

Environmental Impact Statement

Novus on Victoria Build-to-Rent (BTR) Project

410-416 Victoria Avenue, Chatswood

Submitted to the Department of Planning, Housing and Infrastructure
on behalf of Novus Management Pty Ltd

SSD-63324208



Prepared by Ethos Urban, a Colliers Company.

16 April 2025 | 2230512



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

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B. Architectural Drawings	<i>Fender Katsalidis</i>
C. Statutory Compliance Table	<i>Ethos Urban</i>
D. Community Engagement Table	<i>Ethos Urban</i>
E. Consolidated Mitigation Measures	<i>Ethos Urban</i>
F. Design Excellence Strategy	<i>Ethos Urban</i>
G. Design Competition Report	<i>Ethos Urban</i>
H. Design Report	<i>Fender Katsalidis</i>
I. Economic Impact Assessment	<i>Hill PDA</i>
J. BASIX Certificate	<i>JHA</i>
K. Landscape Plan	<i>Land + Form</i>
L. Landscape Report	<i>Land + Form</i>
M. Quantity Surveyor EDC Report	<i>WTP Australia</i>
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O. ESD Report	<i>JHA</i>
P. Transport and Accessibility Impact Assessment	<i>Stantec</i>
Q. Clause 4.6 Variation Request (Height of Buildings)	<i>Ethos Urban</i>
R. BDAR Waiver	<i>Eco Logical</i>
S. Legal Advice (Minimum Lot Size)	<i>Addisons</i>
T. Noise and Vibration Impact Assessment	<i>E-Lab</i>
U. Geotechnical Assessment	<i>Douglas Partners</i>

Appendix		Author
V.	Stormwater Management Report	Northrop
W.	Flood Risk Assessment	Lyall and Associates
X.	Preliminary Site Investigation Report	Douglas Partners
Y.	Waste Management Plan	Elephant's Foot
Z.	Statement of Heritage Impact	Artefact
AA.	Aboriginal Cultural Heritage Assessment Report	Artefact
BB.	Social Impact Assessment	HillPDA
CC.	Engagement Report	HillPDA
DD.	Urban Design Study	AJC
EE.	BASIX Stamped Plans	JHA
FF.	NatHERS Certificate	JHA
GG.	Section J PBDB	JHA
HH.	Reflectivity Study	Windtech
II.	Survey Plan	Fender Katsalidis

Signed Declaration

Project Details		
Project Name	Novus on Victoria Build-to-Rent Project	
Application Number	SSD-63324208	
Land to be Developed	Lots A and B in DP406105 (410-414 Victoria Avenue, Chatswood); and Lot 4 in DP82303 (416 Victoria Avenue, Chatswood).	
Applicant Details		
Applicant Name	Novus Management Pty Ltd	
Applicant Address	Level 38, 1 Macquarie Place SYDNEY NSW 2000	
Prepared by		
Name	Alex Heath	Matthew Di Maggio
Qualifications	BCP (Hons)	BP (Hons)
Address	Level 4, 180 George Street, SYDNEY NSW 2000	
Declaration		
Name	Schandel Fortu	
Qualifications	BEnv Plan, Burb Reg Plan, Menv Mgt, MPIA, Registered Planning (+ EIA)	
Registration Number	R9852	
Organisation Registered With	Planning Institute of Australia	
The undersigned declares that this EIS: • has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021; • contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates; • does not contain information that is false or misleading; • addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; • has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement; • contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; • contains a consolidated description of the project in a single chapter of the EIS; • contains an accurate summary of the findings of any community engagement; and • contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.		
Signature		
Date	16 April 2025	

Summary

Overview

This Environmental Impact Statement (EIS) has been prepared on behalf of Novus Management Pty Ltd (the Applicant) in support of a State Significant Development Application (SSDA) identified as SSD-63324208. The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a proposed Build-to-Rent shop-top housing development on land at 410-416 Victoria Avenue, Chatswood (the Site).

The DPHI issued industry-specific Secretary's Environmental Assessment Requirements (SEARs) for the Proposal on 2 November 2023. Following this, on 4 February 2025, amended SEARs were issued to reflect the updated industry-specific Housing SEARs. This EIS prepared in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and addresses the issues raised in the SEARs.

The Site and Context

The Site is centrally located within the Chatswood Central Business District (CBD) on the corner of Victoria Avenue and Victor Street, within the Willoughby Local Government Area (LGA). The Site is positioned approximately 50m East of the Chatswood Transport Interchange, 5.6km Northwest of the North Sydney CBD and 7.8km Northwest of the Sydney CBD. Existing development on the Site generally comprises adjoining small-scale retail / commercial buildings containing retail shopfronts at Ground Level and commercial uses at Level 1. Post Office Lane currently provides rear lane vehicular access to the Site and its neighbouring properties along the laneway.

The Site's locational context is provided in **Figure 1** below.



 The Site



NOT TO SCALE

Figure 1 Site Context (Site outlined in red)

Source: Nearmap, Ethos Urban

The Proposal

The Proposal comprises the redevelopment of the Site for the purposes of delivering a BTR shop-top housing development, with Ground and Level 1 retail premises and residential lobby areas, as well as associated basement carparking, and communal recreation areas (the Proposal).

Specifically, the Proposal seeks consent for the following:

- Site preparation works including demolition of the existing buildings, excavation and earthworks;
- Construction and use of a 46-storey (RL246.8m) BTR shop-top housing development comprising:
 - Ground and Level One retail premises and residential lobby areas;
 - Residential amenities throughout the building including a pool, gym, coworking facilities, outdoor terrace, resident lounge and dining areas, and multi-purpose spaces; and
 - 260 BTR dwellings.
- Landscaping located on Levels 2, 6 and 23.
- Construction of three (3) basement Levels, comprising car share spaces, loading facilities, plant and associated basement uses.
- Extension and augmentation of services and infrastructure and services as required.

The Proposal will be undertaken in accordance with the Architectural Drawings prepared by Fender Katsalidis (FK) at **Appendix B**. A photomontage of the proposed development is provided in **Figure 2** below.



Figure 2 Photomontage of Proposal (viewed facing West from Anderson Street)

Source: Fender Katsalidis

Design Excellence Competition

From May to July 2024, the Proposal was the subject of a Design Excellence Competition (the Competition) in accordance with the requirements of Clause 6.23 of the *Willoughby Local Environmental Plan 2012* (WLEP 2012). As part of this process, three (3) architectural firms were invited to participate with each scheme being assessed by a nominated Jury which was collaboratively selected by the Proponent, Government Architect NSW, and Willoughby City Council. The following key design objectives informed the Competition schemes:

- Stimulate imaginative architectural and urban design Proposals that have the potential to achieve design excellence.
- Respond to key statutory planning controls.
- Respond to and incorporate Aboriginal Cultural Heritage consistent with the GANSW Connecting with Country Guidelines.
- Respond to the context, constraints and opportunities of the Site.
- Deliver a high standard of architecture and urban design as well as materials and detailing which are appropriate to the building type and location.
- Deliver a design that incorporates a highly efficient operational strategy that ensures smooth transitions of furniture, waste and loading.
- Deliver a proposed form and external appearance that will improve the quality and amenity of the public domain and utilise innovative solutions to maximise ground floor activation to Victoria Avenue, Victor Street and Post Office Lane.
- Maintain a positive and contextual relationship with adjoining sites and surrounding buildings, particularly as it relates to the urban design precedents set by recent developments in the immediate surrounding context, as well as the recommendations of the Proponent's Urban Design Study (provided at **Appendix DD**).
- Achieve best practice rainwater management outcomes.
- Achieve best practice ecologically sustainable development outcomes.
- Ensure the final design outcome is financially feasible and buildable.

Following a rigorous review of each Competition scheme by the Jury as well as numerous technical advisors, the scheme that is the subject of this SSDA was selected as the winner given it demonstrated the best capacity to exhibit design excellence in accordance with the above objectives, as well as the criteria set out in Clause 6.23 of the WLEP 2012.

Further discussion on the Proposal's design response and the Competition process is provided in **Section 6.2**.

Strategic Context

The Proposal will transform an underutilised Site, which is centrally located within the Chatswood CBD. It will provide much needed housing in a well located and amenity rich area, in the form of 260 BTR dwellings, in addition to Ground and Level 1 retail / business premises to enhance the activation of the Site's street frontages. The BTR dwellings proposed will assist to improve housing diversity within the Willoughby LGA, as they comprise a mix of types and sizes to cater for a range of households. The BTR model put forward by the Proposal will offer a secure tenure with long-term flexible leases, coupled with high quality, resident amenities and dedicated on-Site management.

The Proposal, by providing a mix of high quality, well located and diverse dwellings at scale, achieves alignment with the vision and objectives set out across several key Federal, State and local government initiatives and policies, including:

- National Housing Accord 2022
- NSW State and Premier's Priorities
- Greater Sydney Region Plan – A Metropolis of Three Cities
- North District Plan
- Housing 2041
- Willoughby Local Strategic Planning Statement
- Better Placed
- Connection to Country Framework

Section 2.3 of this EIS provides a detailed assessment against the abovementioned strategic policies.

Statutory Context

The Site is zoned E2 – Commercial Centre under the WLEP 2012. Shop-top housing is permissible with consent in the E2 zone by virtue of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP).

Development for the purposes of BTR housing on land within Greater Sydney that has an estimated development cost of more than \$50 million, with the tenanted component representing at least 60% and in which no prohibited uses are proposed, is identified in Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and is therefore declared to be State Significant Development (SSD) for the purposes of the EP&A Act. The proposed development is for BTR housing and meets the relevant thresholds set out in Schedule 1(27). As such, it is classified as SSD and will be assessed by the DPHI and determined by the Minister for Planning and Public Spaces.

The Proposal is also commensurate with the broader statutory planning framework. This includes the objects of the EP&A Act, biodiversity considerations under the *Biodiversity Conservation Act 2016* and *Environmental Protection and Biodiversity Conservation Act 1999*, and other applicable State Environmental Planning Policies (SEPPs). Additionally, the Proposal is consistent with the issued SEARs. **Section 4.0** of this EIS considers all applicable legislation in detail.

Engagement

The proposed scheme represents a well-resolved and collaboratively developed outcome, shaped through 1.5 years of ongoing engagement with Willoughby City Council, DPHI, and the Government Architect NSW. Throughout this time, the concept has been refined in response to detailed feedback from relevant authorities across Strategic Planning, Urban Design, and Development Control. As such, the design now submitted reflects a shared understanding and informed alignment with stakeholder expectations.

Engagement with the community and stakeholders has been undertaken by the Applicant in collaboration with HillPDA. The engagement carried out included (but is not limited to) the following stakeholders:

- DPHI;
- Department of Climate Change, Energy, the Environment and Water (DCCEEW);
- Willoughby City Council;
- NSW Environment Protection Authority (EPA);
- Infrastructure authorities (i.e. Sydney Water, Ausgrid, etc.)
- Metropolitan Local Aboriginal Land Council;
- Community and surrounding residents and landowners, including:

- Members of the Federation of Willoughby Progress Association;
- Chatswood West Ward Progress Association.

The community and stakeholder engagement has helped inform the proposed development and is discussed in further detail in **Section 5.0**. Further, This EIS will be subject to formal public exhibition on the Major Projects NSW website prior to determination.

Environmental Impacts and Mitigation Measures

This EIS provides an assessment of the environmental impacts of the Proposal in accordance with the issued SEARs (refer to **Appendix A**) and sets out the undertakings made by the Applicant to manage and minimise potential impacts arising from the development. Key considerations include:

- | | | |
|---------------------------------|-------------------------------|--|
| • Design Excellence | • Noise and Vibration | • Site suitability |
| • Contamination and Remediation | • Utilities and Services | • Ecologically Sustainable Development |
| • Built Form and Urban Design | • Biodiversity | • Public Interest |
| • Ground and Water Conditions | • Social and Economic Impacts | • Flooding |
| • Wind Impacts | • Environmental Heritage | • Traffic, transport and accessibility |
| • Waste Management | • Overshadowing | |
| • Visual Impact | • Residential Amenity | |
| • Aboriginal Cultural Heritage | | |

A complete assessment of each issue identified within the issued SEARs is provided in **Section 6.0**. A consolidation of mitigation measures proposed is provided at **Appendix E**.

Social and Economic Impacts

The Proposal's social and economic impacts include:

- Facilitating the delivery of 260 BTR homes in a highly accessible and amenity rich location to support the existing shortfall of housing options and the requirement to deliver 6,000-6,700 new dwellings in the Willoughby LGA by 2036 and 1.2 million houses in well-located areas by 2029 under the National Housing Accord 2022.
- Supporting the need for additional secure rental housing options within Chatswood.
- Addressing the recognised shortage in housing supply across Greater Sydney, which has accentuated the current housing affordability crisis in NSW.
- Increasing social cohesion, creating a sense of community, delivering on key social infrastructure and providing an improved way of life through the enhanced public domain and pedestrian experience on the Site.
- Supporting approximately 221 FTE construction jobs per annum and over 60 FTE operational jobs (both retail and residential) during the operational phase of the development.
- Revitalising a currently underutilised site, which will help in catalysing the growth of the Chatswood CBD with a residential living component that demonstrates design excellence.

Conclusion and Justification

Having regard to environmental, economic, and social considerations, the carrying out of the Proposal is justified for the following reasons:

- The proposed development is permissible with consent and meets the statutory requirements of the relevant environmental planning instruments, including the Housing SEPP and the WLEP 2012;
- The proposed development represents a direct response to the established strategic imperative to deliver additional housing supply in Greater Sydney, stated in such documents such as the National Housing Accord 2022, Housing 2041, as well as the Greater Sydney Region Plan and North District Plan.
- The Proposal is of high-quality architectural design and represents a significant improvement to the existing Site condition, which is a highly underutilised development site.
- The Proposal represents a significant investment opportunity where it will provide a high-quality development that will generate a total of 221 FTE construction jobs per annum during construction, and over 60 FTE operational jobs.

- The Proposal will facilitate the delivery of high quality communal open spaces and amenity areas, as well as enable a range of future, potential public domain improvements on Victor Street (subject to separate consultation with Council).
- The Proposal aligns with State Government's strategic approach for true transit-oriented development by placing the proposed residential uses within approximately 50m of the Chatswood Transport Interchange, which offers direct access to high frequency Train, Metro, and Bus services.
- Design excellence has been achieved through the iterative design development process which has resulted in exemplary architectural design, accompanied by a well-considered selection of materials and a highly resolved built form which responds to the opportunities and constraints of the Site.
- The Proposal will contribute to an activated public domain and streetscape through the integration of Ground and Level One retail premises, including includes active uses on all street frontages.
- The Proposal has satisfactory access to all required utilities and infrastructure, as confirmed in the relevant technical inputs accompanying this EIS.
- The Proposal is consistent with the principles of ecologically sustainable development as defined by Section 193 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).
- The proposed development will not result in adverse environmental impacts, with appropriate mitigation measures that will minimise any potential impact; and
- The proposed development is suitable for the Site and in the public interest.

On balance, the proposed development is considered to be in the public interest and will not result in any unacceptable social, economic or environmental impacts that cannot be appropriately managed through the identified mitigation measures and conditions of consent.

1.0 Introduction

This Environmental Impact Statement (EIS) has been prepared by Ethos Urban on behalf of Novus Management Pty Ltd (the Applicant) in support of a State Significant Development Application (SSDA). The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a proposed Build-to-Rent (BTR) shop-top housing development on land at 410-416 Victoria Avenue, Chatswood (the Site).

Development for the purposes of BTR Housing located within the Eastern Harbour City (as identified in the Six Cities Region), with an estimated development cost of more than \$50 million, and a tenanted component of at least 60% of the total EDC, is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* and is therefore declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

A request for the issue of Industry Specific Secretary’s Environmental Assessment Requirements (SEARs) was sought on 5 October 2023. Accordingly, the SEARs were issued on 2 November 2023, and a set of amended SEARs was also issued on 4 February 2025 (which form the basis of this SSDA). This EIS is based on the Architectural Drawings prepared by Fender Katsalidis (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, clause 175 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), and the issued SEARs. A SEARs Compliance Table provided at **Appendix A** that identifies where the SEARs have been addressed in this EIS. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report. The EIS intends to inform the community and stakeholders about the Proposal, including its social, economic and environmental impacts, mitigation measures and benefits, as well as providing an environmental assessment of the Proposal.

1.1 The Applicant

The Applicant’s details are presented in **Table 1** below.

Table 1 *Applicant Details*

Applicant:	Novus Management Pty Ltd
Address:	Level 38, 1 Macquarie Place Sydney NSW 2000
ABN:	74 650 447 993

1.2 Overview of Proposed Development

The Proposal comprises the redevelopment of the Site for the purposes of delivering a BTR shop-top housing development, with Ground and Level One (1) retail premises and residential lobby areas, as well as associated basement carparking, communal recreation areas and public domain works (the Proposal).

Specifically, the Proposal seeks consent for the following:

- Site preparation works including demolition of the existing buildings, excavation and earthworks;
- Construction and use of a 46-storey (RL246.8m) BTR shop-top housing development comprising:
 - Ground and Level One retail premises and residential lobby areas;
 - Residential amenities throughout the building including a pool, gym, coworking facilities, outdoor terrace, resident lounge and dining areas, and multi-purpose spaces; and
 - 260 BTR dwellings.
- Landscaping located on Levels 2, 6 and 23.
- Construction of three (3) basement Levels, comprising car share spaces, loading facilities, plant and associated basement uses.
- Extension and augmentation of services and infrastructure and services as required.

This EIS provides further description of the Proposal in **Section 3.0**. The Proposal will be undertaken in accordance with the Architectural Drawings prepared by Fender Katsalidis (**Appendix B**).

1.3 Objectives of the Development

The principal objective of the Proposal relates to the provision of diverse housing options in an accessible location to respond to a coalition of key demographic trends and lack of general supply. This includes a well-publicised shortage of appropriate housing options, declining housing affordability, an expanding population of renters, as well as a general shift towards higher density living. The Proposal therefore seeks to address these growing issues through providing a mix of dwellings at scale, that cater towards a broad market, within a high-quality development that maximises amenity and seeks to leverage the Site's strategic location within the Chatswood CBD.

The objectives of the proposed development are to:

- Provide an innovative and diverse housing model in a highly accessible location, close to public transport and within easy walking distance to a wide range of employment opportunities and services.
- Create a development outcome that is consistent with TOD principles, to reflect the scale and density appropriate for a Site within the Chatswood CBD and proximate to the transport interchange.
- Facilitate the renewal of an underutilised parcel of land at a central location in the Chatswood CBD.
- Contribute to the surrounding neighbourhood by delivering a high-quality, contemporary, and activated shop-top housing development that appropriately responds to the urban form and architectural expression of nearby developments.
- Integrate the built form and design with the contemporary urban landscape of this part of the Chatswood CBD, which has been established as a distinctly high-density locality offering a range of uses.
- Ensure a high level of residential amenity by providing an abundance of communal amenities throughout the development.

1.4 Background

1.4.1 Prior Approvals

There are no prior approvals at the Site relevant to this SSDA.

1.4.2 Restrictions or Covenants

There are no restrictions or covenants on the Site relevant to this SSDA.

1.5 Build-to-Rent Housing

'Build-to-Rent' (BTR) housing improves housing diversity and quality for renters, and is defined as housing that is purpose designed and built for renting, typically offering longer rental terms and onsite support, with leases centrally and professionally managed by a single entity. It is a major contributor to housing supply globally, with widespread adoption in the United States and Europe.

BTR provides an alternative option for the growing number of renters in Australia, improving housing diversity by providing a secure rental home for those saving to buy their home or for those who choose to rent long term.

Key characteristics of BTR projects typically include the following:

- **Purpose built:** BTR housing projects are constructed specifically to provide residential rental accommodation, with a focus on shared communal amenities and services.
- **Scale:** BTR projects typically contain a minimum of at least 100 dwellings.
- **Centralised ownership:** All the dwellings within a BTR project are held as a whole asset under singular ownership and are not strata subdivided.
- **On-Site management:** BTR schemes typically include dedicated onsite management staff to support residents and day-to-day Site operations.

The Housing SEPP sets parameters that define BTR housing and establishes the relevant non-discretionary development standards for designing and assessing BTR housing. It is noted that the Housing SEPP enables flexible application of certain design criteria of the NSW Apartment Design Guide (ADG) to reflect the more communal nature and management of BTR housing. A detailed assessment of the Proposal against the Housing SEPP is provided in **Section 4.5.1**.

As a developer, owner and long-term manager of both the commercial and residential components of the proposed development, the Applicant has a strong long-term interest in ensuring positive outcomes for the Site and will maintain a high degree of standards and control over the operation of the project.

1.6 Authority Engagement

Since October 2023, the Applicant has undertaken extensive and ongoing engagement with Council, DPHI, and GANSW to inform and shape the Proposal. This engagement has involved multiple formal and informal meetings, workshops, and design reviews, spanning over 18 months of detailed consultation. Importantly, the process has included input from a broad cross-section of Council, including representatives from Strategic Planning, Urban Design, and Development Control, ensuring that the scheme has been rigorously tested against Council's evolving vision for the Chatswood CBD.

Feedback received through this process has been actively integrated into the Proposal, influencing key elements such as the podium design, tower siting, public domain treatment, and servicing arrangements. The feedback received from the consultation undertaken to date has ultimately led to:

- the finalisation of the site-specific Urban Design Study and architectural reference scheme;
- the endorsement of the Design Excellence Strategy and Design Competition Brief;
- the outcome of the Design Excellence Competition; and
- the preparation of the SSDA documentation in accordance with the WLEP, Housing SEPP, GANSW Design Competition Guidelines, and the strategic objectives of the Chatswood CBD Strategy.

A summary of all authority engagement undertaken to date has been recorded in **Table 2** below.

Table 2 Authority Engagement Timeline

Date	Item
27 October 2023	Design Excellence Strategy (DES) version 1 submitted to GANSW prior to initial briefing meeting (note: this was a result of prior email correspondence with GANSW regarding the project and upcoming design competition).
2 November 2023	SEARs (SSD-63324208) issued by DPHI for the proposed redevelopment of the Site for BTR shop-top housing uses.
14 November 2023	Meeting held with GANSW and Willoughby City Council (WCC) to discuss the DES, reference scheme, and the upcoming design competition. During this meeting GANSW and WCC requested that the Proponent prepare a site-specific urban design study (UD Study) which would inform the reference scheme and future design competition brief (DCB).
17 November 2023	GANSW and WCC comments on the draft DES issued to the Proponent in markup, requesting amendments and updates to be incorporated into future revisions of the DES.
29 November 2023	Updated DES version 2 submitted to GANSW, WCC and DPHI for endorsement.
19 December 2023	Meeting held with GANSW, WCC and DPHI to present the UD Study prepared by AJC Architects to support the development of the reference scheme and future DCB. During this meeting it was agreed that the reference scheme would be updated to align with the final UD Study and both documents would then be used to inform the future DCB.
21 December 2023	UD Study prepared by AJC Architects issued to GANSW, Council and DPHI for feedback.
29 January 2024	Meeting held with GANSW, WCC and DPHI to present updated reference scheme, which was updated to align with the UD Study prepared by AJC Architects. During this meeting it was agreed that the Proponent would circulate the updated reference scheme to the group for review prior to endorsement of the DES.
29 January 2024	Updated reference scheme issued to GANSW, Council and DPHI for review prior to formal endorsement of the DES.
9 February 2024	DES endorsed by GANSW, with acknowledgement that the final DES and supporting documentation responded to: • GANSW feedback; • WCC feedback; • The request for a site-specific UD Study to be completed; and

Date	Item
	The request for a revised reference scheme to be prepared which aligned with the final UD Study.
22 February 2024	DCB version 1 issued to GANSW, WCC and DPHI for review and comment.
11 March 2024	GANSW comments on the draft DCB issued to the Proponent in markup.
13 March 2024	WCC comments on the draft DCB issued to the Proponent in markup.
18 March 2024	Meeting held with GANSW, WCC and DPHI to discuss the draft DCB, the GANSW comments, the WCC comments and the next steps for issue of the updated DCB.
28 March 2024	DCB version 2 issued to GANSW, WCC and DPHI for review and comment.
16 April 2024	GANSW and WCC comments on the draft DCB issued to the Proponent in consolidated markup.
22 April 2024	DCB version 3 issued to GANSW, WCC and DPHI for review and comment.
26 April 2024	GANSW comments issued to the Proponent ahead of finalisation and endorsement of the DCB.
26 April 2024	Final DCB issued to GANSW, WCC and DPHI for endorsement.
2 May 2024	DCB endorsed by GANSW, with confirmation that: - The DCB was prepared in accordance with the approved DES and the GANSW Design Competition Guidelines 2023; - Throughout the development of the DCB, a consultation process had occurred which included GANSW, WCC and DPHI; - Comments from all stakeholders had been considered; and WCC supported the endorsement of the Brief.
6 May 2024	Design competition process commenced in accordance with endorsed DCB.
14 June 2024	Design competition entries finalised and submitted by Design Teams. Note: midpoint and technical advisor reviews were conducted during the competition period in accordance with the endorsed DCB. GANSW, WCC and DPHI were invited to attend all midpoint reviews as observers.
2 July 2024	Design competition presentation day and Jury deliberations held in person and via Microsoft Teams. Note: GANSW, WCC and DPHI were invited to attend all presentations as observers. In addition, the Jury was composed of 1x Juror nominated by GANSW, 1x Juror nominated by WCC, and 1x Juror nominated by the Proponent.
31 July 2024	Design competition outcome endorsed by Jury, with Fender Katsalidis selected as the competition-winning Design Team to be retained on the project moving forward.
4 December 2024	Meeting held with WCC and DPHI to discuss the Proposal following the additional design development which had been undertaken post-conclusion of the design competition. This meeting primarily focussed on the ground plane and adjoining public domain, to further understand Council's desired outcomes for these areas so that they can be considered as part of the preparation of the upcoming SSDA documentation. Council feedback following this meeting was received on 23 December 2024, with further notes provided on 10 January 2025.
12 February 2025	Meeting held with WCC and DPHI to provide a holistic overview of the Proposal prior to SSDA lodgement and discuss concepts for public domain improvements in further detail. Council feedback following this meeting was received on 12 March 2025.

2.0 Strategic Context

“Housing supply challenges need to be addressed to ensure Australians have access to safe, stable and affordable housing, as well as better housing choices that are close to work, schools and transport.”

National Housing Accord, 2022

This section identifies key strategic matters relevant to the assessment of the Proposal, including the Site’s features, context, strategic context and other development in the surrounding area. This section also provides an analysis of feasible alternatives that were considered in light of the Proposal’s objectives.

2.1 Site Location and Context

The Site is located at 410-416 Victoria Avenue, Chatswood, within the Willoughby City Council LGA. The Site is located within the Chatswood CBD and is approximately 50m East of the Chatswood Transport Interchange, located 5.6km Northwest of the North Sydney CBD, and 7.8km Northwest of the Sydney CBD.

