matters	The EIS will also address: • Estimated development cost • Site suitability and the public interest • Confirmation on Biodiversity

Refer to Appendix D for the list of proposed technical consultants to be engaged to support this SSDA.

10.2 Matters Requiring No Further Assessment

The table below identifies matters that do not require any further assessment in the EIS. Each of these matters has been considered during the subject scoping phase but are not considered to warrant further assessment.

Matter	Comment/Justification
Biodiversity	The site has been heavily modified from its original state, is clear of vegetation and does not contain any areas of biodiversity value. Demolition and excavation works have been undertaken in relation to the approved works relating to the Chatswood Metro Station and Sydney Metro. Therefore, it is considered that the proposed development is not likely to have any impact on biodiversity values. A BDAR Waiver has been prepared as per Section 7.9 of the BC Act which removes the need for preparing a BDAR as part of the Concept SSDA or future SSDA's associated with the site, refer to Appendix F.
Hazards and Risks – Bushfire, Biosecurity, Coastal Hazards	The development is not mapped bush fire prone land, nor is a bush fire threat identified on or adjoining the site. • The site is not in a coastal area. • The existing and proposed operations are not classified as hazardous or offensive development or a biosecurity risk.

11. Conclusion

The purpose of this Report is to request **Project-specific SEARs** for the preparation of a Concept SSD application for the proposed mixed-use development at the Chatswood Dive Site.

This Report outlines the background, approval pathway for the application, the legislative framework, and the key matters for consideration in the assessment of the application.

The proposed development involves the development of a concept master plan which will include features that defines the project as SSD pursuant to Schedule 2 of the Planning Systems SEPP.

The Site is situated within the Willoughby LGA, complimented by surrounding developments of similar contextual importance. The Chatswood Dive Site is considered highly suitable for the proposed development, given the existing nature of the site and strategic context.

The proposed development is considered to align with the strategic objectives of the Greater Sydney Region Plan, North District Plan, Willoughby LSPS, and Chatswood CBD Planning and Urban Design Strategy. In this respect, the proposed development would provide for housing (including diverse built-to-rent housing), social infrastructure, and economic growth and prosperity for the Willoughby LGA and the wider area.

Additionally, as noted throughout this Report, the EIS will demonstrate how the proposed development is suitable for the site and how the potential environmental impacts can be appropriately mitigated, minimised, or managed to avoid any unacceptable impacts where relevant.

We trust that the information contained in this Report is sufficient to enable DPHI to issue the SEARs to guide the preparation of the EIS.

Appendix A

Preliminary Concept Masterplan Pack

GYDE

Appendix B

Social Infrastructure Scoping Report

GYDE

Appendix C

Proposed Consultant Engagement List

GYDE

Appendix D

Draft Subdivision Layout

GYDE

Appendix E

BDAR Waiver

GYDE

Appendix F

TfNSW Request for land

GYDE

Appendix G

TfNSW proposed acquisition area

GYDE

Appendix H

Sydney Metro – Landowners Consent

GYDE