The Site is located approximately 50m East of Chatswood Transport Interchange and sits within the eastern side of the Chatswood CBD. The existing public transport infrastructure affords the Site immediate access to all major employment areas in Sydney, including the CBDs of Sydney, North Sydney and Parramatta as well as other major employment hubs such as Macquarie Park.

A Site Location and Context Map is provided in **Figure 3** below.

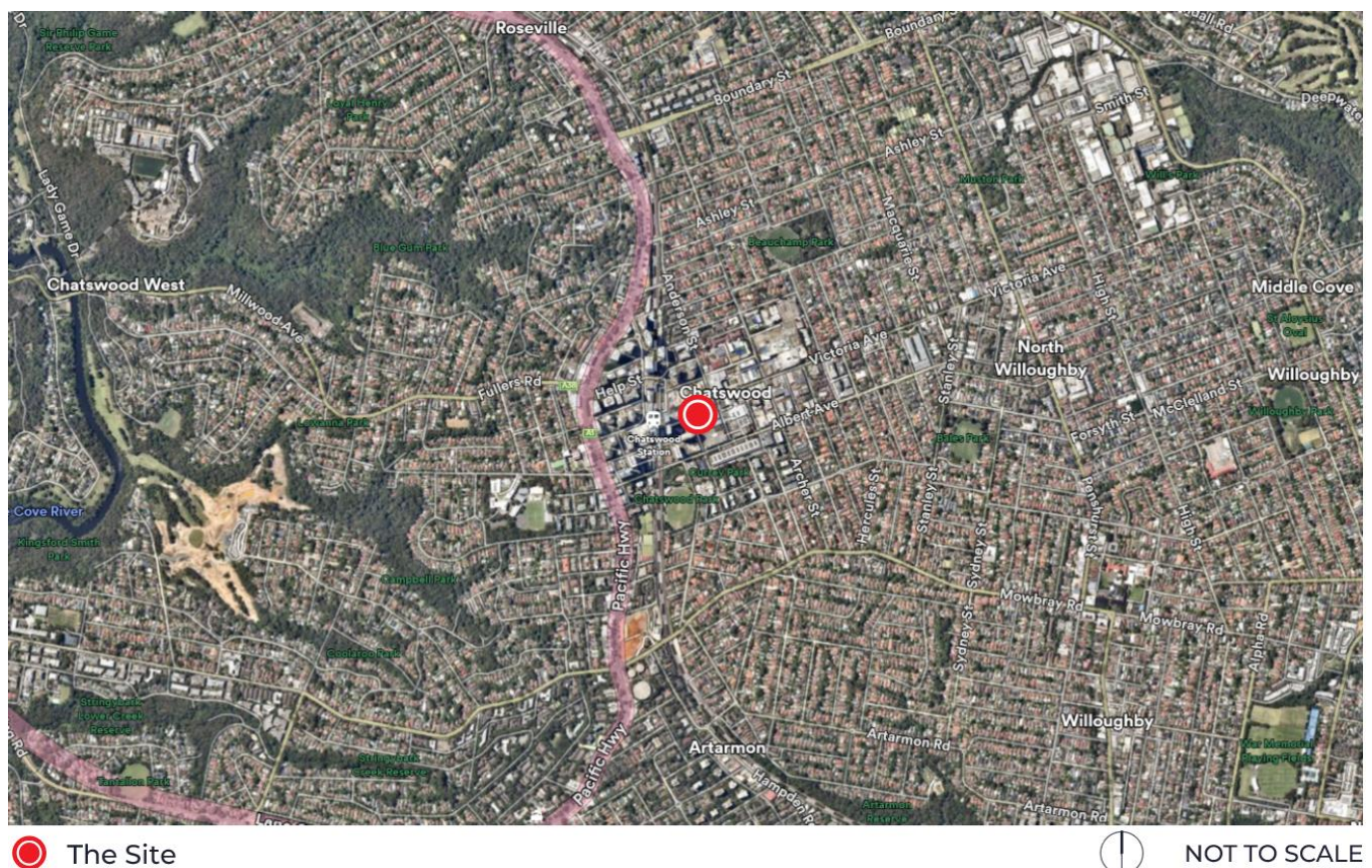


Figure 3 Site Context

Source: Nearmap, Ethos Urban

2.2 Key Features of Site and Surrounds

2.2.1 Site Description

The Site is generally rectangular in shape and is Site bounded by Victoria Avenue to the north, Victor Street to the east, and Post Office Lane to the south. It is located within the Willoughby City Council Local Government Area (LGA). The Site has an area of approximately 1,050sqm and is legally described as and comprises of:

- Lot A and B in DP406105 (410-414 Victoria Avenue, Chatswood); and
- Lot 4 in DP82303 (416 Victoria Avenue, Chatswood).

A Site aerial image is provided in **Figure 4** below.

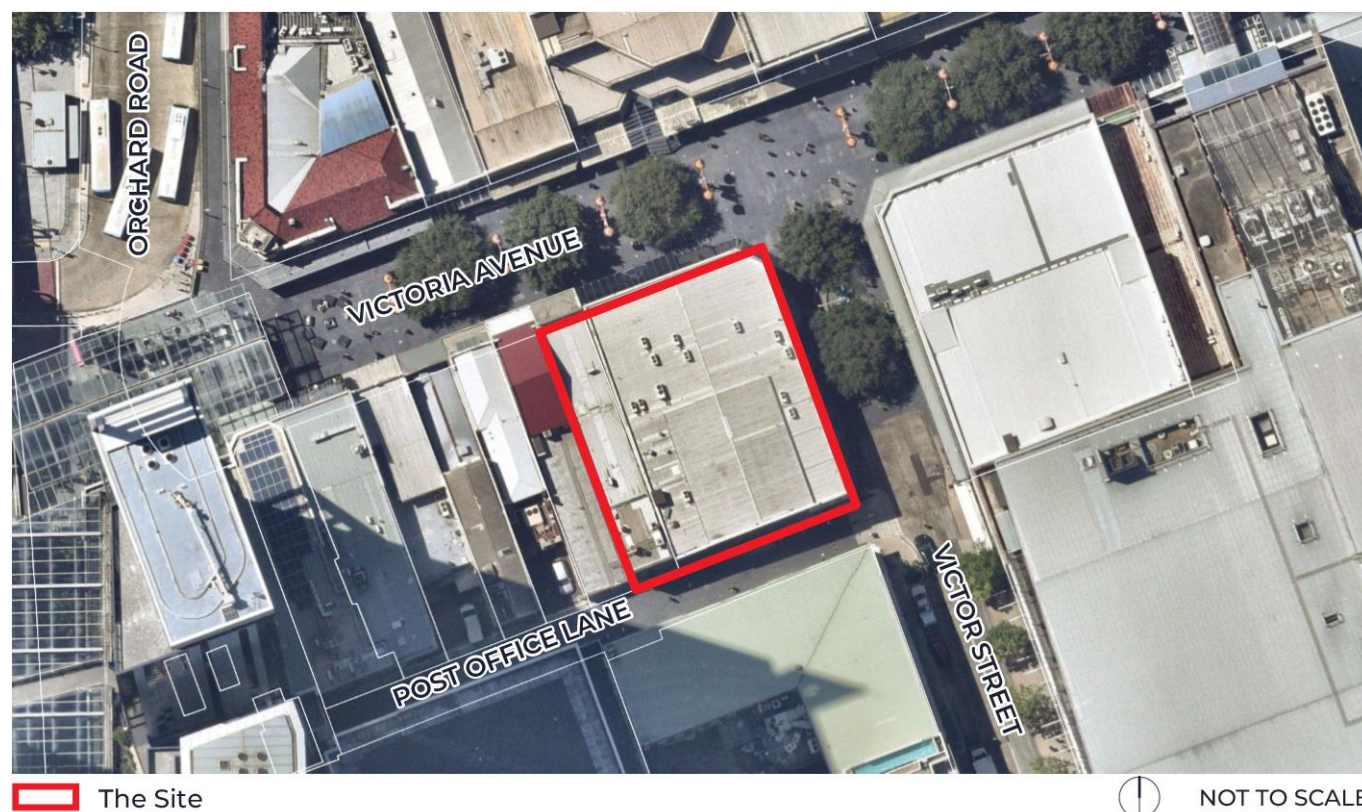


Figure 4 Site Aerial

Source: Nearmap, Ethos Urban

The site is located within a key area of the Chatswood CBD and benefits from a high level of pedestrian activity to all frontages, being:

- **Victoria Avenue**, which is the primary 18m-wide retail spine extending east-west through the majority of the Chatswood CBD, and is pedestrianised between the Chatswood Transport Interchange and Anderson Street;
- **Victor Street**, which is mostly pedestrianised along the boundary of the Site; and
- **Post Office Lane**, which serves a primary function as a service laneway to multiple retail properties fronting Victoria Avenue, but also serves as a pedestrian link between the Chatswood Transport Interchange and Westfield Chatswood, having recently been converted to a shared zone by Council.

2.2.2 Existing Development

The Site currently comprises adjoining small-scale retail / commercial buildings, primarily containing retail shopfronts at ground floor and commercial uses at Level 1, which generally present as a two-storey built form to Victoria Avenue. The existing retail uses have frontages to both Victoria Avenue and Victor Street, with Post Office Lane providing rear lane vehicular access to the Site and neighbouring properties with direct service and emergency vehicle access.

The existing development on the Site is shown in **Figure 5** to **Figure 7** below.



Figure 5 Existing Development to Victoria Avenue Frontage (looking south-west, subject Site outlined red)

Source: Ethos Urban



Figure 6 Existing Development to Victor Street Frontage (looking north-west, subject Site outlined red)

Source: Ethos Urban

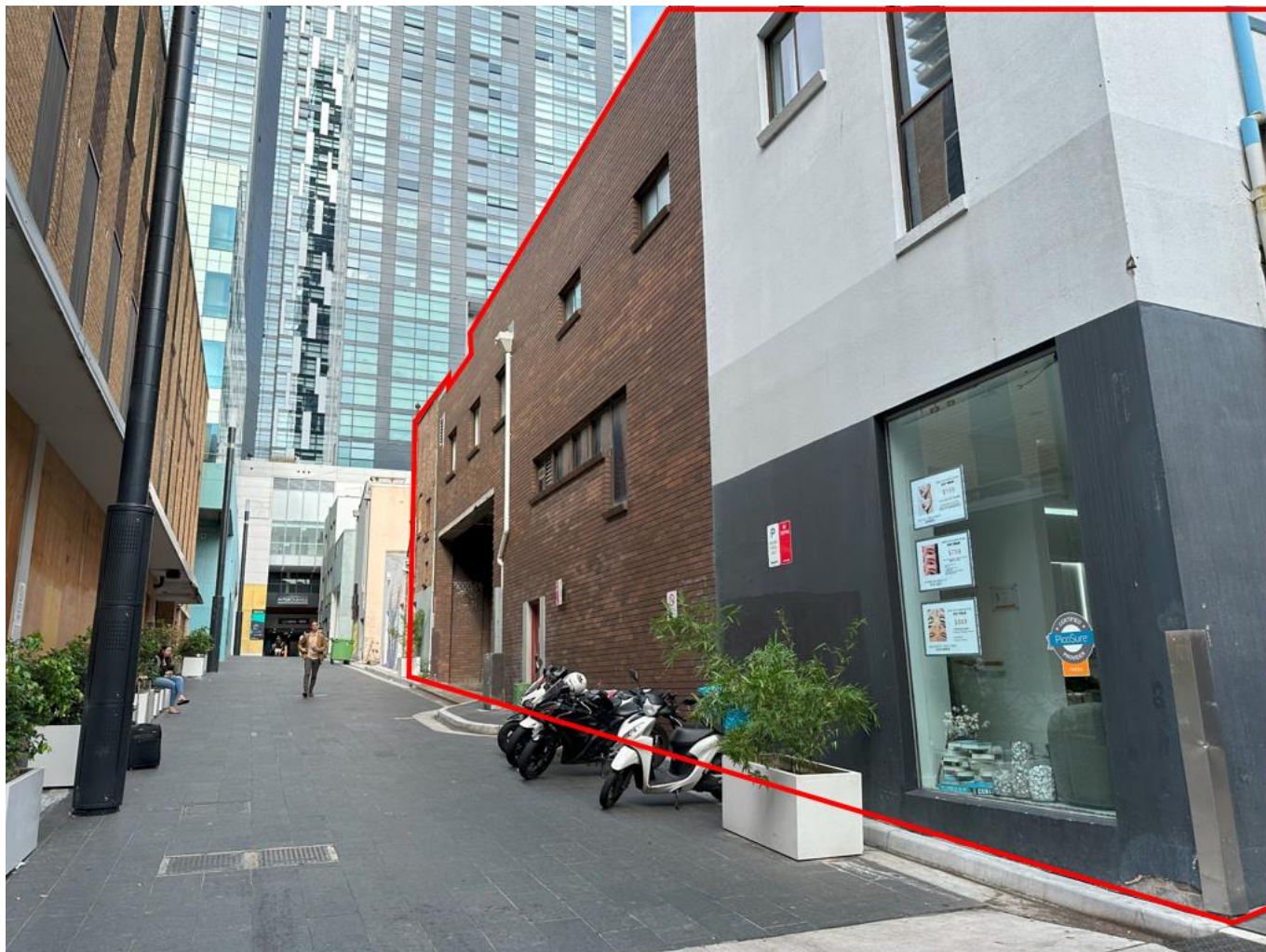


Figure 7 Existing Development to Post Office Lane Frontage (looking west, subject Site outlined red)

Source: Ethos Urban

2.2.3 Heritage

The Site is not identified as a heritage item, nor are there any heritage items directly adjoining the Site. The closest proximate heritage item is located at 455 Victoria Avenue, identified as the Orchard Tavern (including original interiors) under the WLEP.

The Orchard Tavern comprises Lot I in DP 617551, and is shown in relation to the Site at **Figure 8** below.



Figure 8 Site heritage context (Site outlined in red)

Source: NSW Spatial Viewer, Ethos Urban

2.2.4 Geotechnical Conditions

As identified in the Geotechnical Report prepared by Douglas Partners (**Appendix U**), the Site is currently occupied by two-storey commercial buildings constructed over a subsurface profile typical of the Ashfield Shale formation. Based on available geological mapping and nearby borehole records, the ground conditions are expected to consist of man-made fill overlying residual clays, with depth to bedrock increasing with depth across the site. Below the clay layer, weathered to moderately weathered Ashfield Shale is anticipated, becoming stronger at greater depths.

Groundwater is expected to occur at approximately RL90m AHD, indicating that subsurface moisture is present above the shale bedrock layer. Existing buildings on the Site have basements and previous ground disturbance, suggesting that portions of the upper soil profile may have been modified or compacted. The area is generally stable with low to moderate risk of settlement, and there are no known geotechnical hazards currently present on the site.

Further discussion on geotechnical conditions is provided in **Section 6.14**.

2.2.5 Contamination

A Preliminary Site Investigation (PSI) prepared by Douglas Partners at **Appendix X** found no evidence of significant contamination, and the Site is not listed on any EPA registers. Historical use has been primarily commercial, with potential low-risk sources including fill materials, a substation, and former commercial operations. No signs of staining, odour, or hazardous materials were observed during the Site inspection.

Further discussion is provided in **Section 6.13**.

2.2.6 Transport and Accessibility

The Site is proximate to several transport services, including public transport and arterial roads. Of particular note, the Site is located approximately 50m from the Chatswood Transport Interchange, which supports Metro, Rail and Bus services that provide connectivity to throughout Greater Sydney. The Metro service currently provides direct access to North Ryde and Macquarie Park, which extends further West through Epping, Castle Hill, Norwest and Rouse Hill. Additionally, the City and Southwest Metro Line also provides direct access to Crows Nest, the North Sydney CBD and the Sydney CBD. Regarding Rail services, Chatswood is situated on the North Shore Line, with direct services to North Sydney, the City and Hornsby. A range of Bus services that can be

accessed from nearby the Site provide connectivity to similar destinations, as well providing local connections to surrounding suburbs

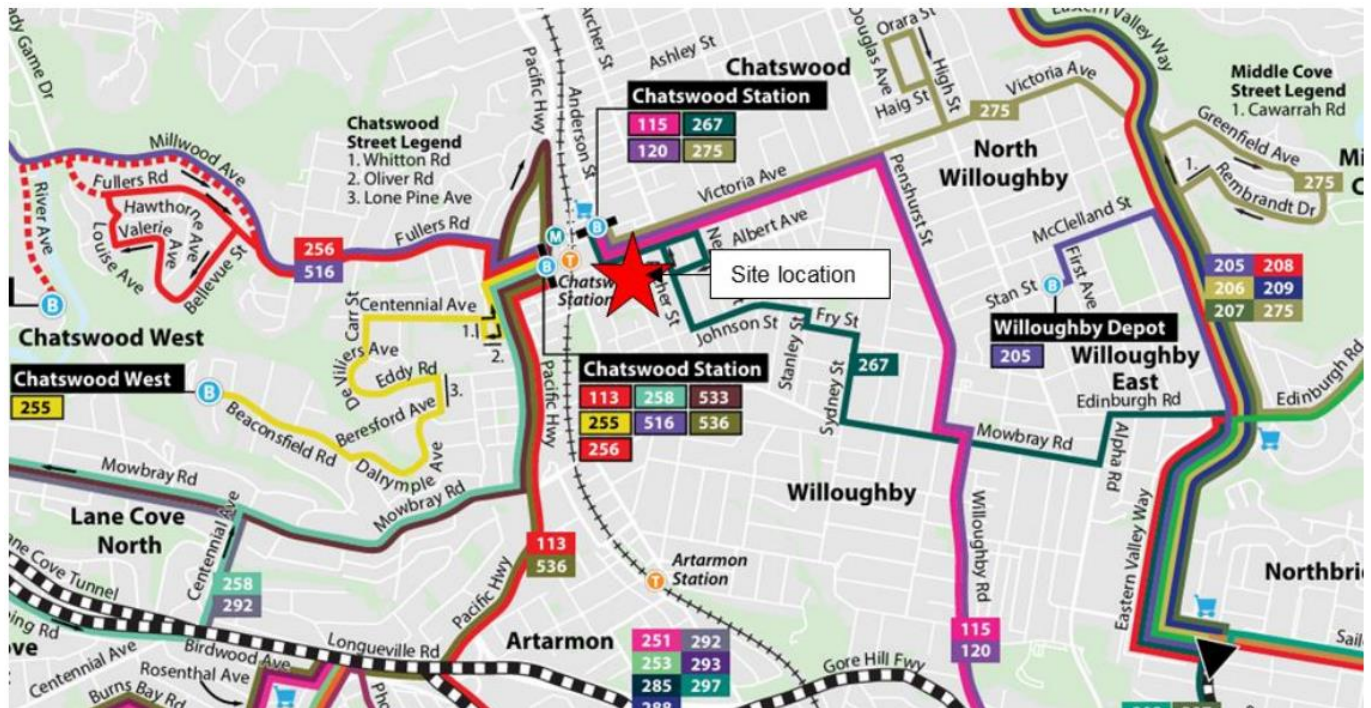


Figure 9 Existing public transport conditions

Source: Stantec

2.2.7 Surrounding Development

- **North:** To the north of the site, across Victoria Avenue, is a mix of small to medium-scale commercial and retail buildings generally ranging from 2 to 4 storeys in height. These buildings contribute to the established fine-grain retail character along the northern edge of Victoria Avenue. Further to the north, a range of high-density mixed use development exists or is proposed under current planning controls.
- **East:** To the east, across Victor Street, the Site faces the Chatswood Westfield shopping centre, a major regional retail destination. Also present is a standalone 3-storey commercial building at the corner of Victoria Avenue and Victor Street, reinforcing the site's interface with large-format retail and commercial uses.
- **South:** South of the site, beyond Post Office Lane, is a mix of residential, commercial and retail buildings, with existing development reaching up to 28 storeys. These uses reflect the high-density mixed-use character of the southern edge of the Chatswood CBD core.
- **West:** To the west along Victoria Avenue, development consists of small-scale retail at the street level as well as high-rise residential towers ranging from approximately 27 to 40 storeys above 5-storey podiums. The built form features a 2–3 storey street wall condition, with towers rising above and presenting minimal setbacks from the podium edge.

The properties and surrounding development immediately proximate to the Site are shown from **Figure 10** to **Figure 16** below.



Figure 10 Existing Surrounding Retail Built Form to Victoria Avenue (to the west of the Site)

Source: Ethos Urban

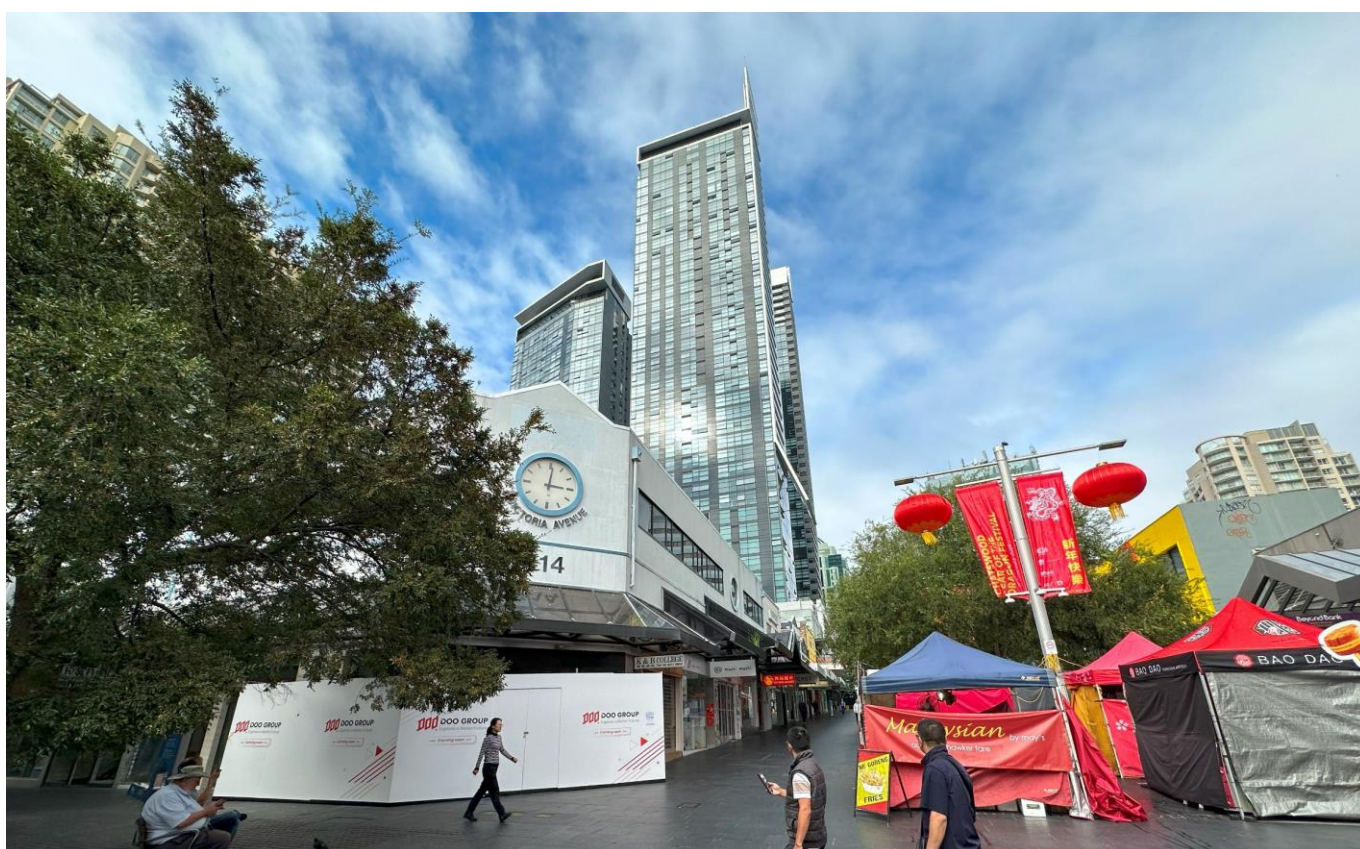


Figure 11 Existing Residential Towers on Victoria Avenue (to the west of the Site)

Source: Ethos Urban



Figure 12 Existing Built Form on the Northern Side of Victoria Avenue (to the north of the Site)

Source: Ethos Urban



Figure 13 Existing Built Form on the Northern Side of Victoria Avenue (to the north of the Site)

Source: Ethos Urban

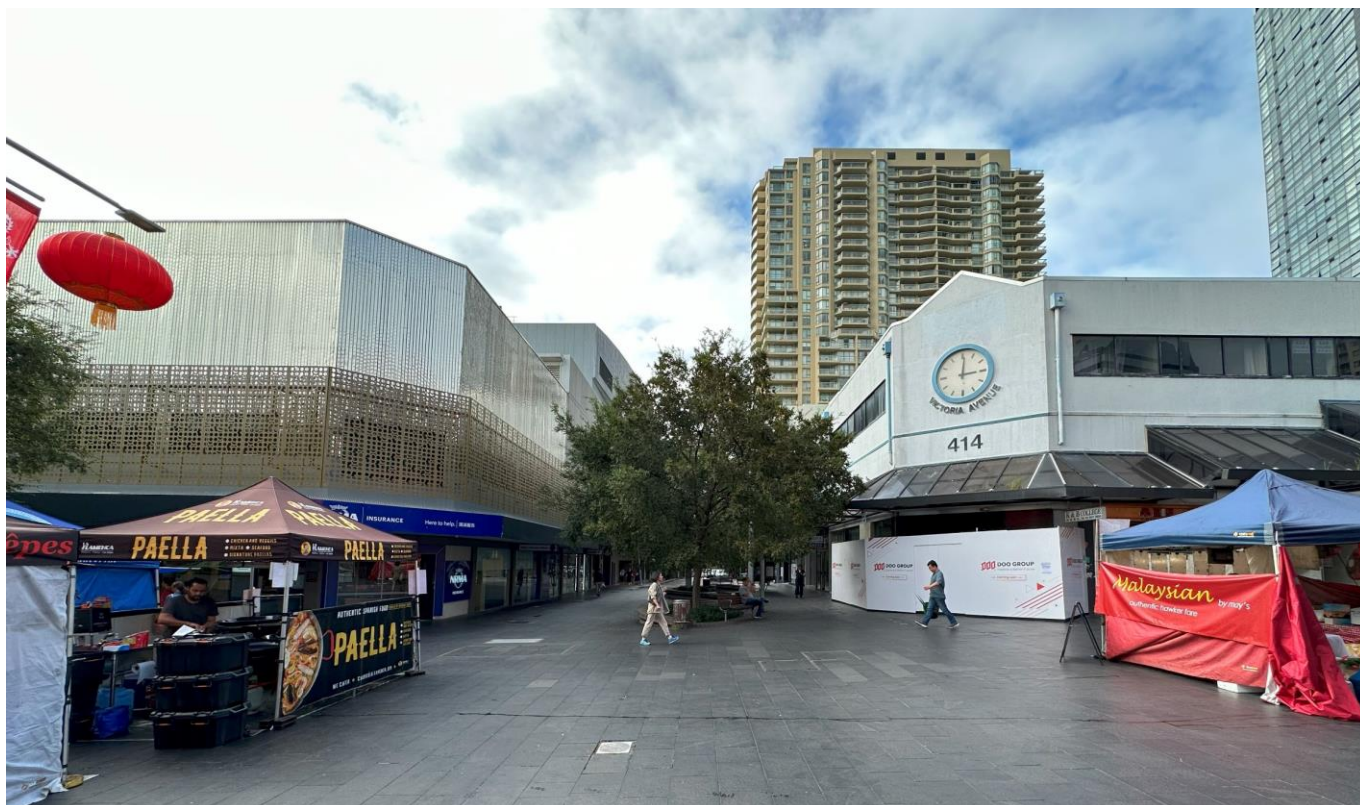


Figure 14 Existing Built Form at the corner of Victoria Avenue and Victor Street (looking south)

Source: Ethos Urban

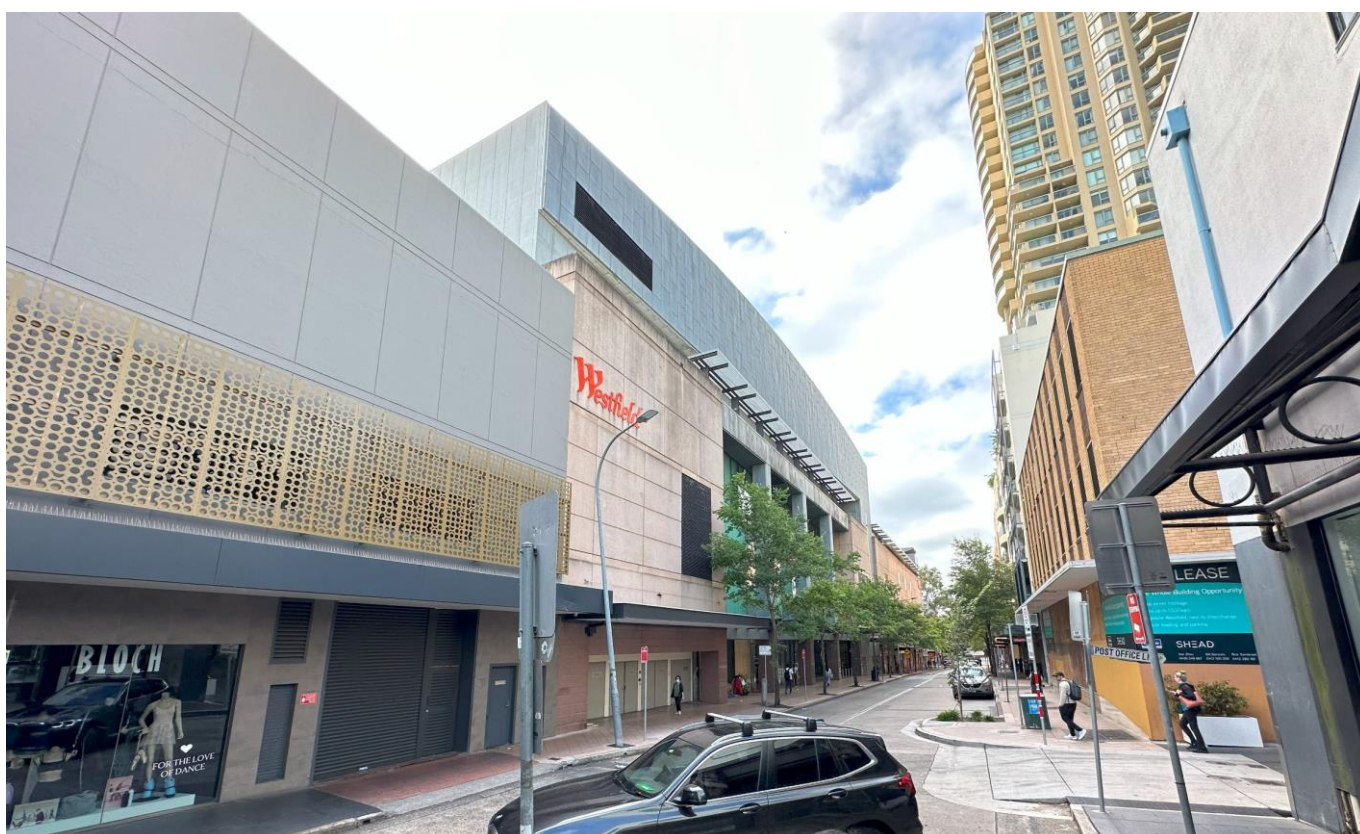


Figure 15 Existing Built Form along the Eastern Side of Victor Street (to the southeast of the Site)

Source: Ethos Urban



Figure 16 Existing Built Form at the Southern End of Victor Street (to the south of the Site)

Source: Ethos Urban

2.2.8 Future Surrounding Context

The Site is subject to increased height and density controls as part of the Chatswood CBD and Urban Design Strategy 2036 (the CBD Strategy), which was crystallised in the WLEP upon its gazettal on 30 June 2023. Among other items, this includes an increase in the maximum height of building control from 14m to RL246.8 across the Site (subject to the Proposal generating no additional overshadowing in accordance with the sun access requirements set out in clause 6.15 of the WLEP) and revision of the FSR control to no maximum FSR.

The updated controls in the WLEP also apply to most other areas of the Chatswood CBD, as originally envisaged under the CBD Strategy, and are anticipated to result in an increase in high-density development within the Chatswood CBD and surrounding the Site, including:

- In the E2 Commercial Centre zone, where most sites are subject to a maximum building height of RL246.8 with no maximum FSR control; and
- In the MU1 Mixed Use zone, where most sites are subject to a maximum building height of 90m and a maximum FSR control of 6:1.

The broader block in which the Site is located is bisected by Post Office Lane, with frontages to Victoria Avenue to the north, Victor Street to the east, and existing large scale residential / mixed-use development to the south and the west. As a result of the:

- fragmented ownership of the surrounding lots;
- existing street layout and lot pattern, which restrict the ability for a viable commercial floorplate to be delivered on the Site and also the neighbouring sites within the broader block;
- recently gazetted planning controls detailed in the WLEP for this location, which enable uses such as hotel accommodation, in addition to BTR housing by virtue of the Housing SEPP; and
- existing development to the south and west, which restricts further amalgamation for the purposes of new development,

the future context surrounding the Site offers the capacity to integrate high-density residential BTR and mixed-use buildings within the Chatswood CBD. The future surrounding context of the Site is illustrated in **Figure 17** below, with the broader context and character of the Chatswood CBD illustrated in **Figure 18**.



Figure 17 Future Surrounding Context (note: the lot shown west of the subject Site is subject to future amalgamation)

Source: Nearmap and Ethos Urban

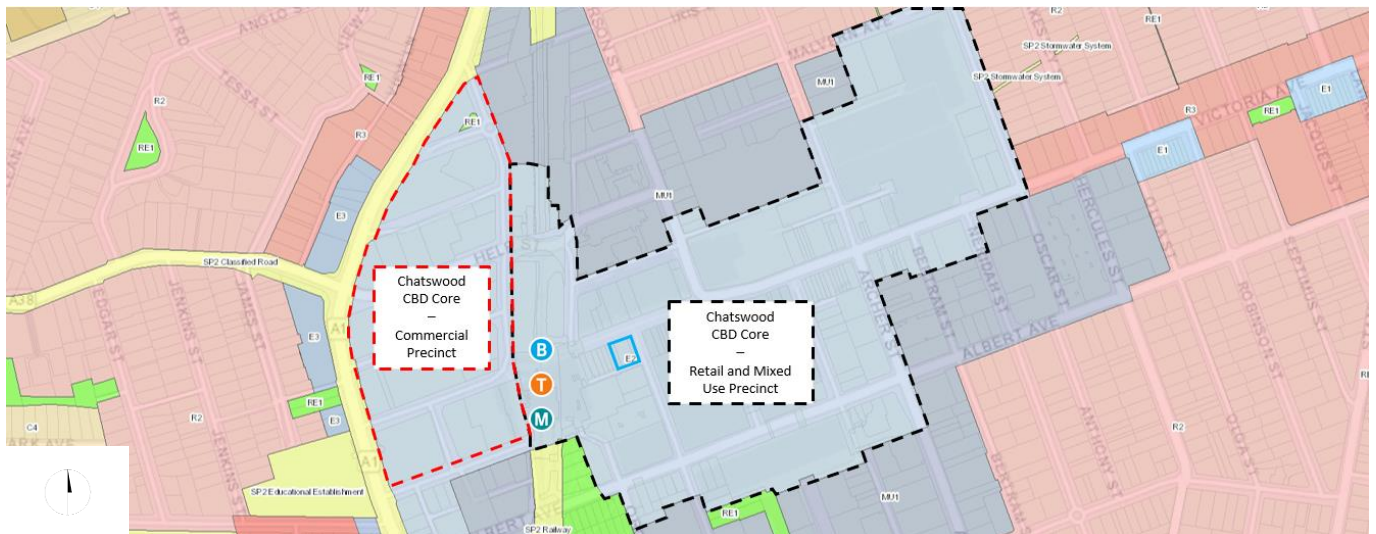


Figure 18 Chatswood CBD Character (noted in DPHI endorsement of the Chatswood CBD Strategy)

Source: NSW Planning Portal and Ethos Urban

2.3 Strategic Planning Context

“Providing ongoing housing supply and a range of housing types in the right locations will create more liveable neighbourhoods and support Greater Sydney’s growing population.”

Greater Sydney Region Plan: A Metropolis of Three Cities – Objective 10

Numerous State and Federal government initiatives have been developed in recent years to assist in alleviating and reducing the pressure of the current housing affordability and supply crisis in NSW, all of which have a common goal of delivering significantly greater housing supply in key locations.

2.3.1 Sydney’s Housing Crisis

Due to the severe housing supply shortage and lack of delivery and approvals, which has failed to keep pace with population growth and migration levels, NSW, and Sydney in particular, are experiencing a severe housing affordability crisis. The chronic housing affordability pressures are evidenced through the Demographic International Housing Affordability 2022 Edition, which ranks Sydney as the second least affordable major capital city among a total of 92 surveyed worldwide. This was found to be due to house prices, cost of a deposit, loan serviceability and rental affordability.

ABS Census Data from 2021 shows that there are almost twice as many people under rental stress than there are under mortgage stress, which is defined as spending more than 30% of household income on rental or mortgage payments. Furthermore, a survey of 1,500 people conducted by the Property Council of Australia (PCA) in November 2022 found that 81% of the people believed that there is a lack of housing that is affordable in their area. The survey revealed data highlighting this problem:

- 52% of respondents rent as they have no other choice and one third of the renters believe they will not be able to purchase a home in the next five years as they cannot overcome the deposit gap.
- 30% of renters enjoy renting as they have financial freedom and flexibility, however, one in five renters are forced to share the rent with other people to be able to afford it.

In addition, there has been a large decline in home ownership across all generations, particularly in younger people. The ABS 2021 data has found that the rate of home ownership among 30–34-year-olds has fallen from 64% in 1971 to 50% in 2021, and among 25–29-year-olds, it fell from 50% to 36% in the same period. Due to these declining home ownership rates, it has forced people into the rental market, with approximately 60% of people aged under 35 renting. These are alarming statistics that proliferate the pressure to provide diverse housing that enhances housing choice to meet the demands of our population, and greater housing supply to ease the affordability crisis.

Based on the above statistics, it can be argued that high density residential housing has the potential to alleviate the accessibility and affordability concerns, by providing dwellings at scale that satisfy the growing demand for housing in locations that are accessible to employment, transport, services, and recreation. Ultimately, high density residential housing provides a public benefit and assists in the achievement of many State government housing objectives across several strategic planning policies.

Further, the NSW Government has formulated a key priority for increasing new housing supply in suitable locations¹ and the Minister for Planning and Public Spaces’ correspondence to all Council Mayors on 8 August 2023 highlights this, as it outlines the shared responsibility to address the housing crisis. That letter states:

“the immediate need is for us to make sure the planning system presents no impediment to dwelling approvals and construction in appropriate locations”.

This letter was followed by the NSW Government’s release of a Fact Sheet outlining their intention to allow 3-6 storey residential flat buildings in the R3 zone within “well-located areas” as part of their ‘Diverse and well-located housing reforms’.² These reforms have since come into effect as of May 2024, and include the following key permissibility provisions:

- Dual occupancies: Permitted in all R2 zones across NSW.
- Multi-dwelling housing and terraces: Permitted in R1, R2, R3, and R4 zones.

¹ NSW Government, 2023, Housing Growth, <https://www.planning.nsw.gov.au/about-us/our-work/housing-growth>, accessed on 8 November 2023

² NSW Government, 2023, Fact Sheet – Diverse and Well-located Housing Reforms, <https://www.planning.nsw.gov.au/sites/default/files/2023-11/diverse-and-well-located-housing-reforms-fact-sheet.pdf>, accessed on 5 December 2023

- Residential flat buildings / Manor houses: Permitted in R1, R2, R3, and R4 zones.

A range of non-discretionary development standards have also been implemented, including

- 17.5m building height and 1.5:1 FSR for residential flat buildings and shop-top housing for sites 400-800m from designated train stations and town centres.
- 22m building height and 2.2:1 FSR for residential flat buildings for sites 0-400m from designated train stations and town centres.
- 24m building height and 2.2:1 FSR for shop-top housing for sites 0-400m from designated train stations and town centres.

These priorities exist within the context of Sydney’s housing crisis and the NSW Government’s aspirational target to deliver 377,000 new homes over five years from 1 July 2024 under the National Accord targets.³ Currently, Sydney’s five-year forecast for new housing in the city (around 119,400 to 138,550 new homes) is significantly less than the previous five years of supply (171,500 new homes).⁴

2.3.2 Strategic Planning Framework

The Proposal is uniquely positioned to champion several government initiatives relating to the delivery of housing and contributing to the growth and development of Chatswood as a Strategic Centre. Government plans, policies and guidelines relevant to the Proposal’s strategic planning context include:

- National Housing Accord 2022
- NSW State and Premier’s Priorities
- Greater Sydney Region Plan – A Metropolis of Three Cities
- North District Plan
- Housing 2041
- Willoughby Local Strategic Planning Statement
- Better Placed
- Connection to Country Framework

The Proposal is consistent with the relevant Government plans, policies and guidelines applying to the Site as outlined in **Table 3** below.

Table 3 *Summary of Strategic Context*

Strategic Plan	Strategic Context
<i>National Housing Accord 2022</i>	The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1.2 million houses in well-located areas in 5 years starting from the year 2024. Given that a large proportion of young people are renting and want to live close to their workplace and highly amenable and serviced areas, BTR housing has the potential to deliver on these needs and assist in meeting the target. This approach is backed and supported by the commitment to undertake further work to ensure the target is achievable. Specifically, the Accord stated that additional support for institutional investment was required, with the commitments summarised as follows: • Commonwealth Commitment: Commission the National housing Supply and Affordability Council to review barriers to institutional investment, finance and innovation in housing (e.g. BTR Housing). • State and territory commitments: Participate in Commonwealth led reviews of barriers to institutional investment, finance and innovation in housing. As such, the Federal Government has particularly taken an interest in BTR in that they are exploring opportunities to incentivise the model. The Proposal aligns with the National Housing Accord, as it seeks to deliver a significant, supply of housing as part of a high quality BTR development, at a Site which is strategically located within the Chatswood CBD.
<i>NSW State and Premier’s Priorities</i>	The Proposal will deliver on key State and Premier’s Priorities, principally, through the delivery of housing at scale in a strategic location. Further, the Proposal will deliver on the priority of ‘<i>well connected communities with quality local environments</i>’ through the provision of housing within

³ Australian Government, 2022, National Housing Accord 2022, <https://ministers.treasury.gov.au/sites/ministers.treasury.gov.au/files/2022-10/national-housing-accord-2022.pdf>

⁴ NSW Government, 2023, Forecast Insights, <https://www.planning.nsw.gov.au/research-and-demography/sydney-housing-supply-forecast/forecast-insights>, accessed on 8 November 2023

the vicinity of numerous existing community services including Chatswood Library as well as recreational facilities and public open spaces. The Site also has strategic merit to improve the connectivity afforded to the community by providing residential accommodation proximate to public transport infrastructure such as the Chatswood Transport Interchange and various Bus routes providing connections throughout Greater Sydney.

**Greater Sydney
Region Plan – A
Metropolis of Three
Cities**

The Greater Sydney Region Plan – A Metropolis of Three Cities (Region Plan) prepared by the then Greater Sydney Commission (GSC) and adopted in March 2018, is the overarching strategic plan to manage growth in the Greater Sydney Region. It sets a 40-year vision where most residents live within 30-minutes of their jobs, education and health facilities, services and great places.

The proposed redevelopment of the Site will support the vision of boosting Greater Sydney's liveability, productivity and sustainability. Specifically, the Proposal will closely align with the key priorities outlined in the Region Plan by:

- Integrating and targeting delivery of dwellings and infrastructure to support a growing population and respond to the needs of this demographic.
- Increase housing supply and more diverse and affordable housing.
- Integrating a diverse range of services on site.

A detailed assessment of the Proposal against each of the directions is provided below.



A city supported by infrastructure

The proposed development benefits from existing public transport infrastructure, particularly the existing Train and Metro services from Chatswood Transport Interchange, as well as several bus stops throughout the Chatswood CBD. Resident-serving social infrastructure will be delivered on Site and includes a pool, gym, co-working spaces, meeting rooms and an outdoor terrace. This infrastructure complements the existing social and community infrastructure within Chatswood. The Site is located within an established urban area, allowing it to be readily serviced by necessary utilities and infrastructure.



A city for people

The proposed development will support a range of social infrastructure and amenities to support residents and their visitors.



Housing the city

The proposed development will deliver 260 BTR apartments of varying sizes and typologies in a strategic location. As such, it will leverage its proximity to nearby public transport, services and community facilities.



A city of great places

The proposed development will include activating uses at the Ground level to enhance the vibrancy of the locality and provide convenience to residents and visitors. Further, the Proposal will allow for the enhancement of the Victor Street public domain, through the delivery of additional landscaping and passive recreation opportunities.

In addition, the Site is located within the Chatswood CBD, where significant employment opportunities, including retail, education, medical and entertainment uses are concentrated. Several public open spaces are also located proximate to the Site.



A well-connected city

The proposed development delivers a significant number of new dwellings within approximately 50m of the Chatswood Transport Interchange, which supports several high frequency, public transport modes.

The Site is located within the key strategic centre of Chatswood, and will enjoy immediate access to employment opportunities. It is also located close to

other key strategic centres, which are accessible in 30 minutes by public transport.



Jobs and skills for the city

The Proposal will support an additional 60 FTE operational jobs across the retail and BTR components. This is in addition to the 221 FTE construction jobs that will be generated. The Site is also strategically situated in the Chatswood CBD, in the immediate vicinity of a mix of employment uses.



A city in its landscape

The Proposal includes a generous provision of landscaping, commensurate with the goal of providing a high amenity and liveable development outcome. This includes landscaping throughout various levels of the development, as well as outdoor communal recreational spaces.



An efficient city

The Proposal has sought to integrate principles of Ecologically Sustainable Development (ESD) throughout. This includes achieving a 5 Star Green Buildings rating, as well as numerous initiatives to ensure the efficient use of resources including gas, electricity and water.



A resilient city

The Region and District Plans include strategies to deliver healthy, safe and inclusive places in the built environment. Notably, the Proposal's location proximate to the Chatswood Transport Interchange supports opportunities for residents and workers to walk and use public transport.

The Proposal will foster social connectedness within the building through a diverse selection of communal spaces, including gym, co-working spaces, meeting areas and outdoor terrace area. These high-quality spaces align with the type of community and lifestyle offering associated with BTR developments.

North District Plan

The vision for Greater Sydney envisages Sydney as a metropolis of three cities, including the Western Parkland City, the Central River City, and the Eastern Harbour City, comprising five more refined districts. Of these, the Proposal is located within the North District. The Proposal supports the objectives of the North District in that:

- **Infrastructure and collaboration:** The Proposal is proximate to multiple modes of public transport, as well as key road infrastructure. This proximity will support ease of access for future residents, visitors and workers to and from the Site.
- **Liveability:** The Proposal provides a high level of amenity for future residents, whilst protecting the amenity of surrounding development through thoughtful design. It also increases the extent and improves the design of the public domain, which will encourage active transport.
- **Productivity:** The additional supply of residential dwellings will support the ongoing growth of Chatswood, enabling residents to live close to where they work or study.
- **Sustainability:** Targeted landscape design has been provided throughout external communal areas, in addition to within the public domain. As is discussed further below, the Proposal includes a total provision of 298m².

Housing 2041

Housing 2041 is the NSW Government's 20-year vision for the delivery of housing across the State. Released in 2021, Housing 2041 sets the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as well-designed housing that receives high amenity. Housing 2041 establishes four pillars that underpin the future of housing. The Proposal aligns with these pillars as follows:

- **Supply:** The Proposal will deliver a total of 260 well-designed, BTR dwellings to contribute to the shortfall in housing supply in the North District.
- **Diversity:** A range of studio, 1, 2 and 3-bedroom apartments are incorporated into the Proposal to cater to a broad residential market and ensure that all household demographics can be supported.
- **Affordability:** BTR housing presents an opportunity for greater affordability given its nature as a holistic housing model that incorporates residential amenities into its design and function. This

reduces the need for residents to seek amenity outside their place of residence, which is included as part of their tenant agreement. A range of internal and external spaces are offered for the enjoyment of residents, including a pool, gym, coworking and passive recreation areas.

- **Resilience:** The design of the Proposal has been grounded in strong ESD principles, contributing to a development outcome that is highly sustainable. Further discussion on this is provided in **Appendix O** and **Section 7.1**.

Willoughby Local Strategic Planning Statement 2020

The Willoughby Local Strategic Planning Statement (LSPS) is the principal strategic planning document guiding land use planning and development within the Willoughby LGA. The LSPS establishes a 20-year vision for the LGA's overall land use and provides a clear line of sight between identified priorities at the regional/district level and how this will influence change at the local area level.

In the context of four (4) key themes, the LSPS outlines a variety of finer-grain planning priorities that guide the delivery of suitable development outcomes for the LGA. The Proposal's alignment with its key priorities is as follows:

- **Priority 1: Increasing housing diversity to cater to families, the aging population, diverse household types and key workers:**
 - Between 2016-2036 it is estimated that Willoughby will need to accommodate 6,000 – 6,700 new dwellings, a 20-22% increase on the current number of dwellings. Further, the LSPS also identifies that a diverse range of housing typologies and sizes will be required to accommodate changing demographics within the LGA. The proposed development's provision of 260 BTR apartments directly addresses this priority, as it provides a diverse mix to cater to various demographics/households.
- **Priority 7: Developing Chatswood's role as a true transport hub for Willoughby City and the North Shore**
 - Chatswood CBD is identified as a key strategic centre that can deliver transit-oriented development by supporting high-density development that leverages the existing Transport Interchange centred around high-frequency Train and Metro lines. The Proposal will support this aim by delivering a high-density, shop-top housing development, that is complemented by a well-designed ground plane to enable residents and visitors to easily access the Site from the nearby Transport Interchange.
- **Priority 15: Improving the efficiency of Willoughby's built environment:**
 - A range of ESD initiatives are proposed throughout the development, ensuring that sustainability and efficiency practices are embedded into its design.

Better Placed

The objectives and design principles of Better Placed have been considered and responded to in the Proposal's design. The document seeks to promote good design and capture a collective aspiration and expectations for the places where we work, live and play. Better Placed includes seven objectives for good design, which has been considered in the preparation of the proposed development as follows:

Objective 1: Better Fit – contextual, local and of its place

- The proposed development responds to the surrounding context and its location within Chatswood CBD. By proposing a BTR development with ground and level 1 retail premises, it will facilitate additional housing supply, while also enhancing the sense of community within the Site and the broader CBD. This will be achieved through the delivery of a residential living component, supported by an abundance of communal residential amenities, as well as an enhanced public domain.

Objective 2: Better Performance – sustainable, adaptable, and durable

- ESD principles have been incorporated into the Proposal through the adoption of effective and environmentally responsive design initiatives. Further discussion is provided at **Appendix O**.

Objective 3: Better for Community – inclusive, connected and diverse

- The Proposal improves permeability and activation around the Site for all groups. In addition, opportunities exist for future public domain enhancements (subject to future design development with Council prior to issue of a relevant Construction Certificate for public domain works) to further enhance the public domain adjoining the Site.

Objective 4: Better for People – safe, comfortable and liveable

- The Proposal has been designed accordingly to ensure private and communal open space and amenity spaces are secure and safe. Additionally, the Site will improve visual links between the built form and the streetscape, while also activating the ground floor by providing retail uses at the ground plane, along with an enhanced public domain. This will maximise the passive surveillance to public and private areas.

Objective 5: Better Working – functional, efficient and fit for purpose

Strategic Plan	Strategic Context
	- The Proposal seeks to redevelop a significantly underutilised site, and provide a high quality, shop top housing development, comprising BTR dwellings and ground floor retail. This will revitalise the Site, while also assisting to alleviate the housing crisis. Objective 6: Better Value – creating and adding value - The Proposal will add value to the Chatswood CBD by providing a development outcome that capitalises on the Site's strategic location, close to transport, shops and public infrastructure. It also provides a diverse mix of well-designed dwellings to support the community's ongoing need for secure housing. Objective 7: Better Look and Feel – engaging, inviting and attractive - The design principles have informed the Proposal as illustrated in the Design Report prepared by Fender Katsalidis, included at Appendix H. A discussion of the principles guiding this development is also provided at Section 3.3.
Connection to Country Framework	The Connecting to Country Framework acts as a guide for developing connections with Country to inform the planning, design, and delivery of built environment projects in NSW. Connection to Country will be incorporated throughout the lifecycle of the Proposal and has formed part of the design development process. Further detail is provided within the Design Report at Appendix H .

2.4 Cumulative Impacts

The nearby relevant future Proposals that have the potential to result in cumulative impacts are identified in **Table 4** below.

Table 4 Surrounding Future Development

Development	Description	Location	Status
Novus on Albert Build-to-Rent Project SSD-59805958	Build-to-Rent tower with ground floor retail/business premises, 198 residential apartments and basement parking.	763-769 Pacific Highway, Chatswood Approximately 350m from the site.	Post Lodgement
Mixed use development with in-fill affordable housing - 54-56 Anderson Street SSD-78520463	Construction of a mixed used development with in-fill affordable housing and basement parking	54-56 Anderson Street, Chatswood Approximately 500m from the site.	Prepare EIS
Mixed Use Development with Affordable Housing - 691-699 Pacific Highway SSD-77127711	Construction of a 33-storey shop top housing development with a 30-storey residential tower comprising 100 units, 3 levels of commercial/retail and basement parking.	691-699 Pacific Highway, Chatswood Approximately 900m from the site.	Prepare EIS
Mixed use development with in-fill affordable housing at 57-61 Archer St & 34 Albert Ave SSD-72891212	Mixed use development with in-fill affordable housing. A 29-storey residential tower comprising 150 units A three-storey podium comprising non-residential uses between ground level and Level 2.	57-61 Archer St & 34 Albert Ave, Chatswood. Approximately 600m from the site.	Response to Submissions
Mixed use with infill affordable housing - Help Street. SSD-76555711	Construction of a 33-storey mixed use development including commercial at ground and podium levels, a residential tower, and associated landscaping and public domain works.	11 Help Street, Chatswood Approximately 400m from the site.	Prepare EIS
Mixed-use development including affordable	Mixed-use development with in-fill affordable housing, including 15% affordable housing.	613-627 Pacific Highway, Chatswood Approximately 500m from the site.	Prepare EIS

Development	Description	Location	Status
housing - 613-627 Pacific Highway			
Mixed-use development with in-fill affordable housing - 44-52 Anderson Street	Construction of a 33-storey shop-top housing development with in-fill affordable housing, including 123 apartments (36 affordable units) and eight basement levels.	44-52 Anderson Street, Chatswood Approximately 300m from the site.	Response to Submissions
Mixed-use development with in-fill affordable housing - 5-9 Gordon Avenue	Demolition of existing structures, earthworks, and construction of a mixed-use development with in-fill affordable housing.	5-9 Gordon Avenue, Chatswood Approximately 600m from the site.	Response to Submissions
Mixed-use development including in-fill affordable housing - 51-55 Archer Street	Construction of a 35-storey mixed-use shop-top housing development including in-fill affordable housing, comprising a two-storey non-residential podium, a 33-storey residential tower, and a multi-level basement carpark.	51-55 Archer Street, Chatswood Approximately 200m from the site.	Prepare EIS
Mixed-use development with in-fill affordable housing - Anderson, McIntosh, and Day Streets	Construction of a mixed-use development comprising 250 residential apartments (including 49 in-fill affordable apartments), retail and office uses, excavation works, and associated works.	Anderson, McIntosh, and Day Streets, Chatswood Approximately 400m from the site.	Prepare EIS
Mixed-use development including in-fill affordable housing - Chatswood Grand Residences	Construction of a 36-storey mixed-use development including 308 residential apartments, retail, commercial, and child care uses, along with associated demolition, site preparation, and excavation works.	Chatswood Grand Residences Approximately 500m from the site.	Prepare EIS
Mixed-use development with in-fill affordable housing - 37 Archer Street	Proposed mixed-use development with in-fill affordable housing.	37 Archer Street, Chatswood Approximately 250m from the site.	Prepare EIS

An assessment of the cumulative impacts associated with these Proposals are considered under the relevant issue in **Section 6.0**.

2.5 Analysis of Alternatives

Alternative options have been considered by the Applicant in response to the strategic need and objectives for the development of the site. This includes not undertaking any works on the Site ('do nothing'), proceeding with a different use on the site, and proceeding with the proposed redevelopment for the purposes of BTR Housing.

2.5.1 Option 1 - Do Nothing

Under the 'Do Nothing' scenario, the Site would remain significantly underutilised. This option does not provide a desirable outcome, as it fails to adequately plan for future growth and opportunities to increase the diversity of housing types and need for more rental housing within the Willoughby LGA and across Sydney more broadly. Additionally, this approach would represent a missed opportunity to contribute to the growth, vibrancy and character of the Chatswood CBD, which is a nominated strategic centre under the Greater Sydney Region Plan.

On this basis, the 'Do Nothing' scenario is not considered an appropriate option.

2.5.2 Option 2 - Use of the Site for an Alternative Purpose

Noting that the Site is zoned E2 – Commercial Centre under the WLEP 2012, a commercial development outcome is also permissible. Such a development outcome was investigated in detail by the Applicant during a highest and best use analysis of the Site during the inception stage of the project.

Whilst commercial office use is permissible in the zoning, several factors limit the ability for all E2 – Commercial Centre sites in the Chatswood CBD to deliver commercial office uses in the medium-long term. The Site is particularly challenged due to the following:

- The floor plate size and configurations able to be supported by the Site would not be desirable by tenants or aligned with market standards, noting its total size and shape.
- Limited co-location with other commercial development, noting the Site's location in the civic/retail/mixed-use area of the Chatswood CBD (i.e. East of the railway line) and being surrounded by predominately mixed-use development, including high density, serviced apartments and residential uses.
- Subdued market demand and supply conditions within the commercial office sector for metropolitan office space. This is emphasized by the fact that no major standalone commercial building has been delivered within the Chatswood CBD in over 20 years, largely due to the lack of demand from prospective tenants for office space within metropolitan office markets, including the Chatswood CBD.

In light of the above analysis, a commercial development outcome is not an appropriate outcome for the site.

2.5.3 Option 3 - Alternative Designs

As is discussed further in the relevant sections of this EIS, the Proposal has been the subject of a Design Excellence Competition as required by the WLEP 2012. As part of this process, three (3) schemes were developed for the Proposal before being assessed by a nominated Jury. Each scheme presented a unique response to the Site's specific characteristics, opportunities and constraints, and were subsequently subjected to a rigorous assessment by numerous technical advisors, before being considered by the Jury.

An outline of the unsuccessful schemes (considered as alternative designs for the purposes of this EIS), as well as the reasons they were not considered to exhibit design excellence, is provided below.

Alternative Design 1 – Make Architects

The Make Architects scheme proposed a building comprised of a 2-6 storey podium, with the residential tower above. A total of 231 BTR apartments were proposed, which was complemented by 1,158m² of internal and external BTR amenities, provided throughout the podium as well as in the crown of the building.

The podium provided residential entry lobby framed by a glass atrium accessed off Victoria Avenue, which extended into a through-Site link connecting Victoria Avenue with Post Office Lane. The remainder of Victoria Avenue as well as the entirety of Victor Street included retail premises, with vehicular access from Post Office Lane.

In terms of materiality, the building is characterised by a combination of vertical champagne elements mixed with bronze horizontal tones, which has been developed in order to create a striking contrast. This design concept continues throughout the podium and tower form. The tower then graduated into a crowning element characterised by inseting the upper levels of the building from the remainder of the façade, providing additional articulation.

The tower included 6m setbacks above the podium from both Victoria Avenue and Victor Street, as well as a 5m setback from Post Office Lane. At the western interface, the tower was proposed to be built to the boundary with an articulated façade, including no windows. Of note, a key feature of the scheme was the western façade, which was supported by a 'living skin' concept, whereby small holes in the bio-responsive concrete wall were envisaged to inadvertently become shelters for fauna such as birds and insects.

Photomontages of the tower and podium are shown below in **Figure 19**.



Figure 19 *Photomontage of Make Architects scheme*

Source: Make Architects

Alternative Design 2 – Architectus

The Architectus scheme proposed a building comprising of a 2-storey brick podium with the residential tower above. A total of 234 BTR apartments were proposed, which was complemented by a total provision of 1,365m² of internal and external residential amenities, including 685m² of communal open space provided in the podium.

The podium provided two (2) distinct pedestrian movement corridors, with a through-Site link connecting Victoria Avenue with Post Office Lane, as well as the main residential lobby from Victor Street connecting with a landscaped courtyard adjacent to the boundary with 418 Victoria Avenue. The podium was to be constructed from masonry, with varying amplitudes of scallops in the façade being implemented so as to create articulation, visual interest and respond to the pedestrianised nature of Victoria Avenue.

Atop this, the tower form was also characterised by scalloped elements, proposing a curtain wall system with precast concrete elements that performed both as articulation features as well as weather control devices. The tower was also noted to sit generally within the centre of the site, with setbacks to each of the four (4) Site boundaries. As such, this scheme was not aligned with the recommendations of the site-specific Urban Design Strategy prepared prior to commencement of the Design Competition process.

Photomontages of the tower and podium are shown below in **Figure 20**.

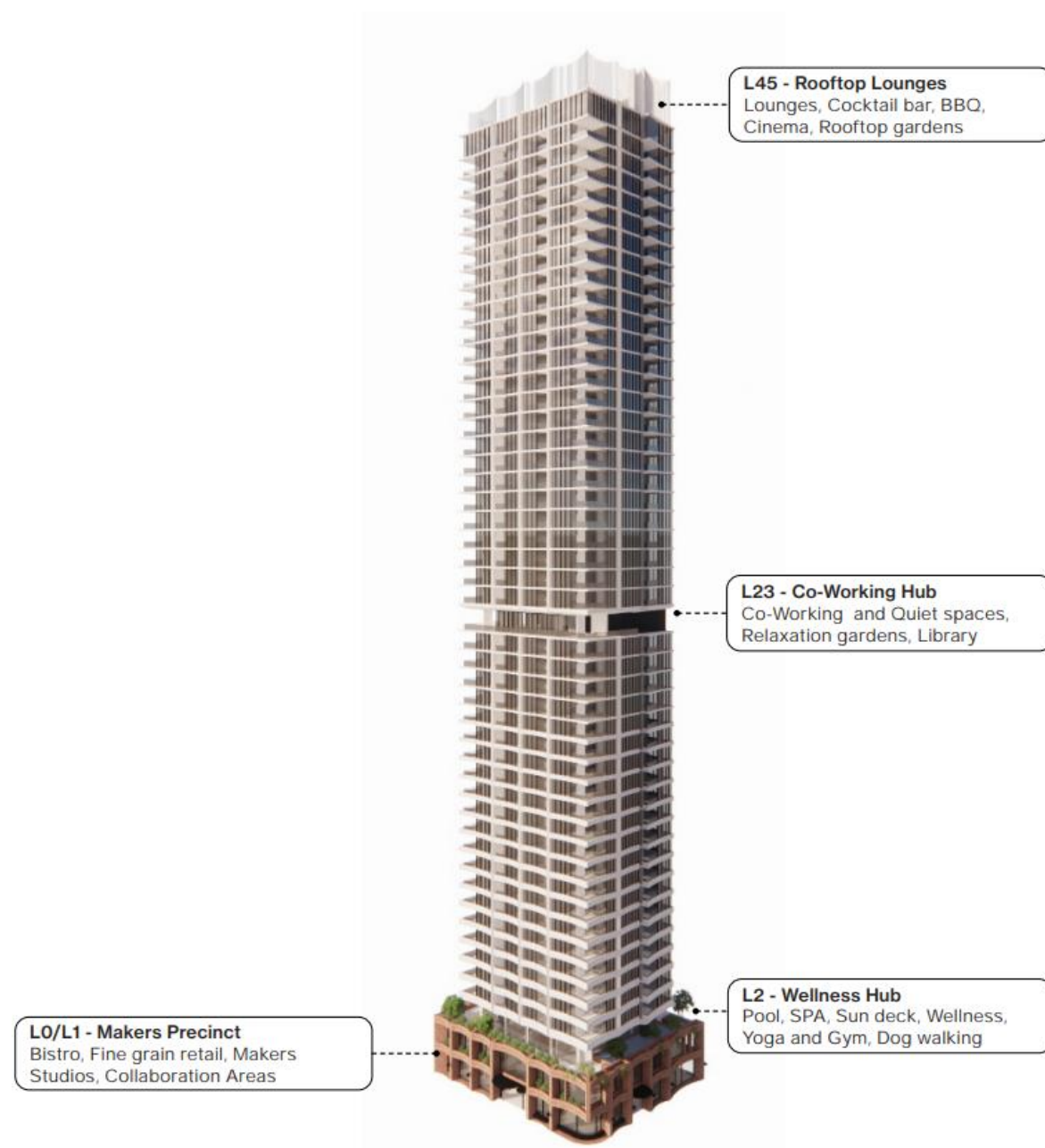


Figure 20 3D image of Architectus scheme

Source: Architectus

Jury Assessment of the Alternative Schemes

In their assessment of the three schemes, the Jury ultimately concluded that the above two options did not have the capacity to exhibit design excellence and therefore were not appropriate development outcomes for the site. The reasons for this conclusion include, but are not limited to:

- The overall resolution of the schemes, including unresolved structural strategies, ground floor planning, and approach to vertical circulation and resident access.
- The misalignment with key ADG objectives, particularly in relation to natural ventilation, equitable solar access, and the operational functionality of communal and private open space areas.

- The extent of deviation from the Reference Scheme, including podium massing and inconsistent setback strategies which would compromise future development potential on adjoining sites and impact the pedestrian experience along key frontages.
- Incompatibility with the intended Build-to-Rent model, including within the planned service and management areas, and ground floor layouts.
- Materiality and construction methods that presented design and delivery challenges inconsistent with the project brief.

A comprehensive description of the Design Excellence Competition process, the three schemes presented, as well as the Jury assessment, is contained within the Design Competition Report provided at **Appendix G**.

2.5.4 Option 4 - The Proposed Development

A highest and best use analysis was undertaken for the Site which determined that a BTR scheme with supporting retail uses was the most appropriate outcome for the Site.

From a design perspective, the proposed development represents the winning scheme of the Design Excellence Competition, with the Jury selecting this scheme based on the following key merits:

Site Planning & Urban Response

- The Jury noted that the foundational principles of the scheme were clear and highly resolved, resulting in a functional and exemplary outcome. The Jury were cognisant that this was a very challenging Site and the scheme handled the many competing uses and access arrangements skilfully.
- The scheme responded well to the Site and context's planning limitations, including pushing the mass of the tower away from the frontages/public domain, whilst preserving the development potential and amenity of surrounding existing and future developments.
- The Jury supported the variation to the 7m street wall height control prescribed by the WLEP, in order to achieve functional non-residential floor to floor heights within the podium, whilst still ensuring a 2-storey street wall is presented to Victoria Avenue.

Access & Servicing

- The design of the basement access and loading arrangements to Post Office Lane, including the separation of access points, reduced conflicts between private vehicles accessing the basement and provided for positive servicing arrangements.
- The positioning of the residential lobby from Victor Street, as well as its general design, was considered an optimal arrangement in terms of separating retail and residential uses, whilst activating the site's secondary frontage. The entry from Victor Street enabled good access for pick-up and delivery by vehicles such as Uber, whilst maximising retail frontage to Victoria Avenue/mall.

Architectural Form & Façade Expression

- The presentation of the western façade to the adjoining Site boundary created visual interest whilst simultaneously preserving an equitable development outcome.
- The grid-like expression of the façade and the proportionality of this element was noted as a positive in the scheme.

Internal Planning & Structural Resolution

- A high level of internal amenity was achieved through clarity of the internal spatial planning, which would support the satisfaction and retention of residents.
- The approach to the core arrangement and vertical transport solution was also commended, due to its rationalisation and efficiency.
- The structural solution was well resolved, with minimal impacts to general plan arrangements (subject to minor column refinements).
- Further discussion on the Jury's decision in selecting the proposed development are provided within **Appendix G**.

3.0 Project Description

3.1 Project Overview

The Applicant seeks development consent under 'Division 4.7 – Stage Significant Development' of the EP&A Act for the development of a BTR shop-top housing development, with Ground and Level 1 retail premises and residential lobby areas, as well as associated basement carparking, communal recreation areas and public domain works.

The Proposal includes the following key components:

- Site preparation works including demolition of the existing buildings, excavation and earthworks;
- Construction and use of a 46-storey (RL246.8m) BTR shop-top housing development comprising:
 - Ground and Level One retail premises and residential lobby areas;
 - Residential amenities throughout the building including a pool, gym, coworking facilities, outdoor terrace, resident lounge and dining areas, and multi-purpose spaces; and
 - 260 BTR dwellings.
- Landscaping located on Levels 2, 6 and 23.
- Construction of three (3) basement Levels, comprising car share spaces, loading facilities, plant and associated basement uses.
- Extension and augmentation of services and infrastructure and services as required.

The proposed development is discussed further in the following subsections and detailed on the Architectural Drawings prepared by Fender Katsalidis and included at **Appendix B**. Photomontages of the proposed development is provided in **Figure 21** and **Figure 22** below.



Figure 21 Proposed development as viewed from Anderson Street (facing West)

Source: Fender Katsalidis



Podium as viewed from Victoria Avenue

Podium as viewed from Victor Street

Figure 22 Streetscape perspectives of the podium

Source: Fender Katsalidis

3.2 Key Project Information

3.2.1 Project Details

The key project details regarding the Proposal are outlined in **Table 5** below.

Table 5 Key Project Details

Component	Description
Proposed Land Use	Shop-top Housing (Build-to-Rent)
Legal Description	- Lot A and B in DP406105 (410-414 Victoria Avenue, Chatswood); and - Lot 4 in DP82303 (416 Victoria Avenue, Chatswood).
Site Area	1,050m ²
GFA	Residential 16,318m² Retail 1,110m² Amenity 1,047m² Total: 18,475m²
Maximum Height	RL 246.8 (46 storeys)
Setbacks	Victoria Avenue (North) 6m tower setback above a two-storey street wall. Victor Street (East) 6m tower setback above a 24m street wall. Post Office Lane (South) 5m tower setback above a 24m street wall. Western Boundary - Zero setback to preserve future developability of the adjoining land.
Apartment Mix	Studio 115 or 44% 1-bedroom 79 or 30%

Component	Description
	2-bedroom 63 or 24% 3-bedroom 3 or 1% Total: 260
Car spaces	9 car spaces (incl. DDA space) 1 Motorcycle space
Bicycle Spaces	52
Communal Open Space	- Outdoor Spaces: 357sqm - Indoor Spaces: 1,047sqm
Landscaped Area	310sqm
Construction Jobs	221 FTE jobs, per annum during construction.
Operational Jobs	131 FTE jobs (60 provided directly on site).
Estimated Development Cost	\$163,290,082 (excluding GST). Refer to the EDC Report prepared by WT Partnership (Appendix M).

3.3 Design Principles

The following design principles have been adopted for the proposed development of the Site:

- Provide an innovative and diverse housing model in a highly accessible location, close to public transport and within easy walking distance to a wide range of employment opportunities and services.
- Create a development outcome that is consistent with transit-oriented development principles, to reflect the scale and density appropriate for a Site within the Chatswood CBD and proximate to the transport interchange.
- Capitalise on an underutilised Site that is situated at a key central location within the Chatswood CBD.
- Provide a mixed-use development outcome that supports community and neighbourhood collaboration through a range of functions and versatile spaces, reflecting the needs of Chatswood and its diverse demographics.
- Provide a curated response to the Ground Level interfaces to ensure maximum urban activation throughout the Proposal.
- Provide activating uses at the Ground Level to deliver a sense of vibrancy to the locality.

3.3.1 Designing with Country

The design has been developed to respond to the principles of Designing with Country, including but not limited to:

- Preserve visual connections between landscape and people.
- Restore and protect waterflow through WSUD measures to integrate with broader water systems and work to heal Country.
- Use of endemic planting including species that are significant to the ecological communities of the area and aims to provide habitat for local fauna through native trees and understorey.
- Identifying opportunities to integrate Aboriginal art to reinforce a connection with Country, where this is considered appropriate by the Traditional Owners. This can contribute to the specific local identity, culture, and the overall identity of the land.

Further discussion on Designing with Country is also provided in the Landscaping Report at **Appendix K**, as well as the Design Report at **Appendix H**.

3.4 Site Preparation Works

Site preparation works are proposed in order to facilitate preparation for the proposed built form. This includes demolition and excavation as in the following sections below.

3.4.1 Demolition

The proposed development involves the demolition of all existing structures on site, including removal of the commercial tenancies, associated driveways, concrete footpaths and any ancillary structures within the Site boundaries.

3.4.2 Earthworks

Following demolition of the existing structures, bulk earthworks will be required to excavate the proposed basement structure. The proposed earthworks will be generally contained within the footprint of the building envelope. Excavation to approximately 10–12 metres is required to accommodate the three-level basement.

3.5 Layout and Built Form

The proposed development presents a cohesive architectural and functional response to its prominent urban context, incorporating mixed residential, retail, and communal amenities. The building demonstrates a thoughtful consideration of Chatswood's streetscape, pedestrian experience, and residential quality, articulated through its distinct podium and tower forms.

Details of each of these elements are provided in the following sub-sections.

3.5.1 Podium Form

The Proposal is anchored by a 2-6 storey podium, which has been derived from careful consideration of the surrounding context and is designed to deliver a built form that integrates into the civic character of Victoria Avenue, whilst simultaneously establishing a defined street wall.

The podium presents a 2-storey street wall to Victoria Avenue to maintain a human-scale form within the public domain, and respond to the overarching strategic objective of delivering a consistent 2-storey retail street wall along Victoria Avenue, which is recognised as the 'civic spine' of the Chatswood CBD. The podium then rises to 6-storeys as it wraps around Victor Street and Post Office Lane, in line with the provisions of the WDCP. In this sense, the podium has been designed to have distinctive yet harmonious relationships with each of the frontages, responding to their unique characteristics. At a high level, the following key design moves have guided the podium design for each frontage:

- **Victoria Avenue:** Preserve the continuity of the street wall and present a distinctive two-tiered composition; a lower form that aligns with the two-storey character of Victoria Avenue, and an upper form which acts as a transition between the tower and lower podium.
- **Victor Street:** Reflect the quieter character of this street compared to Victoria Avenue, and provide a clear sense of residential address and entry.
- **Post Office Lane:** Blend requirements between accommodating servicing elements and allow visibility and activation of the corner retail tenancy.

Extracts of the respective podium facades are shown below in **Figure 23** and **Figure 24**.

Internally, the Ground level is characterised by a range of retail premises at both Victoria Avenue and Victor Street, with a residential lobby accessible from the central portion of the Victor Street frontage. Level 1 continues this retail character with a singular retail tenancy comprising the entirety of the floorplate.

Level 2 expands the podium's function by incorporating substantial residential amenities covering indoor and outdoor recreational spaces. This level features significant lifestyle amenities including an outdoor swimming pool, gymnasium, sauna, steam rooms, hot and cold plunge pools, and multipurpose yoga and spin studios. This extensive podium amenity offering significantly enhances residential appeal, fostering community and well-being.

Above this, Levels 3-5 comprise the podium residential dwellings, whilst Level 6 delivers a media/co-working space alongside a dedicated pet area and residential terrace, to further enhance amenity.



Figure 23 *Proposed podium form (as viewed from Victoria Avenue)*

Source: Fender Katsalidis



Figure 24 *Proposed podium form (as viewed from Victor Street)*

Source: Fender Katsalidis

3.5.2 Tower Form

Rising above the podium, the residential tower features a slender, articulated form that extends 40 storeys above the podium to a maximum height of RL246.8m. Architecturally, the tower's external expression integrates varied façade treatments, balcony articulations, and a high-quality material palette, ensuring visual interest and breaking down its perceived scale. The combination of careful massing, high residential amenity, sustainable design outcomes, and architectural refinement positions the tower as an elegant and contextually responsive addition to Chatswood's skyline. This can be seen below in **Figure 25**.

Further to this, the tower setbacks above podium are as follows:

- **North** (Victoria Avenue): 6m
- **East** (Victor Street): 6m
- **South** (Post Office Lane): 5m
- **West** (418 Victoria Avenue): Nil



Figure 25 Proposed tower form

Source: Fender Katsalidis

3.6 Façade and Materiality

The external materials and finishes of the proposed development have been influenced by the Chatswood streetscape and unique urban context. The podium is noted to adopt a colour-blocking approach, featuring a warm grey tone at the base and a deep, rusty brown hue in the upper levels. The tower is then expressed in a warm ochre tone, complementing the podium's materiality.

Further to this, landscaping in the podium rooftops and terraces introduce an additional layer of detail and character, whilst the balustrades are designed in a charcoal grey palisade style, reinforcing a refined residential character within the tower.

Extracts of the podium and tower materials palettes are provided below in **Figure 26**. Additional information on materials and finishes is also provided within the Architectural Design Report prepared by Fender Katsalidis at **Appendix H**.

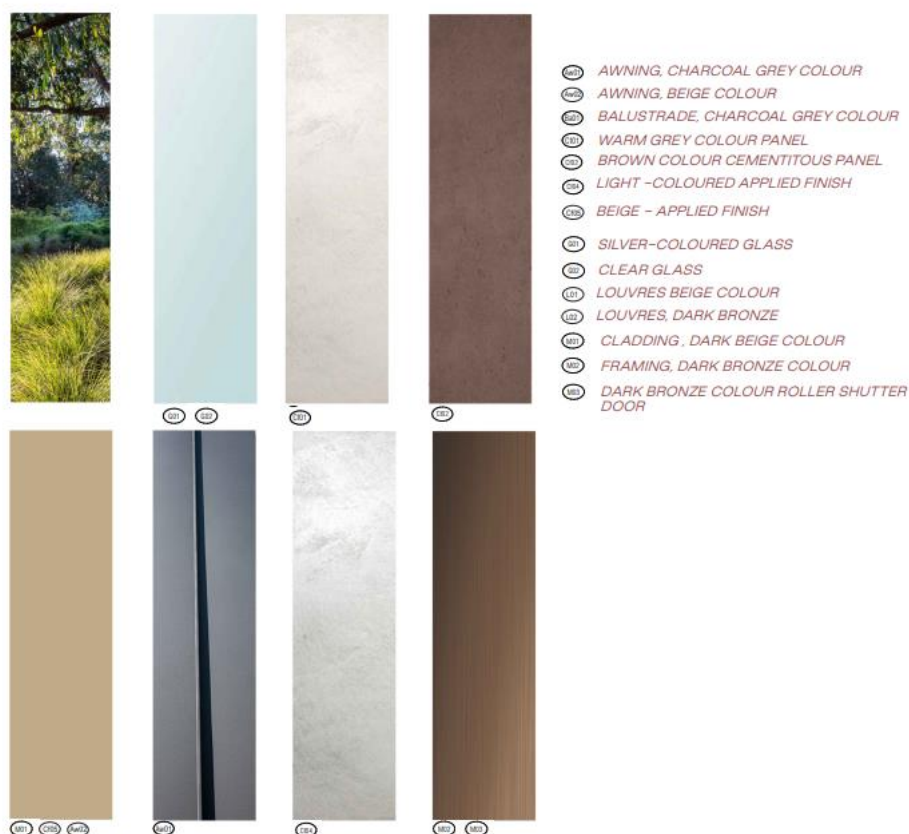


Figure 26 Proposed façade and materiality strategy

Source: Fender Katsalidis

3.6.1 Podium Façade

The podium façade has been designed to express a sense of solidity and grounding and create a more fine-grained and textural character at the streetscape. The two-tiered character of the podium massing is reflected in the scaling of these components; at street level, more robust articulated column elements are provided, whilst in the upper tier, these elements become finer and more delicate to accentuate this difference.

3.6.2 Tower Façade

In the tower, the façade has been expressed as an alternating grid pattern of solid panels and voids. The residential balconies form recesses which assist in reducing the bulk of the tower, as well as enhancing its fine grain, gridded design. Elements of solidity and recessed voids sit within the design of the super-grid and sit in a vertical design up the tower, to emphasis the slender tower proportions. Further, vertical and horizontal shading devices have been integrated to the facade to ensure thermal comfort, which also contribute to the visual interest of the façade.

Extracts of the podium and tower façade strategies are provided below in **Figure 27**. Additional discussion is also provided within the Design Report at **Appendix H**.

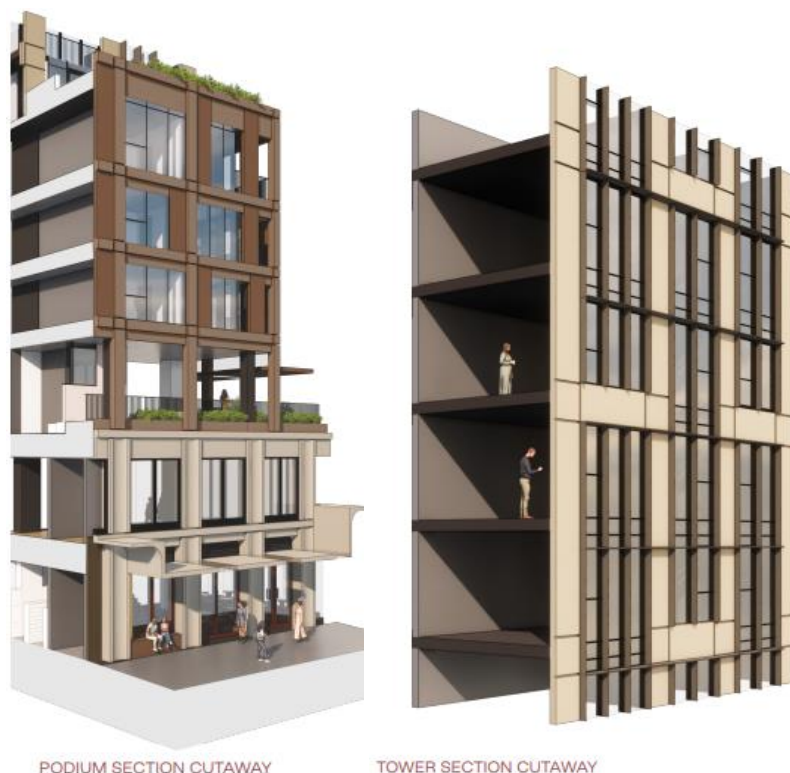


Figure 27 Façade Strategy

Source: Fender Katsalidis

3.7 Site Access and Parking

Existing Access

The Site at 410–416 Victoria Avenue, Chatswood has direct frontage to Victoria Avenue, with secondary street frontages to Victor Street and Post Office Lane. Pedestrian access is primarily via Victoria Avenue, a major commercial corridor within the Chatswood CBD. Vehicular access to the existing buildings is from Post Office Lane, which currently functions as a narrow back-of-house laneway servicing adjacent properties.

Proposed Future Access

The proposed development significantly improves Site accessibility for both pedestrians and vehicles. The primary residential pedestrian entrance will be located on Victoria Avenue, leading directly into the main lobby, mail room, and leasing office. Retail tenancies will maintain direct and active street front access to Victoria Avenue and Victor Street, supporting continuous street activation and pedestrian engagement.

Vehicle access will be retained via Post Office Lane, which accommodates the site's key vehicular infrastructure. Two car lifts located at ground level provide access to basement carshare parking, supported by a turntable to facilitate forward vehicle movement. This setup ensures safe and efficient vehicle circulation within the constrained laneway context.

A dedicated loading dock — also accessed from Post Office Lane — accommodates service deliveries, resident move-ins/outs, and private waste collection. The dock is designed to suit a 6.4m small rigid vehicle (SRV) and includes a turntable, minimising impacts on pedestrian-priority zones and preventing vehicle reversing movements in the lane. These proposed access arrangements clearly separate pedestrian and service vehicle paths, enhancing safety, operational efficiency, and overall urban amenity.

Additional discussion on loading and access arrangements is provided in **Section 6.7**.

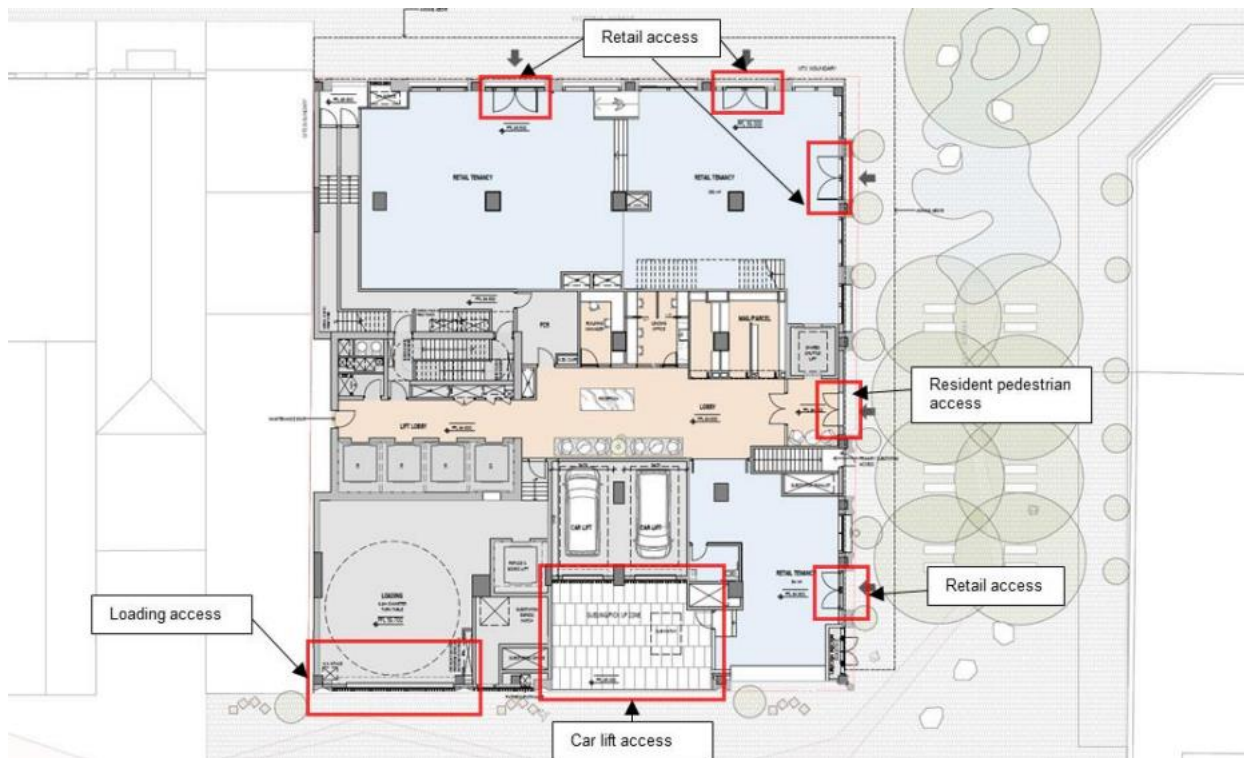


Figure 28 Proposed access arrangement

Source: Fender Katsalidis, Stantec

3.8 Landscaping and Public Domain

The proposed development at 410–416 Victoria Avenue will contribute positively to the existing public domain, and has been strategically designed to activate street frontages and encourage social interaction. In addition, by introducing 260 BTR apartments above a mix of retail and amenity spaces, the development will contribute towards supporting local businesses and enhancing passive surveillance throughout the precinct.

The design provides active uses to all street frontages, including retail premises along Victoria Avenue, retail premises and the residential lobby along Victor Street, and a corner retail tenancy which activates the corner of Victor Street and Post Office Lane. This provision of active street frontages will engage directly with the existing high pedestrian traffic and further activate this key area within the Chatswood CBD.

Post Office Lane, traditionally a service corridor, has been thoughtfully structured to balance operational functionality with a pedestrian-sensitive design. While it accommodates vehicle access, loading, and building services, the lane also retains active edges at the corner of Victor Street.

The Victor Street Plaza presents long-term opportunities for enhancement. Future improvements—subject to collaboration and future design development with Council post-consent—could include upgraded furniture, planting, and wayfinding, seamlessly integrating the laneway and plaza into the wider public domain fabric.

Overall, the Proposal will enhance Chatswood’s urban fabric by creating connected, inclusive and multifunctional public spaces, aligned with local design excellence and place-making objectives. In addition, a concept plan of proposed public domain works in the pedestrianised section of Victor Street has also been prepared and was presented to Council as part of pre-lodgement discussions. As was confirmed in these discussions, detailed design of any public domain works will be subject to a separate process post-consent, to be negotiated with Council in due course, to ensure a fully resolved outcome can be achieved. In light of this, the initial concept design is provided for information only.

This initial concept design is provided at **Figure 29** below.

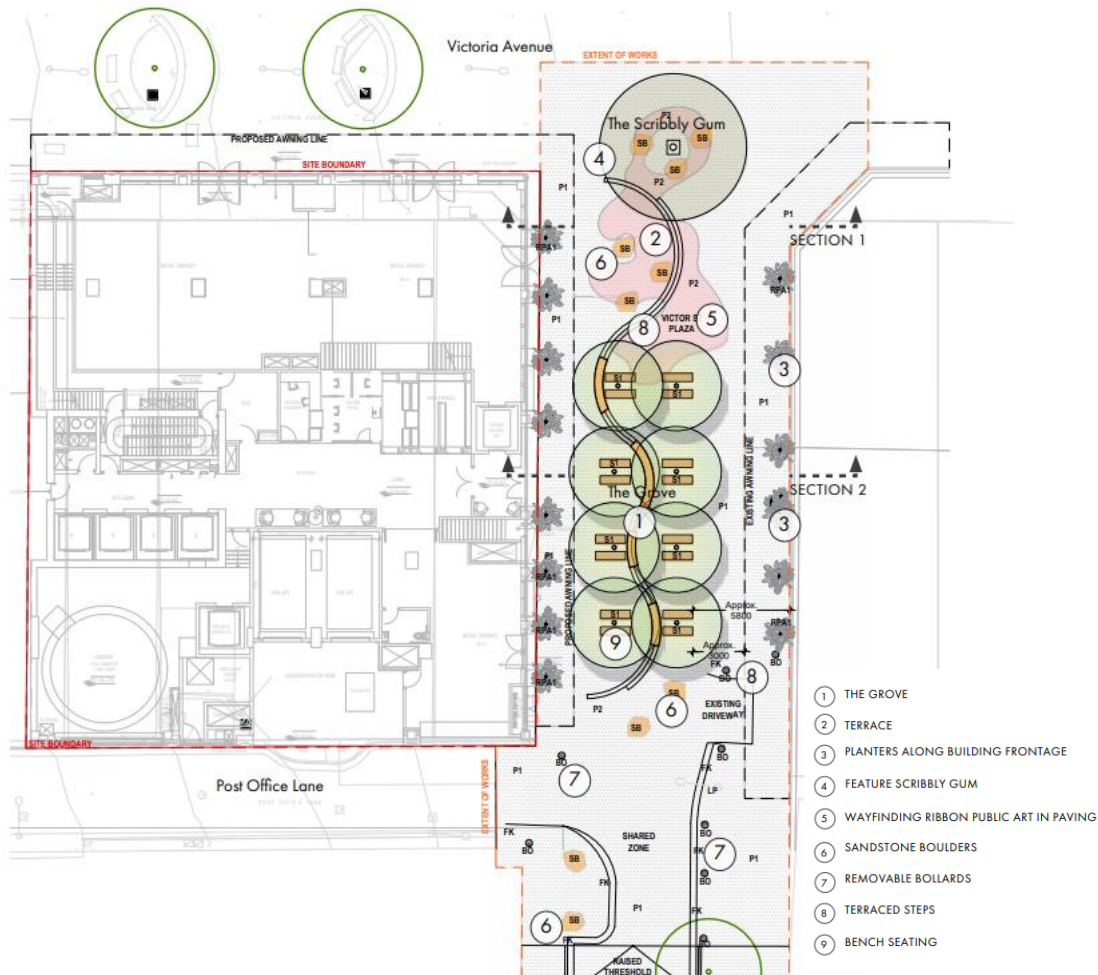


Figure 29 Concept public domain plan

Source: Fender Katsalidis and Land+Form

3.9 Communal Open Space and Facilities

The proposed development includes generous communal open spaces and resident facilities designed to enhance community interaction, comfort, and well-being. A total of 1,404m² is dedicated to communal spaces, comprising 1,047m² of indoor amenities and 357m² of private outdoor landscaped areas. Key communal features are concentrated within the podium and the upper residential levels, providing residents with diverse lifestyle options. The Level 2 podium offers extensive recreational facilities, including an outdoor swimming pool, gymnasium, sauna, steam rooms, hot and cold plunge pools, and multipurpose spaces for yoga and spin activities. Outdoor terraces at this level encourage passive relaxation and informal socialising within a landscaped setting.

Higher in the tower, additional resident facilities at Level 44 include co-working spaces, private dining areas, and lounge rooms, all positioned to take advantage of expansive views. This approach ensures residents have convenient access to both active and passive recreation opportunities within the building.

An excerpt of the proposed communal open space and facilities is provided at **Figure 30** and **Figure 31** below respectively.



Figure 30 *Proposed level 2 podium terrace and pool facilities*

Source: Fender Katsalidis



Figure 31 *Proposed level 44 amenity and lounge facilities*

Source: Fender Katsalidis

3.10 Construction Details

A detailed Construction Management Plan (CMP) will be prepared by the appointed contractor prior to the commencement works. The CMP will address the following matters:

- Material management.
- Construction traffic management.
- Health and safety.

- Equipment/materials staging and parking.
- Dust control measures.
- Methods for disposal of demolition waste.

3.11 Staging and Delivery

It is intended that the project is constructed in one line without specific stages. The typical sequence of demolition, excavation and basement construction will take place initially followed by the podium and tower construction.

Construction is anticipated to commence in early 2026 (subject to obtaining all authority approvals), with construction expected to continue for approximately 2.5 years.

4.0 Statutory Context

Development approval is sought for the project under the State Significant Development provision of Part 4 of the EP&A Act. The sections below outline the project's key statutory requirements. This section is complemented by a Statutory Compliance Table included at **Appendix C** that identifies all statutory requirements and where those requirements have been addressed in the EIS.

4.1 Power to Grant Approval

The legislative pathway under which the consent is sought, why the pathway applies, and the relevant consent authority is outlined in **Table 6** below.

Table 6 Power to Grant Consent

Matter	Consideration
Declaration of State Significant Development	Development consent will be sought under 'Division 4.7 – Stage Significant Development' of the EP&A Act. Section 4.36(2) of the EP&A Act states that: <i>A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.</i> Schedule 1 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> lists development that is declared State significant development. Section 27 of Schedule 1 states: 27 Build-to-rent housing (1) Development permitted under the Housing SEPP, Chapter 3, Part 4 if— (a) The proposed development has a capital investment value of— (i) for development on land in the Eastern Harbour City, Central River City, Western Parkland City or Central Coast City in the Six Cities Region—more than \$50 million, or (ii) For development on other land—more than \$30 million, and (b) The tenanted component of the proposed development has a value of at least 60% of the capital investment value of the proposed development, and (c) For development on land in Zone B3 Commercial Core – the proposed development does not involve development that is prohibited under an environmental planning instrument applying to the land, other than development for the purposes of multi dwelling housing, residential flat buildings or shop top housing, and (d) For development on other land—the proposed development does not involve development that is prohibited under an environmental planning instrument applying to the land. The proposed development: • Is for the purposes of BTR Housing; • is located within the Eastern Harbour City; • has a CIV greater than \$50 million; • Includes a tenanted component that has a value of at least 60% of the CIV; and • Is for the purposes of shop-top housing Noting the above, the proposed development it is declared State Significant Development (SSD). Before an SSD can be determined, it is to be subject to a comprehensive assessment under the EP&A Act. This has been carried out within this EIS.
Consent Authority	Section 4.5 of the EP&A Act and Section 2.7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> stipulate that the consent authority is the Minister for Planning and Public Spaces (or the DPHI as their delegate) unless the development triggers the matter set out in Section 2.7(1) in which case the consent authority will be the Independent Planning Commission.

4.2 Permissibility

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 7** below.

Table 7 Permissibility

Matter	Consideration
Land Use	The proposed development constitutes the following uses: Shop-top housing, with Ground and First Floor retail uses, with residential accommodation above, which will be used for the purposes of BTR Housing.
Land Zoning	The Site is zoned E2 – Commercial Centre under the <i>Willoughby Local Environmental Plan 2012</i> .
Permissibility	The proposed shop-top housing development (including BTR dwellings and ground/first floor retail) is permissible with consent in the E2 zone by virtue of Sections 72(2)(2)(a)(ia) and (3)(a)(b) of the Housing SEPP. It will contain at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, which will be located within a single building and on three (3) allotments.

4.3 Other Approvals

The other legislative approvals required for the Proposal in addition to a development consent under Division 4.7 of the EP&A Act are outlined in **Table 8** below.

Table 8 Other Approvals

Matter	Consideration																		
Approvals not required for SSD	Section 4.41 of the EP&A Act stipulates that certain authorisations are not required for SSD. The following legislative approvals would otherwise be required if the Project was not State significant. <table> <tr> <th>Legislation</th><th>Approval Otherwise Required</th></tr> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td></tr> <tr> <td><i>Fisheries Management Act 1994</i></td><td>No</td></tr> <tr> <td><i>Heritage Act 1977</i></td><td>No</td></tr> <tr> <td><i>National Parks and Wildlife Act 1974</i></td><td>No</td></tr> <tr> <td><i>Rural Fires Act 1997</i></td><td>No</td></tr> <tr> <td><i>Water Management Act 2000</i></td><td>No</td></tr> </table>	Legislation	Approval Otherwise Required	Legislation that does not apply to State Significant Development		<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	Approval Otherwise Required																		
Legislation that does not apply to State Significant Development																			
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<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																		
Consistent Approvals	Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out SSD. The following table lists legislative approvals and whether they are required. It is noted these approvals cannot be refused if the Proposal is approved. <table> <tr> <th>Act</th><th>Approval Required</th></tr> <tr> <td colspan="2">Legislation that must be applied consistently</td></tr> <tr> <td><i>Fisheries Management Act 1994</i></td><td>No</td></tr> <tr> <td><i>Mine Subsidence Compensation Act 1961</i></td><td>No</td></tr> <tr> <td><i>Mining Act 1992</i></td><td>No</td></tr> <tr> <td><i>Petroleum (Onshore) Act 1991</i></td><td>No</td></tr> <tr> <td><i>Protection of the Environment Operations Act 1997</i></td><td>No</td></tr> <tr> <td><i>Roads Act 1993</i></td><td>No</td></tr> <tr> <td><i>Pipelines Act 1967</i></td><td>No</td></tr> </table>	Act	Approval Required	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>	No	<i>Pipelines Act 1967</i>	No
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<i>Protection of the Environment Operations Act 1997</i>	No																		
<i>Roads Act 1993</i>	No																		
<i>Pipelines Act 1967</i>	No																		
EPBC Approval	The <i>Environmental Protection and Biodiversity Act 1999</i> Act (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities, and heritage places. These are known as matters of National Environmental Significance. If the proposed development will, or is likely, to impact a matter of National Environmental Significance,																		

Matter	Consideration
	then it is required to be referred to the Federal Department of the Environment for assessment to determine if it constitutes a 'controlled action' requiring EPBC approval. Presently, a bilateral agreement allows the Commonwealth Minister for the Environment to rely on the NSW environmental assessment process when assessing a controlled action under the EPBC Act. The proposed development is located within a highly urbanised area without any vegetation on Site and therefore, is not likely to impact a matter of National Environmental Significance. As such, the proposed development is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies.

4.4 Pre-Conditions to Exercising the Power to Grant Consent

The pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent are identified and considered in **Table 9** below.

Table 9 Pre-Conditions to Exercising the Power to Grant Consent

Matter	Consideration
Biodiversity Conservation Act 2016	In accordance with the <i>Biodiversity Conservation Act 2016</i> (BC Act), an assessment of any SSD's biodiversity impacts must be undertaken as part of the provision of any SSDA, including the provision of a Biodiversity Development Assessment Report (BDAR) in instances where it is required. Section 7.14 requires the consent authority to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR. Given the Proposal involves an infill, shop-top housing development (including BTR dwellings) in an urban setting where there are no existing trees or biodiversity that will be impacted, a BDR waiver is warranted. As such, a BDAR Waiver Request was submitted to the DPHI and a BDAR Waiver was issued by the Environment and Heritage Group on 6 February 2025, and is provided at Appendix R.
State Environmental Planning Policy (Transport and Infrastructure) 2021	The <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (T&I SEPP) aims to facilitate the effective delivery of infrastructure of the State. Section 2.122 – Traffic Generating Development Section 2.122 requires the consent authority to provide Transport for NSW (TfNSW) with written notice of the development application for developments considered a 'traffic generating activity'. The proposed development is not classified as a traffic generating activity given that it does not have access to a road that connects to a classified road.
State Environmental Planning Policy (Resilience and Hazards) 2021	The <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (R&H SEPP) aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless: • It has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. • If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose. • The Preliminary Site Investigation prepared by Douglas Partners confirms that the Site can be made suitable for the proposed development and use as a BTR development. Refer to Appendix X and Section 2.2.5.

4.5 Mandatory Matters for Consideration

The matters that the consent authority is required to consider in deciding whether to grant consent to any development application are identified and considered in **Table 10** below.

Table 10 Mandatory Matter for Consideration

Legislation	Matters for Consideration
Environmental Planning & Assessment Act 1979	The proposed development is consistent with the objects of the EP&A Act under Section 1.3 for the following reasons: • It will enable the delivery of 260 BTR apartments for the growing population of Chatswood and more broadly Greater Sydney, positively contributing to housing supply and easing affordability pressures. • It allows for additional employment opportunities throughout both the construction and operational phases. • It will facilitate the principles of ESD through a range of design and operation initiatives. The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons: • It has been declared to have State significance. • Although residential accommodation is prohibited in the E2 Commercial Centre Zone under the WLEP 2012, it is made permissible by virtue of the Housing SEPP. • It has been evaluated and assessed against the relevant heads of consideration under Section 4.15(1).
Environmental Planning & Assessment Regulation 2021	Part 8, Divisions 2 and 5 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) sets out procedures which relate to the preparation and submission of Environmental Impact Statements (EIS's). This EIS has been prepared in accordance with Sections 190 and 192 of Division 5 which relate to the form and content of the EIS. Similarly, the EIS has addressed the principles of ecologically sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious and irreversible environmental damage (refer Section 7.1).
State Environmental Planning Policy (Sustainable Buildings) 2022	The NSW Government is committed to developing sustainable and resilient homes and buildings and bringing NSW closer to net zero emissions. As such, the <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> (Sustainable Buildings SEPP) was made in August 2022, and came into effect on 1 October 2023. The Sustainable Buildings SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials. The relevant standards for BASIX buildings relate to energy and water use and thermal performance. An assessment of the proposed development's consistency with the relevant provisions and controls of the Sustainable Buildings SEPP is provided in the ESD Report (refer Appendix O). A BASIX Certificate and Stamped Plans have also been prepared and are included at Appendix J.
State Environmental Planning Policy (Housing) 2021	Chapter 3, Part 4 of the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) applies to development for the purposes of BTR housing. An assessment of the proposed development's consistency with the relevant provisions and controls of the Housing SEPP is provided in Section 4.5.1. Further, Chapter 4 of the Housing SEPP applies to the Proposal's residential component. Section 6.4 provides an assessment against the Proposal's consistency with the objectives of the NSW Apartment Design Guide (ADG). It is also noted that the Proposal has been the subject of a Design Excellence Competition in accordance with the WLEP 2012, where one of the key criteria assessed by the Jury was its consistency with the objectives and design criteria of the ADG. This has been reflected in the current design (as explained in Appendix H). In any case, it should be emphasised that the ADG is to be applied flexibly to BTR development as per Section 75 of the Housing SEPP, as well as the flexible design fact sheet prepared by the then Department of Planning and Environment (now DPHI).

Legislation	Matters for Consideration	
	Notwithstanding, through skilful design, the proposed development achieves consistency with the objectives of the ADG and is consistent with the nine design principles, as confirmed in the Design Report provided at Appendix H .	
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 of the <i>Biodiversity and Conservation State Environmental Planning Policy 2021</i> (BC SEPP) aims to protect the biodiversity value of trees and other vegetation in non-rural areas. The Proposal does not trigger biodiversity offset scheme threshold, noting that there are no existing trees on the Site and works are not proposed in the vicinity of existing trees. Chapter 6 (Water Catchments) aims to ensure the protection and enhancement of regulated catchments including Sydney Harbour Catchment. The subject Site is within the Sydney Harbour Catchment. In deciding whether to grant consent the consent authority must consider water quality and quantity objectives, aquatic ecology, flooding, recreation and public access and total catchment management for the Sydney Harbour Catchment. As detailed in Section 6.10, the proposed development will not adversely impact water quality and quantity, flooding, or total catchment management.	
Willoughby Local Environmental Plan 2012	Clause 2.3 <i>Zone Objectives and Land Use Table</i>	The Site is zoned E2 – Commercial Centre, where the proposed shop-top housing BTR development is made permissible by virtue of the Housing SEPP (as previously discussed in Section 4.2). Notwithstanding, the proposed development is consistent with the objectives of the E2 zone in that: • It will provide an active street frontage to attract pedestrian traffic. • Encourages walking and cycling, by providing an expanded and improved public domain. • It will contribute to a vibrant and functional streetscape. • It will enhance the visual appearance of the area through a high-quality and context specific design response.
	Clause 2.7 <i>Demolition</i>	Clause 2.7 states the demolition of a building or work may be carried out only with development consent. The DA seeks consent for the demolition works presented in Section 3.4 .
	Clause 4.3 <i>Height of Buildings</i>	The Site is prescribed a maximum building height of RL246.8m. The proposed development has a maximum height of RL246.8 (46 storeys) and does not exceed this control at any point. Additionally, the LEP maps a maximum 7m street wall height for the Site along the Victoria Avenue frontage. The Proposal seeks to vary this control and will therefore trigger a Clause 4.6 Variation. Further detail and commentary on this matter is provided in the Clause 4.6 Variation Report prepared by Ethos Urban at Appendix Q.
	Clause 4.4 <i>Floor Space Ratio</i>	N/A – no maximum FSR prescribed for the site.
	Clause 5.10 <i>Heritage Conservation</i>	As discussed in Section 2.2.3, the Site is not identified as a heritage item, nor are there any heritage items directly adjoining the Site. The closest proximate heritage item is located at 455 Victoria Avenue, identified as the Orchard Tavern (including original interiors) under the Willoughby Local Environmental Plan 2012 (WLEP). Heritage is also discussed further in Section 6.6.
	Clause 5.21 <i>Flood Planning</i>	The Flood Risk Assessment prepared by Lyall & Associates (Appendix W) confirms that the Site is not subject to inundation that requires any further assessment from a flood risk perspective.
	Clause 6.1 <i>Acid Sulfate Soils</i>	The Site is not located on land containing Acid Sulfate Soils (ASS) (as mapped by the WLEP 2012). Notwithstanding, a Preliminary Site Investigation has been prepared by Douglas Partners (Appendix X) which concludes that the Site is not known to be at risk of ASS, and that it is not within an area of known salinity risk. As such, an Acid Sulfate Soils Management Plan or Salinity Management Plan is

not required for the proposed development. Additional discussion is provided in **Section 6.14** and within **Appendix X**.

Clause 6.2
Earthworks

The proposed excavation and basement construction will be undertaken within the Site's boundaries. These works will not have any adverse impacts on surrounding properties, subject to suitable design and management measures. A detailed assessment of the earthworks and basement construction is detailed in within the Geotechnical Report at **Appendix U**.

Clause 6.3
Urban Heat

The Proposal includes new tree planting throughout various areas which is a significant improvement on the current Site condition which provides for no landscaping amenity.

Clause 6.6
Airspace operations

An assessment of the Proposal against the relevant Sydney Airport mapping has revealed the following:

- **Obstacle Limitation Surfaces** – the Site is outside of the Outer Horizontal Surface and it is therefore not applicable.
- **Prescribed Airspace Protection Surfaces** – a 340m AHD is prescribed for the Site. The Proposal has a maximum height of RL246.8, which is under this limitation.
- **Radar Terrain Clearance Chart** – a 335.28m AHD is prescribed for the Site. The Proposal with a maximum height of RL246.8 is under this limitation.

Furthermore, the Royal North Shore Hospital masterplan indicates that helicopter flight paths are directed to the north-east and south-west, which are in opposite directions to the Site.

Therefore, based on compliance with the above mapping and Royal North Shore Hospital flight paths, the Proposal will not intrude into helicopter flight paths or prescribed airspace.

Clause 6.7
Active Street Frontages

The proposed development is required to provide active street frontages to each boundary (except for the western boundary which adjoins an existing building), as shown below. However, this clause also notes that an active frontage is not required for parts of a building used for the following:

- Entrances and lobbies.
- Access for fire services.
- Vehicular access.

The proposed development provides activating uses, including a retail premises, along Victoria Avenue (primary frontage) and part of Victor Street (secondary frontage), noting that the residential lobby fronts Victor Street.

Post Office Lane primarily comprises service areas and vehicular access, which are necessary to support the proposed development's function and operations. Notwithstanding, activation to Post Office Lane has been maximised, including at the development's south-eastern corner.

**Clause 6.8***Affordable Housing*

N/A – the Site is not identified as being required to provide affordable housing in accordance with Clause 6.8.

Clause 6.15*Sun Access*

Clause 6.15 aims to protect sun access to key areas of public open space including Chatswood Oval as well as the Chatswood Garden of Remembrance. The Site is located within the sun access plane of Chatswood Oval (refer map below) and as such the provisions of this clause apply, which stipulate:

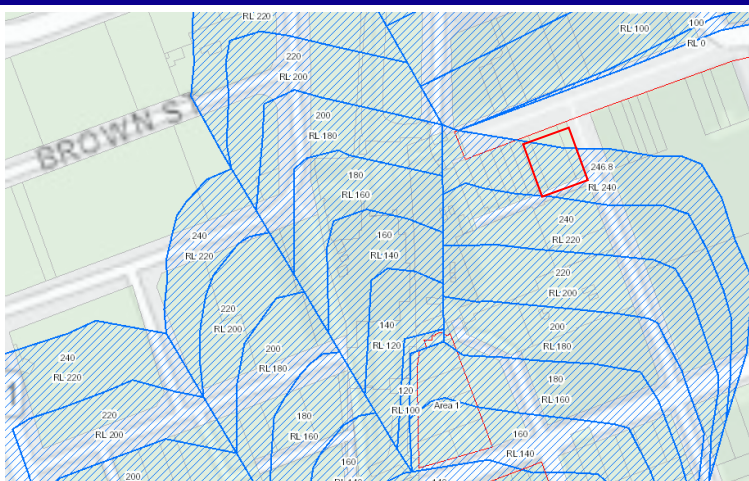
6.15 Sun access

(1) Development consent must not be granted to development on land in Zone E2 Commercial Centre or Zone MU1 Mixed Use that results in additional overshadowing on the following land at mid-winter between **midday and 2pm**—

- (a) **Chatswood Garden of Remembrance,**
- (b) Chatswood Tennis Club and Croquet Club,
- (c) Victoria Avenue and Concourse Open Space.

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

In light of this, a detailed overshadowing analysis has been completed by Fender Katsalidis as part of the Architectural Plans (refer **Appendix B**) which confirms that the Proposal will not result in any additional overshadowing to the Chatswood Croquet Club or Chatswood Oval between 12-2pm at the June solstice. Further discussion on this is also provided below in **Section 6.5.1**.

**Clause 6.16**

Minimum lot sizes for commercial and mixed-use development in Chatswood CBD

Notwithstanding that the Site is located in the E2 – Commercial Centre zone, the Proposal is not classified as ‘commercial development,’ rather, it is ‘shop-top housing.’ As such, clause 6.16 does not apply to the Proposal. This is supported by Legal Advice prepared by Addisons, which is provided at **Appendix S**.

Clause 6.23

Design Excellence

In accordance with Clause 6.23, the proposed development was subject to a Design Excellence Competition between May to July 2024, where a total of three (3) schemes were prepared by architectural firms and assessed by a nominated Jury. The development subject of this EIS is noted to be the winning scheme, prepared by Fender Katsalidis.

The Design Excellence Strategy provided at **Appendix F**, as well as the Design Competition Report provided at **Appendix G**, which were endorsed by Government Architect NSW and the nominated Jury, respectively, detail the Design Excellence process undertaken to date.

Further assessment of the relevant provisions under Clause 6.23 is provided at **Section 6.2**.

4.5.1 State Environmental Planning Policy (Housing) 2021

Chapter 3, Part 4 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) contains the standards for development for the purposes of BTR housing in NSW. The proposed development comprises BTR housing, which is permissible within the E2 – Commercial Centre zone under the Housing SEPP.

The key provisions of the Housing SEPP have been considered in the preparation of the SSD application and are addressed in **Table 11** below.

Table 11 Relevant provisions of the Housing SEPP under Chapter 3, Part 4

Section	Controls	Comment
Section 72 – Development for the purposes of build-to-rent housing permitted with consent	(1) The objective of this section is to enable certain residential accommodation to be used as build-to-rent housing. (2) This Part applies to development for the purposes of multi dwelling housing, residential flat buildings or shop top housing on land— (a) In the following zones— (i) A zone in which development for the purposes of residential flat buildings is permissible under another environmental planning instrument. (ii) Zone E2 Commercial Centre	Satisfied. The proposed development comprises a shop top housing development for the purposes of BTR housing and is therefore, consistent with the objective under Section 72. Satisfied. The proposed development is for the purposes of shop top housing on land that is zoned E2 Commercial Centre (formally B3 Commercial Core) and therefore, is permissible with consent. As such, Part 4 of the Housing SEPP applies to the proposed development.

Section	Controls	Comment
	(iii) Zone MU1 Mixed Use (iv) Zone B3 Commercial Core, (v) Zone B4 Mixed Use, (vi) Zone B8 Metropolitan Centre (vii) Zone SP5 Metropolitan Centre, or (b) in a Transport Oriented Development Area under Chapter 5 in which development for the purposes of residential flat buildings is permissible, or (c) For which a site compatibility certificate has been issued under Section 39.	
	(3) Development consent may be granted for development to which this Part applies if— (a) the development will result in at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, and (b) all buildings containing the dwellings are located on the same lot.	Satisfied. The proposed development comprises a total of 260 residential dwellings, which are all intended to be occupied by individuals under residential tenancy agreements.
Section 73 – Conditions of build-to-rent housing to apply for at least 15 years.	(1) Development consent must not be granted to the erection or use of a building for development to which this part applies unless the consent authority is satisfied that, during the relevant period, the tenanted component of the building— (a) will not be subdivided into separate lots, and (b) will be owned and controlled by 1 person, and (c) will be operated by 1 managing agent, who provides on-site management.	Refer below.
		Satisfied. The proposed development will not be subdivided into separate lots.
		Satisfied. The tenanted component of the building will be owned, controlled and managed by the Applicant.
Section 74 – Non-discretionary development standards—the Act, s 4.15	(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of build-to-rent housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. (2) The following are non-discretionary development standards in relation to the carrying out of the development to which this Part applies— (a) the building height of all proposed buildings is not more than the maximum building height permitted under Chapter 5 or another environmental planning instrument for a building on the land, (b) for development on land in a zone in which no residential accommodation is permitted under another environmental planning instrument—a floor space ratio that is not more than the maximum permissible floor space ratio for other development on the land under another environmental planning instrument, (c) if paragraph (b) does not apply—a floor space ratio that is not more than the maximum permissible floor space ratio for residential accommodation on the land under Chapter 5 or another environmental planning instrument,	Noted. Refer to the below.
		Satisfied. The proposed development complies with the maximum height control as prescribed by the Willoughby LEP 2012.
		N/A – no maximum FSR prescribed by the Willoughby LEP 2012.
		N/A

Section	Controls	Comment
	(d) for development carried out wholly or partly on land in the Eastern Harbour City, Central River City or Western Parkland City— (i) for land within an accessible area—0.2 parking spaces for each dwelling, or (ii) otherwise—0.5 parking spaces for each dwelling, or (iii) if a relevant planning instrument specifies a requirement for a lower number of parking spaces—the lower number specified in the relevant planning instrument,	The proposed development is located within an accessible area and therefore, the applicable parking rate is 0.2 spaces per dwelling. A total of 260 dwellings are proposed and therefore, the non-discretionary parking rate is 52 spaces. The proposed development provides a total of 9 residential carparking spaces, which is considered satisfactory noting the Site's accessible context (refer to further assessment under Section 6.7.4)
Section 75 – Design Requirements	(1) This section applies to development to which this Part applies only if Chapter 4 applies to the building resulting from the development. (2) In determining an application for the modification of a development consent or a development application for the carrying out of development to which this section applies, the consent authority must— (a) be flexible in applying the design criteria set out in the Apartment Design Guide, including, in particular, the design criteria set out in Part 4, items 4E, 4G and 4K, and (b) (b) in its consideration of the objectives set out in the Apartment Design Guide, Part 4, consider the following— (i) the amenities proposed to be provided to tenants residing in the building through common spaces and shared facilities and services, (ii) whether the configuration and variety of dwellings in the building will provide adequate options to prospective tenants in relation to the size and layout of the dwellings, (iii) whether tenants residing in the building will be able to relocate to other dwellings in the building that will better accommodate their housing requirements if their requirements change.	Chapter 4 of the Housing SEPP applies to the development. A detailed assessment against the ADG is provided in the Design Report prepared by Fender Katsalidis at Appendix H. As relevant, the design criteria set out in Part 4, items 4E, 4G and 4K are to be flexibly considered by the consent authority. It is emphasised that this, along with the BTR Housing and Flexible Design Fact Sheet, should be considered when assessing the proposed development against the ADG.
Section 76 – Active uses on ground floor of build-to-rent housing in business zones	(1) The objective of this section is to ensure that, in relation to development for the purposes of build-to-rent housing, active uses are provided at the street level in business zones to encourage the presence and movement of people. (2) This section applies to development to which this Part applies if the development is on land in a business zone, including as part of a mixed use development. (3) Development consent must not be granted for development to which this section applies unless the consent authority is satisfied that a building resulting from the development will have an active street frontage. (4) An active street frontage is not required for a part of a building used for 1 or more of the following—	Satisfied. The proposed development will ensure active street frontages at the ground level through deliberate location of the retail premises. Noted.

Section	Controls	Comment
	(a) entrances and lobbies, (b) access for fire services, (c) vehicular access.	
Section 77 – Conditions requiring land or contributions for affordable housing	Nothing in this Part overrides a requirement to dedicate land or pay a monetary contribution under the Act, section 7.32.	It is noted that there are no requirements under another EPI that required land or contributions for affordable housing.

4.6 Willoughby Development Control Plan 2023

Section 2.10 of the Planning Systems SEPP stipulates that:

2.10 Application of development control plans to State significant development

(1) Development control plans (whether made before or after the commencement of this Chapter) **do not apply to—**

(a) **State significant development**, or

(b) development for which a relevant council is the consent authority under section 4.37 of the Act.

As such, the Willoughby Development Control Plan 2023 (WDCP) does not apply to the Proposal and is therefore not a relevant matter for consideration. Notwithstanding, the WDCP has been referred to as a guide in certain instances as referenced in **Section 6.0**, and a DCP Assessment Table has also been provided within **Appendix C**, demonstrating that in a majority of cases the Proposal complies with its relevant provisions.

5.0 Stakeholder Engagement

This section describes consultation undertaken and feedback received prior to the lodgement of the EIS for the Proposal and engagement to be carried out following lodgement of the EIS. It is supported by a Stakeholder Engagement Report has been prepared by HillPDA and is included at **Appendix CC**. Further, it is supported by a Community Engagement Table included at **Appendix D**.

5.1 Engagement Carried Out

Full consideration has been given to the NSW Department of Planning, Housing and Infrastructure (DPHI) Secretary’s Environmental Assessment Requirements (SEARs) during the consultation for this project, including observance of the Undertaking Engagement Guidelines for State Significant Projects (October 2022).

5.1.1 Identified Stakeholders

A comprehensive Stakeholder Management Plan to inform the preparation of the EIS process was developed through:

- The identification of neighbours who would be impacted by the Proposal unless mitigation measures were implemented.
- The identification of stakeholders who would have a particular interest in the Proposal.
- The identification of stakeholders who would have information of value to the Proposal, for example, Aboriginal groups with cultural knowledge relating to the Site.
- Consultation with the DPHI and Council.

As a result of the above process, several stakeholders were identified for consultation, including, but not limited to:

- DPHI;
- Department of Climate Change, Energy, the Environment and Water (DCCEEW);
- Willoughby City Council;
- NSW Environment Protection Authority (EPA);
- Infrastructure authorities (i.e. Sydney Water, Ausgrid, etc.)
- Metropolitan Local Aboriginal Land Council;
- Community and surrounding residents and landowners, including:
 - Members of the Federation of Willoughby Progress Association;
 - Chatswood West Ward Progress Association.

5.1.2 Consultation Methods

As detailed in the Engagement Report (**Appendix CC** of the EIS), a range of consultation methods were used to engage stakeholders. This included activities completed prior to lodgement, through the preparation of the EIS and associated technical studies. The consultation methods are detailed in **Table 12** below.

Table 12 Consultation Methods

Activity	Targeted Stakeholder	Purpose
Newsletter	Occupants of neighbouring premises	Provide to key stakeholders: • Information about the proposed development. • A link to the NSW Planning Portal page for the Proposal. • A link to HillPDA's engagement portal and invitation to participate in an online survey. • An invitation to make a submission to HillPDA's engagement team via phone or email.
Website	Any interested parties; nearby residents and businesses to receive the mail out	Provide up to date information about the Proposal, the overall SSDA process and current and future engagement activities.

Activity	Targeted Stakeholder	Purpose
Community Survey	Any interested parties; nearby residents and businesses to receive the mail out	To identify features of the area that they liked or elements that they wished to change, and whether they had any comments or questions about the Proposal. Users were able to complete the survey anonymously or through a registered account.
Project email and phone line	Any interested parties; nearby residents and businesses	Receive feedback and comments on the Proposal.
Pop up stall	Any interested parties; nearby residents and businesses	Receive feedback and comments on the Proposal.
Email letter to community groups and businesses	Community organisations with vested interest in Chatswood and the locality	Targeted consultation with select community organisations including: • Federation of Willoughby Progress Association • Chatswood West Ward Progress Association • Chatswood Youth Centre – Albert Ave & Victor St, Chatswood • Mosaic Multicultural Centre • Dougherty Apartments/Dougherty Community Centre • Sydney North Region Scouts.
Engagement with agencies and organisations	Technical specialists and members of the Aboriginal community	Undertaken to ensure to seek feedback on specific design considerations to be implemented into the project as part of the design development process.
Meetings with Willoughby City Council	Council	Targeted consultation with Council, as referenced throughout this EIS.

This approach follows the *Undertaking Engagement Guidelines for State Significant Projects* (2021) by:

- Engaging with relevant NSW Government agencies, service providers, Council, close neighbours and targeted members of the community who are most likely impacted or interested in the Proposal;
- Informing the surrounding community to the Site about the Proposal and providing opportunities to engage directly with the project team;
- Explaining how community feedback will be considered and documented;
- Providing relevant information in plain English so that potential impacts and implications can be readily understood; and
- Providing channels of communication to gather feedback.

5.1.3 Aboriginal Community Consultation

Consultation was undertaken with Aboriginal groups during the preparation of the Aboriginal Cultural Heritage Assessment Report as discussed in **Appendix AA**. As part of this process, Aboriginal consultation was undertaken in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*, outlined in **Appendix AA**. Consultation included the following:

- Correspondence with the following organisations by requesting the details of Aboriginal people who may hold cultural knowledge relevant to determining the Aboriginal significance of Aboriginal objects and/or places within the local area:
 - Heritage NSW.
 - Willoughby City Council.
 - Native Title Service Corporation.
 - National Native Title Tribunal.
 - Office of the Registrar, Aboriginal Land Rights Act 1983.
 - Metropolitan LALC.
 - Greater Sydney Local Land Service.
- Notification of the Proposal within a local newspaper circulating the general location of the proposed development, scope of works, proponent details, a statement of purpose of community consultation with Aboriginal people, and an invitation for consultation with Aboriginal people who hold cultural knowledge

relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project.

- An invitation to Register an Interest in the ACHAR was sent to all those identified through contacting the agencies above, with a total of ten (10) individuals/organisations registering interest.
- These parties were then issued with information about the scope of the Proposal and the proposed cultural heritage assessment process.

As a result of the above consultation, responses received from the Registered Aboriginal Parties (RAP's) indicated support for the Proposal and its response to Aboriginal Cultural Heritage values.

5.2 Stakeholder Views

A project newsletter was delivered to Tier 1 stakeholders in the local community, comprising occupants of around 1,397 addresses within approximately 400 metres of the site, generating 129 unique visitors to the engagement portal.

Engagement with agencies and organisations, including Aboriginal Parties, was largely undertaken by subconsultants of the proponent in preparation of their various technical reports and studies to support the Environmental Impact Statement as part of the SSDA. Where relevant agencies had not been conducted, HillPDA representatives reached out with a letter sent via email containing an overview of the proposal and a request for feedback.

The key issues and matters raised by the community and stakeholders during the preparation of the Scoping Report, SEARs and EIS are outlined in **Table 13** below.

Table 13 Stakeholder Views

Issue Type	Response
Access	• A Construction Traffic Management Plan will be prepared prior to any construction activities to mitigate disruptions, particularly on Post Office Lane.
Overshadowing and View Impacts	• Visual impacts and overshadowing have been assessed in a Visual Impact Analysis and Urban Design Report by Fender Katsalidis. Overshadowing diagrams have been included in the EIS.
Tenant Behaviours	• A single managing agent will oversee on-site management. Plans for complaint handling will be in place before the Final Occupation Certificate is issued.
Wind Tunnel Effect	• A Pedestrian Wind Environment Assessment has been included with the EIS (refer Appendix N), confirming the design meets pedestrian safety and comfort criteria.
Noise	• Construction and operational noise have been assessed in the Noise and Vibration Impact Assessment (refer Appendix T), which is submitted with the EIS.
Economic Impact	• Economic benefits are outlined in the Economic Impact Assessment prepared by HillPDA (refer Appendix I), despite residential dominance.
Overcrowding	• The proposal aligns with Chatswood's CBD character and Transport Oriented Development principles, supporting increased housing diversity near high-frequency public transport.
Scale of Development	• Building height complies with the Willoughby LEP and has undergone a design excellence process with Council and DPHI.
Traffic and Parking	• A Transport Impact Assessment by Stantec supports the proposal, addressing traffic, parking, car share, and bicycle storage provisions.
Taxi Ranks	• Transport considerations on Victor Street are addressed in the Traffic Report accompanying the EIS.
Pedestrian Management	• Pedestrian safety and access are considered in the Traffic Report included in the EIS.
Catering for Families with Children	• The development includes a mix of apartment types and amenities to support a variety of households, including families.

Issue Type	Response
Innovation	The proposal incorporates ESD initiatives such as EV charging and renewable energy infrastructure, as outlined in the ESD Report (refer Appendix O).
Affordable Housing	The development includes a diverse range of apartment types to support renters across various price points.
Connecting with Country	The proposal has been designed to respond to the principles of Designing with Country.
Aboriginal Cultural Heritage (ACHAR)	An ACHAR has been prepared by Artefact and is submitted with the EIS (refer Appendix AA).
Access	- A Preliminary Construction Traffic Management Plan (CTMP) has been prepared and is provided within the Transport and Accessibility Impact Assessment (refer Appendix P). - Further, prior to any construction activities commencing, a detailed CTMP will be prepared as part of the CEMP.

5.3 Engagement to be Carried Out

The project team are committed to ongoing community consultation following the submission of the EIS. This includes during the exhibition and assessment of the project and following a determination.

Following its submission, DPHI will exhibit the EIS on the Major Projects NSW website and invite submissions from government agencies and the public. Once the exhibition period is complete, DPHI may require the applicant to prepare a Submissions Report in response to issues raised. The project team will continue to liaise with DPHI and stakeholders during the Proposal's assessment to address queries that may arise.

6.0 Assessment of Impacts

This section of the report assesses and responds to the environmental impacts of the proposed SSD. It addresses the matters for consideration set out in the SEARs dated 4 February 2025 (see **Appendix A**). The Mitigation Measures proposed to mitigate any environmental impacts are provided at **Appendix E** and complement the findings of this section.

6.1 Built Form and Urban Design

The proposed development seeks to deliver a built form outcome that provides a unique, high-quality contribution to the Chatswood CBD, one that is highly responsive to the Site's opportunities and constraints, as well as the surrounding existing and likely future development context. The Proposal is envisaged to be an urban marker given its prominent location within the centre of the Chatswood CBD, providing a distinctive design that anchors the Site as it relates to the broader context and nearby existing developments.

The following sections detail the Proposal's key built form and massing principles and how they have appropriately responded to the Site's surrounding context.

6.1.1 Urban Design Study

The development principles that have guided the Proposal's development, and response to the Site and its existing and likely future context, have been borne out of a rigorous design process that has been ongoing since 2023.

In December 2023, at the request of GANSW and Council, the Applicant commissioned a detailed, Urban Design Study (the Study) to be prepared, with collaboration and feedback from representatives from Council, GANSW and DPHI. The Study, prepared by AJC Architects (AJC), provided a detailed assessment of the Site's strategic and statutory planning framework, and its relationship with surrounding development. It also was grounded in robust, urban design principles to guide future development in an equitable, logical and purposeful manner. The Study informed the Design Excellence Competition and made a series of recommendations for setbacks, building envelopes, street frontages, and public domain improvements, ensuring that future development aligns with Chatswood's evolving built form, and the objectives of relevant planning controls.

The study area includes properties adjoining Post Office Lane, Victoria Avenue, and Victor Street, forming part of Chatswood's commercial core. The study acknowledges surrounding heritage items, namely the Orchard Tavern (Heritage Item I239) and the Garden of Remembrance (Environmental Heritage Item I236), ensuring the proposed design respects these elements. The study also considers the existing and future built form of Chatswood, which consists of high-density, high-rise developments. An outline of the study area is shown below in **Figure 32**.

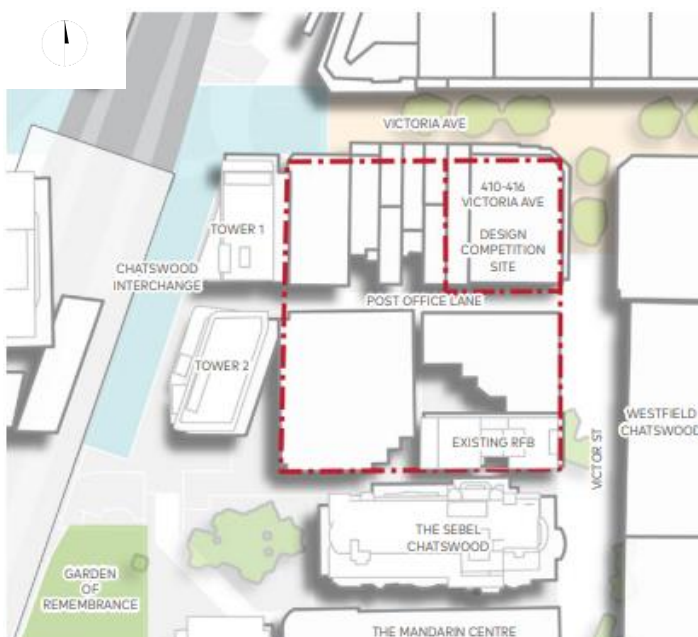


Figure 32 Area subject to Urban Design Study

Source: Allen Jack + Cottier

Following a detailed urban analysis, the Study made a series of built form recommendations, which sought to provide a nuanced, site-specific approach that responded to:

- the existing and future character of the Chatswood CBD, including the likely redevelopment outcomes of surrounding sites given the existing lot pattern, road network and nearby residential developments;
- the key objectives of the WLEP as they relate to building height, presentation to Victoria Avenue and maximisation of ground floor activation to the Victoria Avenue, Victor Street and Post Office Lane frontages; and
- the objectives of the WDCP, as reviewed at a micro level for the Site and its immediate surrounding context, to achieve appropriate building envelopes, tower setbacks and building separation to key corners and frontages.

Key recommendations are detailed below:

Street Wall Heights

- Victoria Avenue: Two-storey street wall height, noting that the existing street wall height along Victoria Avenue varies significantly, and some variety may be appropriate provided all street wall frontages are two storeys.
- Victor Street: up to 24m street wall height along Victor Street, in alignment with the DCP.
- No specific street wall heights are recommended along Post Office Lane or shared side boundaries.

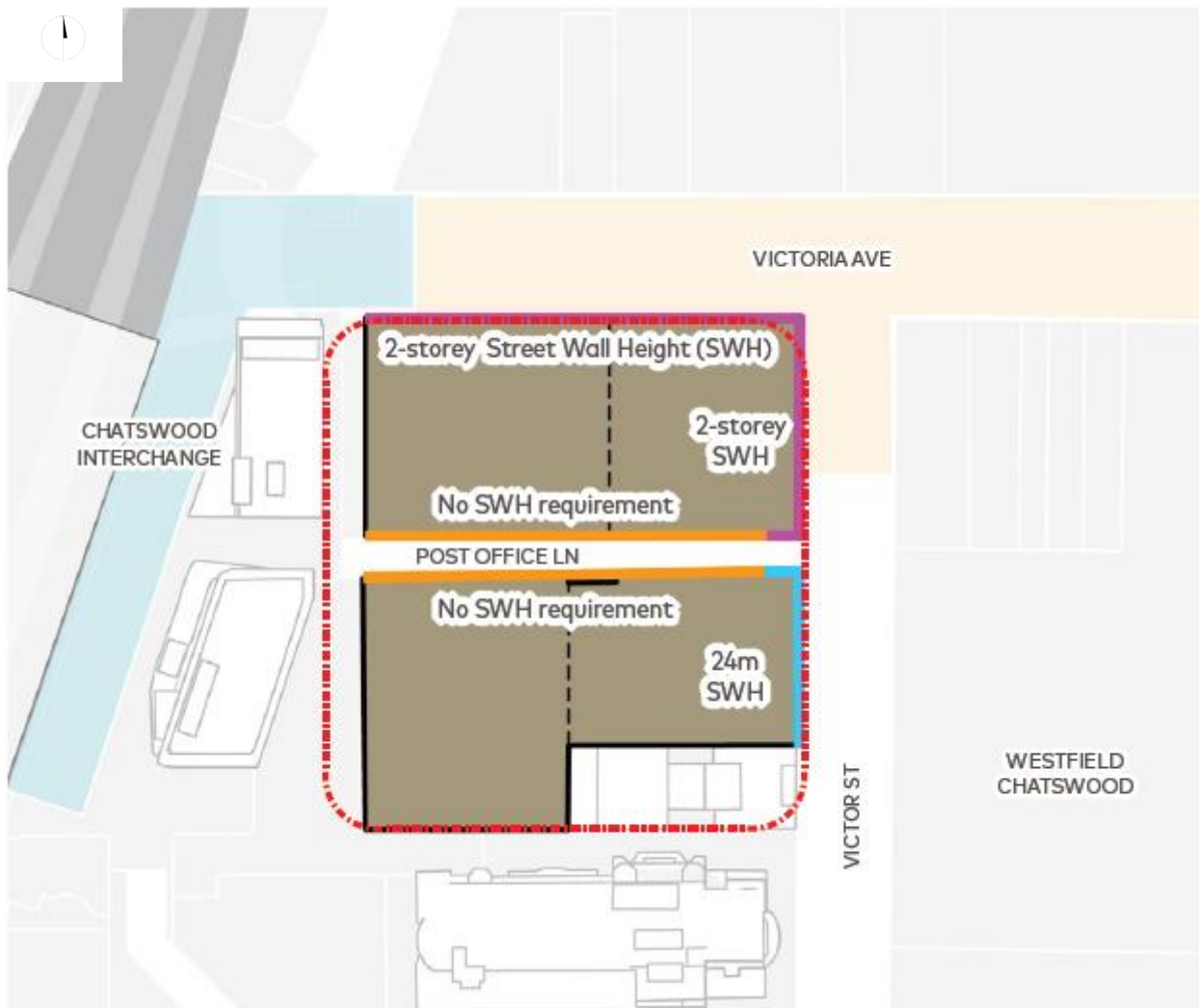


Figure 33 Recommended Street Wall/Podium Heights

Source: AJC

Tower Setbacks

- The general DCP upper-level setback of 6m is more appropriate than a variable setback dependent on tower height.

- Building separation of 18m to the Chatswood interchange towers may be appropriate given the high-density environment, provided 70% of units retain 2-hours solar access (in alignment with the ADG).
- 24m building separation be maintained to the Sebel tower, given its northern orientation and minimal setback to its own property boundary. Note that this is in exceedance of ADG requirements which are predicated on equal setbacks to boundary on adjoining sites.

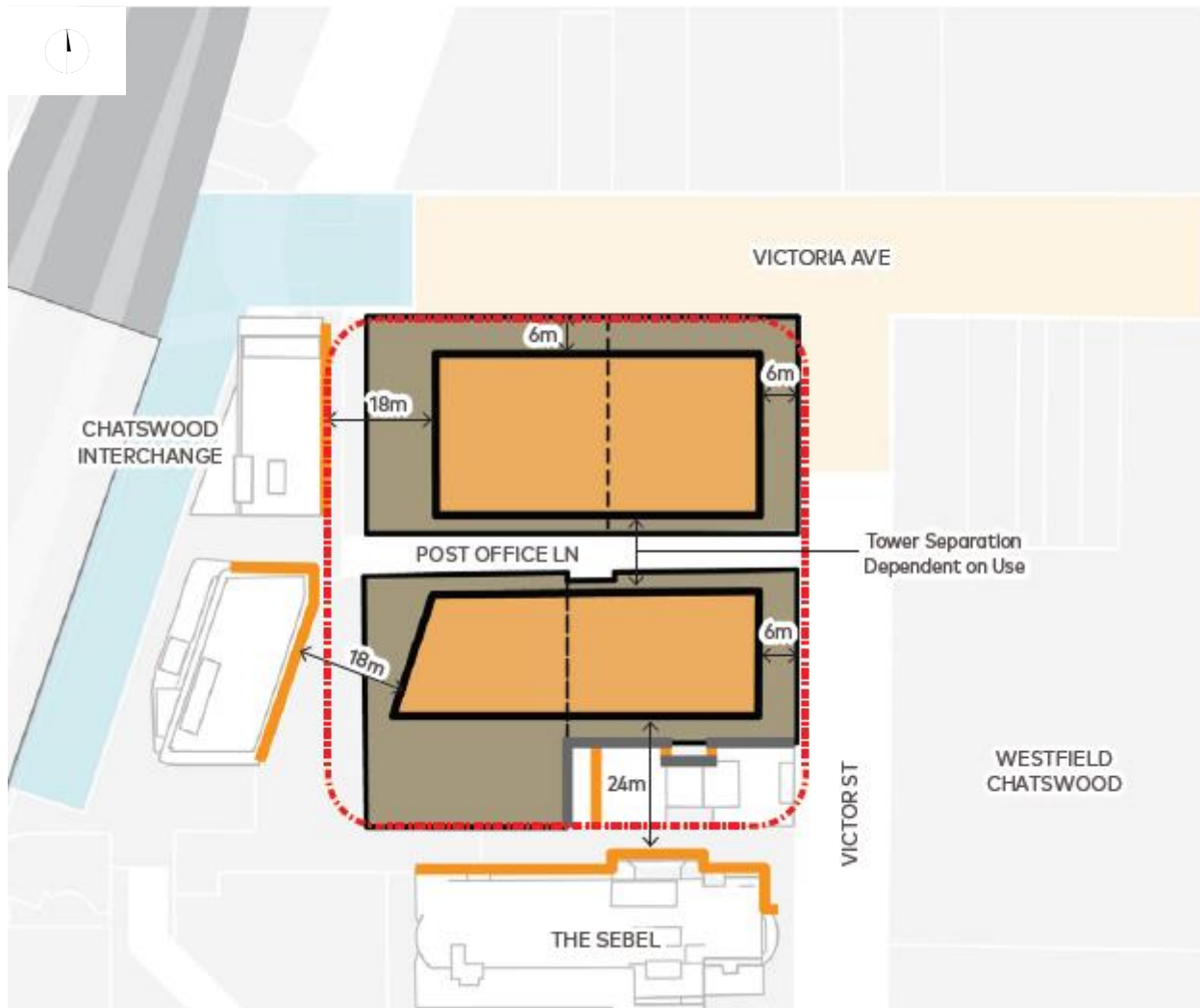


Figure 34 Recommended tower setbacks and separations

Source: AJC

Setbacks

- Consistent upper-level setbacks of 6m along Victoria Avenue and Victor Street,
- No specific setbacks on Post Office Lane.
- Zero lot line / side setbacks in the centre of the lot.

The recommendations made differ from strict alignment with the DCP. The reasons for this are as follows:

- Strict alignment would result in shallow building footprints on multiple sites that are not expected to be developable.
- Compliance with a varied setback control based on building height would result in a variability in upper-level setbacks that is not considered necessary or beneficial, as the combination of the height plane and the need to maintain solar access to adjacent residential towers could otherwise result in different setbacks being applied to different areas of the block (due to differing heights of potential future towers).
- The application of the DCP setback to all boundaries does not account for the different characters of Victoria Avenue and Victor Street compared to Post Office Lane - with each of the DCP setbacks exceeding the entire width of the laneway's road reserve.
- The application of the DCP setback to all boundaries does not account for the block being delivered by multiple developers, with large side setbacks required rather than zero lot line.

Where relevant, the findings of the Study are discussed further in the sub-sections below.

6.1.2 Height, Bulk and Scale

The Proposal has been carefully designed to deliver a highly contextual and responsive built form, balancing the objectives of Chatswood's evolving high-density character with fine-grain urban design outcomes. Situated at a prominent corner within the Chatswood CBD, the scheme introduces a refined tower form above a highly articulated podium, enhancing both skyline presence and street-level activation.

A key design move has been to reinforce the established street hierarchy, prioritising activation along Victoria Avenue, enhancing the secondary character of Victor Street, and improving engagement with Post Office Lane. The building's relationship with surrounding streets and adjoining development considers both existing and potential future outcomes, ensuring a cohesive integration into the broader Chatswood CBD (refer to **Figure 35** below).

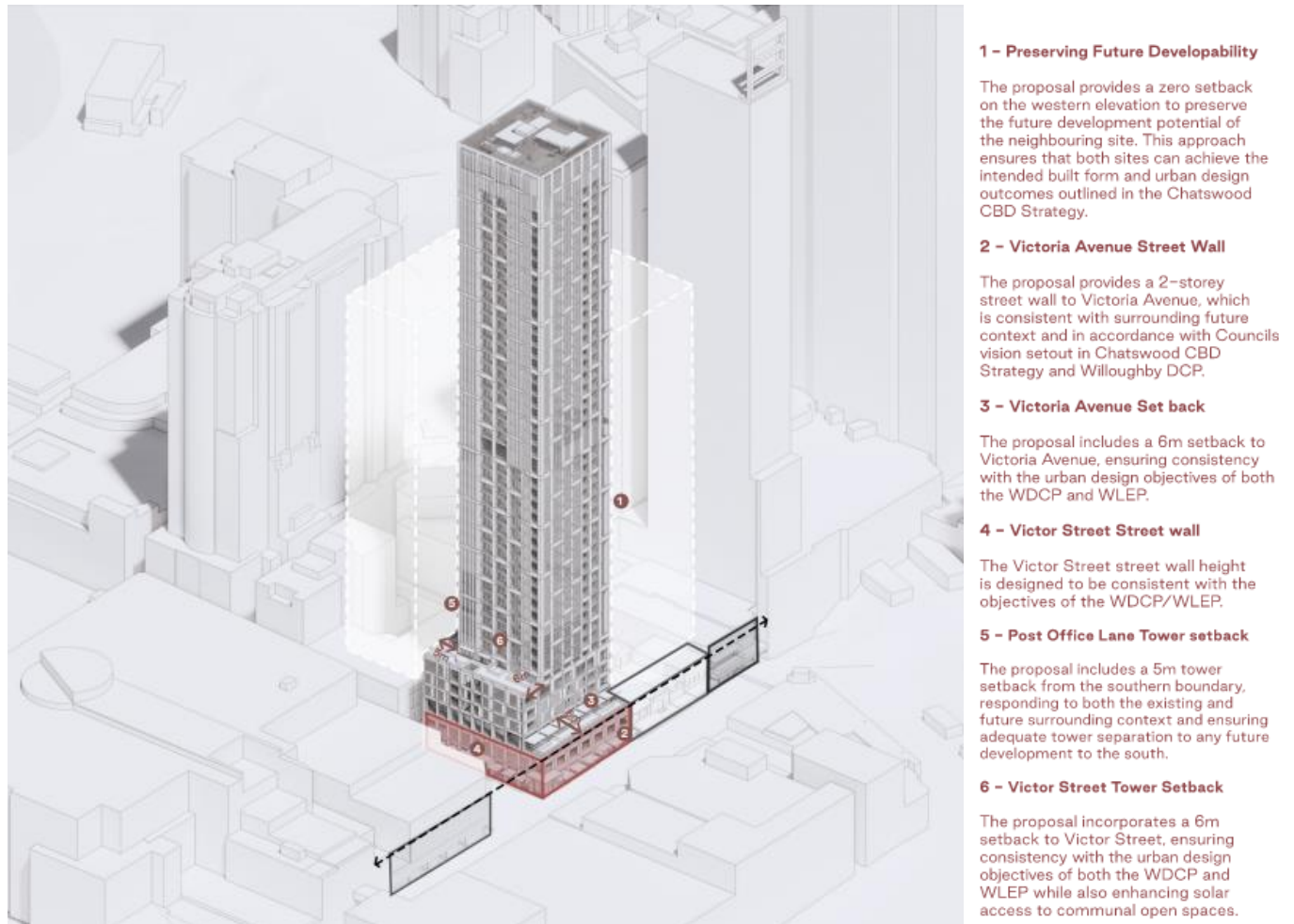


Figure 35 Key design moves guiding the building envelope

Source: Fender Katsalidis

The tower form achieves full compliance with the maximum height of buildings standard under the WLEP (RL246.8m), and has been purposefully designed to maximise solar access, amenity, and privacy, whilst also affording views to the Sydney CBD as well as broader district views for future residents.

As aforementioned, the tower's bulk and scale are modulated as it rises, with appropriate setbacks provided to each frontage, which respond appropriately to environmental conditions and nearby development. The tower is also setback back from the podium below, which reinforces the podium's human scale at street/pedestrian level. The podium has been crafted as a two-tiered street wall, responding directly to the scale of Victoria Avenue and Victor Street, aligning harmoniously with surrounding podium conditions, enabling generously floor-to-floor heights for retail uses. The podium massing is articulated to create a transition between the human-scaled street experience and the vertical tower form above. On Post Office Lane, the massing responds to servicing requirements while preserving visibility and activation through considered articulation. On Victor Street, terraces and seating niches further animate the pedestrian interface, contributing to a layered and fine-grain urban condition.

Overall, the podium and tower form a highly resolved architectural composition, that respond positively to the Site's context and align with the existing and desired future character of the Chatswood CBD.

6.1.3 Setbacks and Separation

The proposed development provides a contextual and appropriate response to building setbacks and separation requirements. This has been informed by a detailed site and urban analysis in conjunction with Council and GANSW, as part of establishing the parameters for the Design Excellence Competition. As part of this process, guidance was taken from the WDCP, where appropriate. In other instances, a more context specific response to the constraints of the Site, the nature of the Proposal and the existing and likely, future character of surrounding developments. This was reinforced by the Applicant's commissioning of the Urban Design Study, which made a series of recommendations regarding appropriate building envelope and setbacks at the Site.

A summary of the approach to building separation and setbacks is out below in **Table 14**.

Where necessary, the approach to setbacks is discussed further in the relevant sub-sections below.

Table 14 *Proposed Development setbacks in comparison to WDCP (WDCP) guidelines*

Frontage	WDCP 2023 Guide	Proposed Development
Victoria Avenue (North)	• maximum 7m street wall height at front boundary • minimum 6m setback above street wall to tower	• Slight variation to 7m street wall, to achieve a better alignment with the surrounding context and to enable floor to ceiling heights that can support viable retail uses. Notwithstanding, a 2-storey street wall is maintained as per the objectives of the Willoughby DCP. • Tower set back 6m.
Victor Street (East)	• maximum 24m street wall height at front boundary • minimum 6m setback above street wall to tower	• Street wall height is consistent with 24m control. • Tower set back is 6m in alignment with minimum setback envisaged under WDCP.
Post Office Lane (South)	• maximum 24m street wall height at front boundary	• Street wall height is consistent with 24m control. • Tower set back is 5m, enabling 18m tower separation with future neighbouring development.
Western Boundary (Adjacent to 418 Victoria Avenue)	• maximum 24m street wall height at front boundary • 1:20 setback ratio in accordance with the maximum building height (7.6m setback in this instance).	• 0m setback to enable future redevelopment of 418-430 Victoria Avenue. This is discussed in further detail in Section 6.1.3.

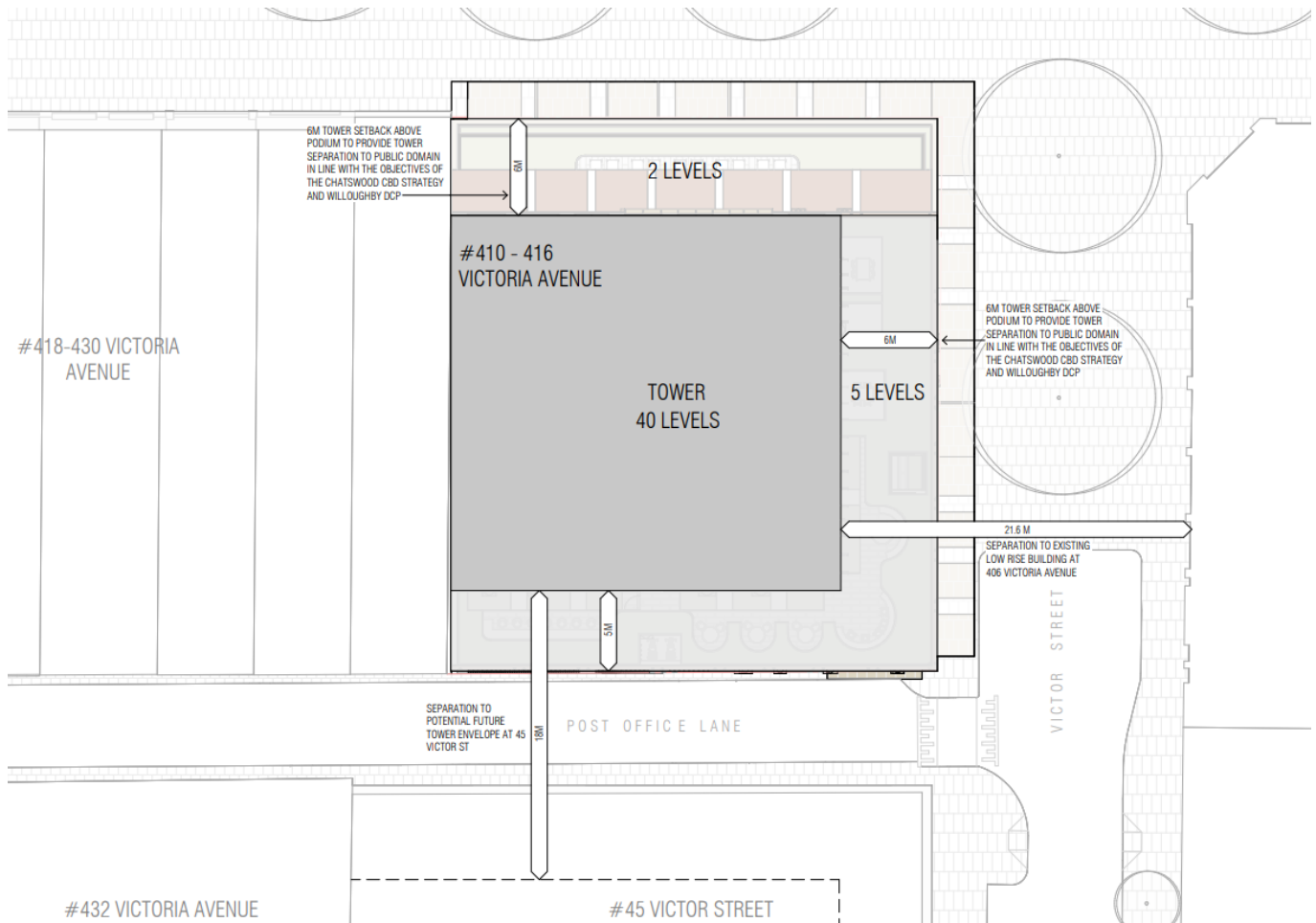


Figure 36 Built Form Separation

Source: Fender Katsalidis

Northern Interface (Victoria Avenue)

The northern boundary, addressing Victoria Avenue, adopts a zero setback at podium level, consistent with the desired 2-storey active retail frontage and streetscape alignment. Above the podium, the tower element is set back 6m from the boundary, in line with the minimum setback envisaged under the WDCP.

Eastern Interface (Victor Street)

On the eastern side, the building fronts Victor Street, which functions as a mixed-use edge with a softer residential and public domain interface. The podium continues the zero setback to support street activation, while the tower is set back 6m in line with the minimum setback envisaged under the WDCP. This also facilitates solar access, cross-ventilation, and improved view corridors between towers.

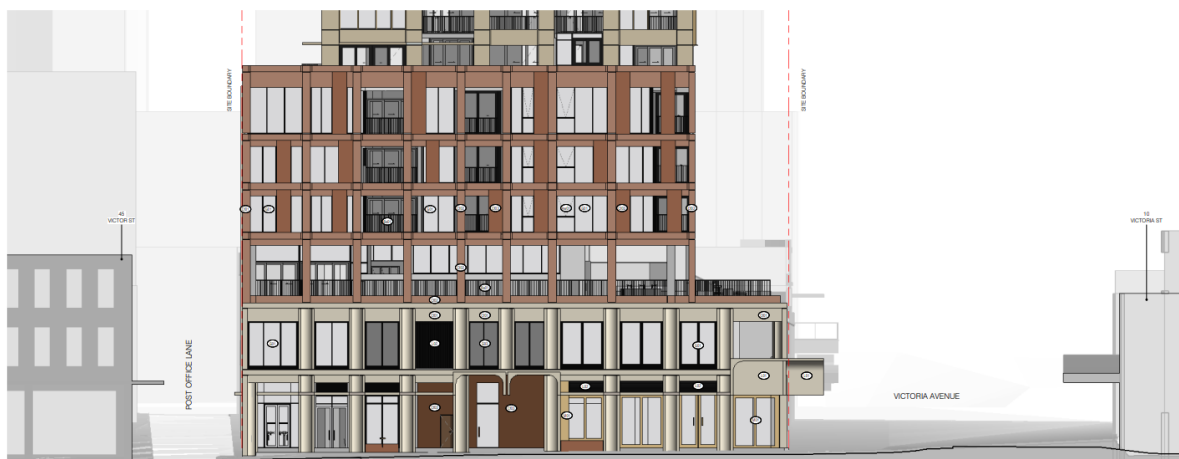


Figure 37 Eastern podium elevation

Source: Fender Katsalidis

Southern Interface (Post Office Lane)

At podium level, the building again adopts a zero setback, consistent with the laneway's urban condition and primarily service role. The tower, however, is set back 5m from this boundary, to ensure adequate tower separation can be achieved with any future redevelopment of 45 Victor Street. These setbacks also ensure the tower massing steps away from the service zone, avoiding visual dominance and minimising amenity impacts.

Western Interface (adjoining 418 Victoria Avenue)

The Proposal has been designed to sensitively respond to the existing and likely future conditions of the adjoining site(s) immediately to the west, which comprise of small-scale retail premises. Considering this, the Proposal provides a nil setback to the western boundary to ensure that the future developability of the land adjoining the Proposal can be maintained in accordance with the built form outcomes envisaged under the Chatswood CBD Strategy, WDCP and WLEP.

The Proposal's approach to this interface results in a logical and equitable development outcome, by enabling a future development on the adjoining Site to the west to abut the shared boundary and create a consolidated tower form in line with the vision set out in the Chatswood CBD Strategy. It is noted that this approach has been supported in the past by Council for sites within the Chatswood CBD, including as part of an approved Concept Proposal relating to the redevelopment of Chatswood RSL (Council reference: DA-2020/7).

6.1.4 Building facades and articulation

The proposed development features a facade strategy that is both visually refined and responsive to its urban context. As shown in **Figure 38** below, the façade treatment clearly differentiates between podium and tower elements, using a consistent architectural language that prioritises material quality, rhythm, and activation across all frontages.

Podium

The podium facade along Victoria Avenue is defined by a series of vertical piers and glazing elements which frame the active retail tenancies. This treatment provides a strong civic presence, reinforcing the role of Victoria Avenue as a key retail spine. The consistent implementation of columns, recessed entries, and clear glazing supports street-level legibility and pedestrian engagement, while allowing for flexible retail layouts. On Victor Street, the podium is more residential in character, with finer grain detailing, smaller scaled openings, and integrated planters that soften the building's edge and enhance amenity for residents and pedestrians.

At Post Office Lane, where service and vehicle access are concentrated, the façade has been treated with integrated screening and durable finishes to visually minimise the impact of back-of-house functions.

Tower

The tower facade is defined by vertical and horizontal elements that emphasise the building's slenderness and reduce its apparent bulk. The use of varied façade treatments provides texture and depth, and balconies are recessed into the building form, reducing visual clutter and maintaining a clean external expression.

The façade has been designed to ensure robustness and long-term performance, with a neutral palette of durable materials allowing the building's form and articulation to be the primary visual feature. The architectural expression across all elevations is deliberately restrained and cohesive, allowing the building's massing and proportions to define its identity in the Chatswood skyline.



Figure 38 *Proposed façade and articulation*

Source: Fender Katsalidis

6.1.5 Ground Plane

The Proposal has been shaped by a clear objective to deliver a functional, accessible, and vibrant urban interface that supports pedestrian activity, enhances retail frontages, and contributes positively to the broader Chatswood CBD public domain. Supported by the Design Report (**Appendix H**) and Landscape Report (**Appendix K**), the indicative design integrates architectural and landscape responses that reflect the site's prominence at the intersection of Victoria Avenue, Victor Street, and Post Office Lane.

Victoria Avenue Interface

The Victoria Avenue frontage forms the primary public interface and is designed with a continuous, active retail edge. The built form adopts a zero-lot setback with large-format glazing and generous awnings, aligning with Chatswood's commercial character and ensuring visibility and comfort for pedestrians. The design incorporates multiple retail areas facing Victoria Avenue and wrapping around the Victor Street corner, facilitating a diverse and legible shopfront arrangement that promotes passive surveillance and day-to-day activation.

It is noted that the street wall height exceeds the 7m maximum prescribed by the WLEP 2012. Notwithstanding, this is considered acceptable as the proposed street wall has been designed in accordance with the following principles:

- Provide a street wall height that better matches the adjacent/existing street wall more harmoniously.
- Enable viable floor-to-floor heights for retail tenancies and sufficient awning heights to match surrounding neighbours.
- Fulfill the intention of the planning control of creating a 2-storey street wall aligned to the existing and future context.

A Clause 4.6 Variation Request has also been prepared to demonstrate that compliance with this control is unreasonable and unnecessary in the circumstances, and that there are sufficient environmental planning grounds to warrant contravention of the development standard (refer **Appendix Q**).



Figure 39 Victoria Avenue Street Wall

Source: Fender Katsalidis

Victor Street Interface

To the East, Victor Street provides additional retail activation as well as the primary entry point for residents and visitors. The main residential lobby is centrally positioned and clearly legible, separated from the retail interface to maintain clarity of use and arrival. Glazed double-height entries support a clean and modern interface, allowing direct access from Victoria Avenue with universal accessibility. Internal functions such as the leasing office, reception, and parcel room are discreetly integrated behind the lobby, maintaining a strong street address without disrupting activation.

Post Office Lane Interface

Post Office Lane, located to the south, functions as a service and access laneway and has been enhanced through design treatments within the Proposal that mitigate its utilitarian role. These include the consolidation of all vehicle entry and loading facilities along this frontage. Vehicular infrastructure spatial requirements are minimised through the use of car lifts and turntables, eliminating ramps and allowing the ground level to remain as open as possible.

The architectural treatment along this lane includes screening and material continuity, which helps integrate back-of-house elements into the broader public domain.

Landscape and Public Domain Integration

As aforementioned in **Section 3.8**, the Proposal provides active uses to all street frontages, including retail premises along Victoria Avenue and Victor Street, as well as a corner retail tenancy which activates the corner of Victor Street and Post Office Lane. This provision of active street frontages will engage directly with the existing high pedestrian traffic and further activate this key area within the Chatswood CBD.

Post Office Lane, traditionally a service corridor, has been thoughtfully structured to balance operational functionality with a pedestrian-sensitive design. While it accommodates vehicle access, loading, and building services, the lane also retains active edges at the corner of Victor Street.

In addition, a concept plan of proposed public domain works in the pedestrianised section of Victor Street has also been prepared and was presented to Council as part of pre-lodgement discussions. As was confirmed in these discussions, detailed design of any public domain works will be subject to a separate process post consent, to be negotiated with Council in due course, to ensure a fully resolved outcome can be achieved. In light of this, the initial concept design is provided for information only. This is shown below in **Figure 40**.



Figure 40 Public Domain Concept

Source: Fender Katsalidis

6.2 Design Excellence

Clause 6.23 of the WLEP outlines matters that a consent authority must consider in determining whether a development exhibits design excellence. As previously discussed in **Section 3.0**, the Proposal was subject to a rigorous Design Excellence process, with the winning scheme prepared by Fender Katsalidis forming the basis for its design. This process was required under Clause 6.23, and an assessment of the Proposal's alignment with its remaining matters for consideration are provided in **Table 15** below.

Table 15 Design Excellence Assessment

Matter for consideration	Consistency
(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.	Noted. As outlined within this table, the Proposal achieves the highest standard of architectural, urban and landscape design.
(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as "Area 5" on the Special Provisions Area Map.	Noted.
(3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.	Design excellence is a prerequisite for development consent under this clause, and the Project addresses this through its comprehensive design approach that considers functionality, aesthetics, and environmental integration.
(4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—	See below.

Matter for consideration	Consistency
<i>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i>	This has been achieved. Refer to Section 6.1.4 .
<i>(b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,</i>	The form and arrangement of the development are designed to enhance the public realm through active frontages, generous landscaping, and accessible public spaces that improve pedestrian connectivity and engagement.
<i>(c) whether the development detrimentally impacts on view corridors.</i>	Careful building placement and height considerations ensure that the development does not adversely impact established view corridors. Refer to the Design Report at Appendix H , as well as Section 6.5.3 for further details.
<i>(5) The consent authority must also have regard to how the development addresses the following matters—</i>	See below.
<i>(a) the suitability of the land for development,</i>	The suitability of the Site has been detailed within Section 2.0 and it can readily support the proposed development.
<i>(b) existing and proposed uses and use mix,</i>	The Proposal seeks to enhance an existing underutilised site, by providing a high quality and well-designed shop top housing development, including BTR dwellings and retail premises. The proposed uses will assist to provide critically needing housing in a highly accessible and amenity rich location. They will also add to vibrancy of the Chatswood CBD.
<i>(c) heritage and streetscape constraints,</i>	The design respects Chatswood's heritage and existing streetscape through architectural cues that echo local historical elements while projecting a forward-looking urban presence.
<i>(d) the relationship of the development with other existing or proposed development on the same Site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i>	The Proposal establishes an appropriate relationship with surrounding development on neighbouring sites by providing an adequate response to adjoining site. The urban form of the Proposal will facilitate a high-quality environment, that ensures harmonious relationships with surrounding buildings and provides an enhanced ground plane.
<i>(e) bulk, massing and modulation of buildings,</i>	The architectural design effectively modulates bulk through varied building forms and setbacks, which help to scale down the mass and blend the development into its urban context.
<i>(f) street frontage heights,</i>	Street frontage heights are designed to enhance the pedestrian scale and contribute positively to the street-level experience. Whilst an exceedance of the street wall height provision in the WLEP is proposed at Victoria Avenue, this has been assessed and deemed acceptable in the Clause 4.6 Variation Request (refer Appendix Q).
<i>(g) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</i>	The project incorporates sustainable design features that minimize environmental impacts, such as energy efficiency, reduced water usage, and sustainable material sourcing.
<i>(h) achieving the principles of ecologically sustainable development,</i>	It adheres to principles of sustainability, aiming to achieve a balance between environmental responsibility, economic viability, and social equity.
<i>(i) pedestrian, cycle, vehicular and service access, circulation and requirements,</i>	The Proposal has been designed to ensure optimal pedestrian, cycle, and vehicular access, the development prioritizes safe, efficient, and intuitive circulation within and around the site.
<i>(j) the impact on, and proposed improvements to, the public domain,</i>	The project proposes enhancements to the public domain, including new planting as well as passive recreational spaces.
<i>(k) the impact on special character areas,</i>	The Proposal will not adversely impact on any special character areas.
<i>(l) achieving appropriate interfaces at ground level between the building and the public domain,</i>	The Proposal provides a highly activated ground floor, which enables passive surveillance and connections between the public and private domains. Refer to Section 6.1.5 for further details

(m) excellence and integration of landscape design.

Landscape design is integrated into the overall development strategy, with soft landscaping proposed within the podium rooftops as well as the mid-rise terrace.

6.3 Surrounding Future Development Context

6.3.1 Adjoining Development Potential

The Site comprises 410–416 Victoria Avenue, which sits adjacent to another row of properties spanning from 418–430 Victoria Avenue, which are under separate ownership (refer **Figure 41** below). While not included in the development boundary, the Applicant engaged in discussions prior to EIS lodgement to acquire the adjacent lot (418 Victoria Avenue), on investment/commercial grounds, however at the time of these discussions the landowner advised that they were not willing to sell. Notwithstanding these efforts, it must be noted that the acquisition of this lot (or any other adjacent lots) is **not required** in order to realise orderly and economic development outcomes for the Site, nor for the properties that make up 418–430 Victoria Avenue.

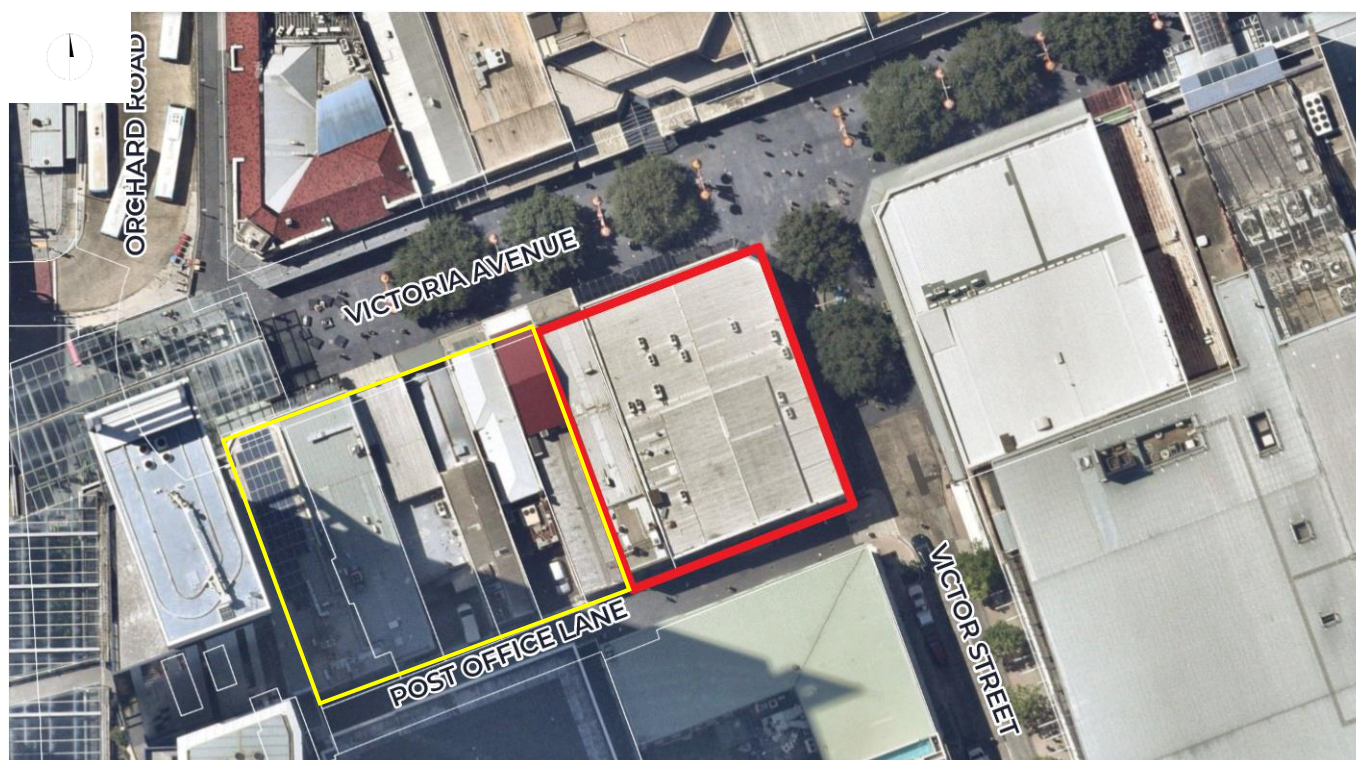


Figure 41 Site Aerial Map with 418–430 Victoria Avenue bound in yellow

Source: Nearmap, Ethos Urban

The NSW Land and Environment Court (LEC) has established a planning principle for the consideration of Site isolation, which is expressed in *Karavellas v Sutherland Shire Council* [2004] NSWLEC 251 at [17–19]. The decision in *Karavellas* builds on the principles established by the court in *Melissa Grech v Auburn Council* [2004] NSWLEC 40 and *Cornerstone Property Group Pty Ltd v Warringah Council* [2004] NSWLEC 189.

It must be noted that the properties constituting 418–430 Victoria Avenue are not “isolated.” The concept of site isolation implies that the land is either too small to be developed in its own right, or there are no longer any remaining adjacent / contiguous sites that a lot(s) will be able to amalgamate with in the future. This is not the case for the Proposal. In fact, 418–430 Victoria Avenue represents a larger landholding than the Site, comprising approximately 1,500m². As discussed further below, there are potential redevelopment options for this site that can be realised in the future, that represent a satisfactory outcome against the relevant, statutory planning framework. In fact, the Proposal has been deliberately and skilfully designed to preserve the future developability for this block of land, as is discussed further below.

An assessment of the Karavellas planning principle is typically only undertaken in situations where there are no controls within the planning framework governing amalgamation, and an individual allotment of land (or sometimes two or more land parcels) will be left undeveloped, or seriously underdeveloped, while other allotments around them are amalgamated and developed to higher densities. As aforementioned, this is not the

case for this Proposal, as 418-430 Victoria Avenue has development potential in its own right, irrespective of the proposed development.

Nonetheless, to address the SEARs requirements, the steps to address Site isolation, as set out in Karavellas, are considered further below.

Site Isolation Assessment

1. Is amalgamation of the subject Site and the adjacent Site feasible?

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

Under the current planning framework, there is no statutory requirement for Site amalgamation. While the Chatswood CBD controls (DCP section 4.3.1(c)) encourages Site amalgamation to achieve larger, more efficient development sites, it does not mandate amalgamation, and for absolute clarity, there is no legal mechanism in NSW to force or coerce the purchase of additional land for the purpose of Site amalgamation. Further, whilst the DCP seeks to facilitate orderly development patterns, its provisions are guidance-based rather than prescriptive, reinforcing that independent Site development is an accepted and anticipated outcome where reasonable.

It is noted that Clause 6.16 of the WLEP prescribes a minimum lot size of 1,800m² for commercial development in the E2 – Commercial Centre zone. Notwithstanding, as confirmed in the legal advice prepared by Addisons (**Appendix S**), development that is not classified as ‘commercial development’ is not subject to this minimum lot size, which includes various land uses including BTR and Hotel or Motel accommodation. As such, whilst a future commercial development would not satisfy the minimum lot size requirements, this is not the only potential development outcome.

Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

The Applicant has attempted to negotiate with the owners of 418 Victoria Avenue; however at the time of these discussions the owner of 418 Victoria Avenue advised that they were not willing to sell. As mentioned, the negotiations by the Applicant to acquire 418 Victoria were based on investment/commercial grounds, opposed to any concerns regarding its potential isolation. As such, the documenting of negotiations is not relevant.

Thirdly, the level of negotiation and any offers made for the isolated Site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiations, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.

As mentioned, the adjoining allotment is not isolated and as such, the documenting of the level of negotiation and any offers is not relevant.

2. Can orderly and economic use and development of the separate Site be achieved if amalgamation is not feasible?

In answering this question the key principle is whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non-compliance with minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.

To assist in this assessment, an envelope for the isolated Site may be prepared which indicates height, setbacks, resultant Site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated Site and the likely impacts the development will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

As part of the Design Report at **Appendix H**, Fender Katsalidis has prepared an analysis of numerous block-wide development outcomes, presenting two independent redevelopment outcomes for both 410-416 and 418-430 Victoria Avenue (refer **Figure 42** below). This has involved an extensive process of optioneering to develop a

range of reference schemes for 418-430 Victoria Avenue. Ultimately, it is noted that 418-430 Victoria Avenue benefits from a configuration that allows for independent redevelopment in accordance with Chatswood CBD planning controls. The Site has sufficient frontage, access, and dimensions to accommodate a standalone built form that meets height and amenity provisions. Additionally, zero-lot line development allowances facilitated by the Proposal enable side-boundary construction, which maximises development potential, whilst aligning with the overall vision of the WDCP.

As can be seen below in **Figure 42**, Scenario 4 demonstrates that 418-430 Victoria Avenue can be reasonably redeveloped as a non-residential use or as BTR, principally, as a result of the Proposal's skilful design considerations in providing a nil setback at the interface of 416/418 Victoria Avenue, enabling a future development at 418-430 Victoria Avenue to abut this boundary and maximise the developable floorplate. Such a redevelopment scenario on this Site provides for the following benefits:

- 18m tower separation to the residential building at 438 Victoria Avenue to provide privacy and visual amenity between buildings (in line with design criteria of the ADG) within a Metropolitan CBD context.
- 6m setback to Victoria Ave and Victor Street to Align within the minimum setback envisaged in part L, Section 4.3.4 of the WDCP, and to ensure a consistent approach to setbacks can be taken across the broader consolidated block.
- A viable floorplate can be delivered which provides a consolidated, block-wide built form outcome consistent with the objectives of the WDCP and WLEP.
- Equitable development outcomes are achieved across both amalgamated sites, ensuring a holistic and orderly approach to the development of the broader consolidated block.
- This outcome is also most akin to the DCP envelope shown in Scenario 1, and is therefore considered to be the best outcome, noting Scenario 1 cannot be achieved due to the existing Site ownership arrangements.

As a result, the adjacent Site is neither constrained by the proposed scheme nor reliant on amalgamation to be redeveloped.

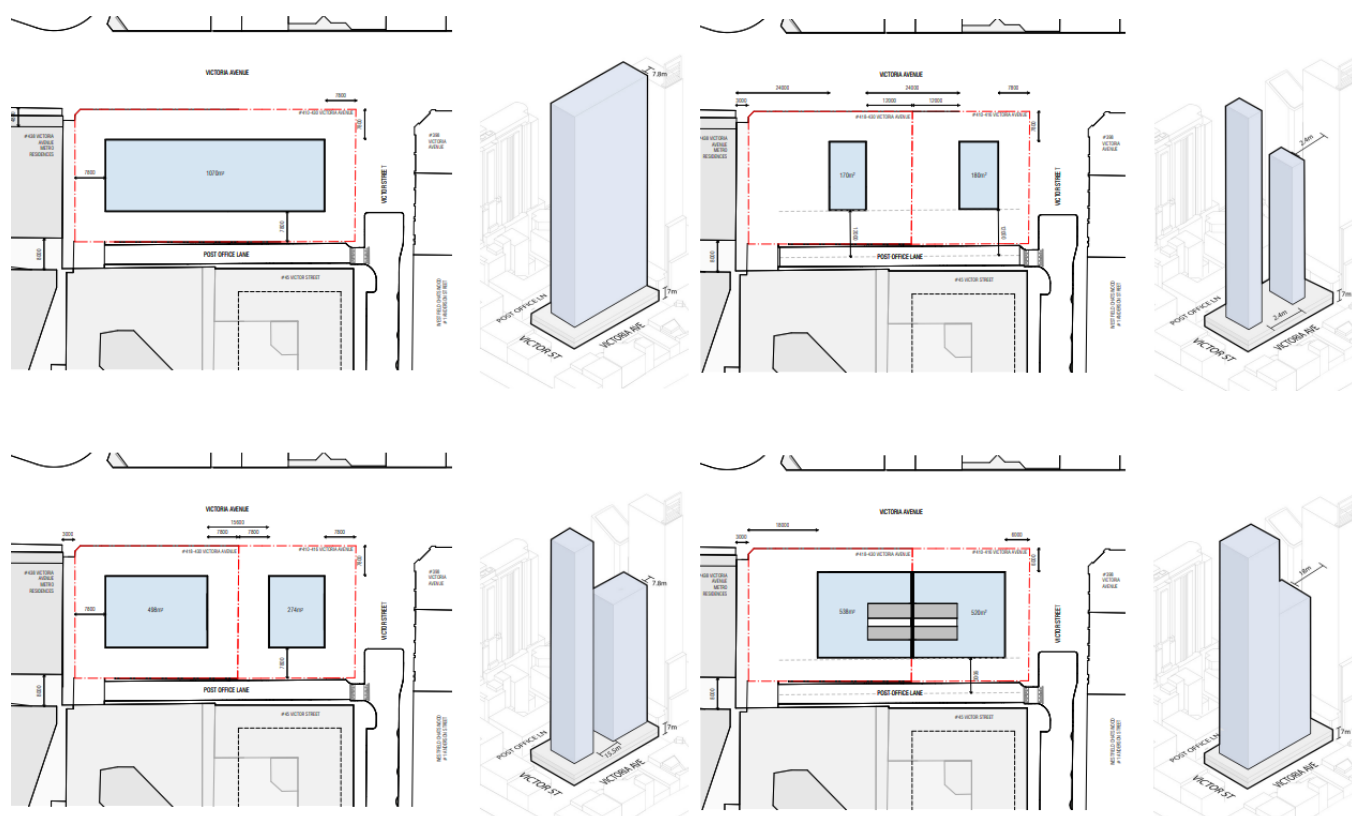


Figure 42 *Proposed precinct and site-specific development scenarios*

Source: Fender Katsalidis

In summary, the Proposal has been designed to enable future redevelopment opportunities between 418-430 Victoria Avenue, principally, by virtue of the nil setback at the western boundary allowing a future development to abut this and therefore achieve an equitable, orderly and viable building envelope. The planning framework for Chatswood anticipates a high-density, mixed-use environment, and 418-430 Victoria Avenue retains the flexibility to align with this vision. Further, legal precedent, including Karavellas, has reinforced that where an

adjoining Site can still achieve a viable development outcome, its potential remains safeguarded, even when a neighbouring project progresses independently.

6.4 Residential Amenity

The proposed development seeks to provide a high standard of residential amenity within each of the dwellings, consistent with the Applicant's vision to deliver a high-quality, contemporary BTR living model that embodies a quality residential product. Importantly, the Proposal has been designed with consideration of the relevant provisions of the Apartment Design Guide (ADG).

Notably, Section 75 of the Housing SEPP states that the consent authority must be flexible in applying the design criteria set out in the ADG, particularly the design criteria set out in Part 4, items 4E, 4G and 4K, when determining an SSDA for BTR housing. Further, Section 147 of the Housing SEPP explicitly states that achieving the numerical design criteria of the ADG is not required, irrespective of the fact that the design criteria are not statutory standards to begin with.

An assessment against the objectives and Design Criteria in the ADG is provided in **Table 16**, and a further detailed assessment is provided in the Design Report at Appendix H. A Design Verification Statement has also been prepared by Fender Katsalidis, which confirms that the Proposal has been designed by a registered architect and that it meets the design quality principles set out in Chapter 4 of the Housing SEPP.

Table 16 *Assessment against ADG Design Criteria*

Objectives and Design Criteria	Commentary	Satisfies Criteria
Part 3 Siting the Development		
3B Orientation		
Building types and layouts respond to the streetscapes and Site while optimising solar access within the development.	- The proposal relates to the immediate context. - The building form has been designed to optimise solar access in line with the requirements of the ADG.	Yes
Overshadowing of neighbouring properties is minimised during mid-winter. Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%. A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings	The shadow diagrams and sun eye view diagrams submitted as part of the DA drawing set demonstrate compliance with the minimum solar access requirements. Neighbouring properties also receive appropriate solar access.	Yes
3C Public Domain Interface		
Transition between private and public domain is achieved without compromising safety and security.	Pedestrian building entry level access is provided on Victor Street and is clearly legible within the podium facade design approach. It is oriented towards the street, reinforcing passive surveillance at the building boundary. Residents have access to lifts in the controlled access entry lobby.	Yes
Amenity of the public domain is retained and enhanced.	The Proposal provides for significant new retail space with frontages to both Victoria and Victor Street. The corner of Victor Street and Post Office Lane is also activated by retail tenancy. To maximise retail activation, the substation has been located in the basement with intensive coordination with Level 3 Designers.	Yes
3D Communal and Public Open Space		
Communal open space has a minimum area equal to 25% of the Site.	The Proposal contains communal outdoor space for the enjoyment of the residents and visitors to the site, with	Yes

Objectives and Design Criteria		Commentary	Satisfies Criteria	
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).		equitable access. This space is located on Level 2, 6 and 23 at the top of the podium. The spaces are north-east facing and will receive good solar access throughout the year. • The ADG requires communal open space to be 25% of the Site area, or 262m² of the 1049.8m² Site area. The proposed development provided 383m² or 36.4% communal open space exceeding the minimum requirement as demonstrated in the architectural drawings submitted. The North facing communal open space on Level 2 and 23 enjoys sun through the morning and mid-day throughout mid-winter. • A variety of spaces are provided for large and smaller groups including the outdoor resident's Communal open space on level 23 with a dining area and a multipurpose sports area, essentially catering for many different age groups and demographics. • Additional communal open spaces on level 2 and 6 also allow for a range of activities, including a dog park and sunbathing areas. • Lighting is provided to the communal public and private terraces, entry areas and entry stairs. Communal spaces and public landscape areas are securely separated from access from the public and provided with sufficient surveillance.	Yes	
3E Deep Soil Zones				
Deep soil zones (DSZ) are to meet the following minimum requirements:		• Within a high-density Strategic context such as the Chatswood CBD, achieving deep soil planting at ground level is inherently challenging due to the need for boundary-to-boundary built form, retail activation, and the provision of a continuous podium that supports a viable and active public domain. The Site is constrained by its urban typology, with 100% Site coverage and non-residential uses at ground level, which restricts opportunities for traditional deep soil zones. • Recognising these constraints, the Proposal has responded appropriately by incorporating substantial on-structure landscaping across the podium and upper levels. These landscaped areas are designed with adequate soil depths to support planting and are integrated with water-sensitive urban design (WSUD) measures to ensure effective stormwater management outcomes. • In line with the Apartment Design Guide, it is acknowledged that meeting deep soil design criteria may not be achievable on certain sites, including those within CBDs or constrained centres such as this. However, where deep soil cannot be accommodated, the provision of alternative planting solutions and acceptable stormwater responses is an acceptable and supported outcome. Drawing DA-508 illustrates the proposed planting zones and landscape design, demonstrating how the scheme meets the intent of the control through considered landscape integration across the site.	Yes	
Site Area	Minimum Dimensions			DSZ(% of Site area)
Less than 650m ²	-			7%
650m ² – 1,500m ²	3m			
Greater than 1,500m ²	6m			
Greater than 1,500m ² with significant existing tree cover	6m			
3F Visual Privacy				
Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:		Within the podium and tower the separation of apartments is consistent with the objectives of the ADG. Furthermore, privacy between retail and residential spaces are sufficiently separated between different floors, adequate screening, landscaping and careful positioning of glazing.	Yes	

Objectives and Design Criteria		Commentary	Satisfies Criteria
Building Height	Habitable rooms and balconies	Non-habitable rooms	
Up to 12m (4 storeys)	6m	3m	
Up to 25m (5-8 storeys)	9m	4.5m	
Over 25m (9+ storeys)	12m	6m	
3G Pedestrian Access and Entries			
Building entries and pedestrian access connects to and addresses the public domain. Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries		The proposed building provides a main residential entry access point on ground level from Victor Street to the residential entry lobby. The retail entry is accessed from separate entry points from Victoria Avenue and Victor Street. All entry lobbies are clearly legible and distinguishable from adjacent retail usages. The activated frontage of Victoria Avenue and adjoining Victor Street are both adequately surveyed through passive surveillance through the positioning of the podium apartments and balconies.	Yes
3H Vehicle Access			
Vehicle access points are design and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.		The car park entry and loading dock locations are distinguishable to allow for the safe entry of vehicles to avoid conflict with pedestrian traffic. Queuing space for cars have been provided within Site boundaries to minimise disruptions to traffic on Post Office Lane. Further information about the vehicle entry, exit and traffic management can be found in the traffic report submitted with this proposal.	Yes
3J Bicycle and Car Parking			
Parking and facilities are provided for other modes of transport. Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters. Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.		The Site is serviced by public transport and existing bus routes along Victoria Avenue. The Chatswood train station can be easily accessed, it is located approx. 50m east of the Site.	Yes
Car park design and access is safe and secure.		Car park access is secured from the street by a fold up door and car lift. Lift access to the basement levels is secured at each lift lobby.	Yes
Visual and environmental impacts of underground car parking are minimised		Car park is entirely below ground	Yes
Part 4 Designing the Buildings			
4A Solar and Daylight access			
Living rooms and private open spaces of at least 70% of apartments in a building			Yes

Objectives and Design Criteria	Commentary	Satisfies Criteria												
receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.	- The development achieves a minimum of 83% solar access. 83% or 215 apartments achieve 2 hours of winter sun to living areas between 9am-3pm June 21st. 17% or 45 apartments receive no direct sunlight between 9am-3pm June 21st. While 17% of apartments do not receive the minimum 2 hours of sunlight on June 21st, these dwellings have been deliberately oriented to capture premium views of Chatswood's skyline and surrounding public domain. This design decision provides a high level of visual amenity and openness, offsetting the reduced solar access. The overall scheme ensures excellent solar performance across the majority of units, with strong compensatory design measures for those that do not meet the strict benchmark.	Yes												
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.														
4B Natural Ventilation														
At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	- Windows and door openings have been sized to allow for the ADG, NCC recommendations for ventilation to be achieved. Depths of habitable rooms support natural ventilation. - Operable windows are proposed to allow air movement and cross ventilation in the corridor space of each level. - The development achieves a minimum of 60% naturally cross ventilated apartments in the first nine stories. 26 out of 42 apartments achieve cross ventilation that equals to 62%. A mix of apartment types are provided including a number of corner apartments.	Yes												
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.														
4C Ceiling Height														
Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	The floor-to-floor height is 3.1m typically on residential levels. Living rooms, dining rooms and bedrooms achieve 2.7m ceiling height to maximize amenity.	Yes												
<table><tr><th colspan="2">Minimum ceiling height</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table>			Minimum ceiling height		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use
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If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use													
These minimums do not preclude higher ceilings if desired.														
4D Apartment Size and Layout														

Objectives and Design Criteria		Commentary	Satisfies Criteria										
Apartments are required to have the following minimum internal areas:		Window and door openings have been sized to allow for the ADG and NCC recommendations daylight to be achieved. Minimum area for each apartment type: • studio: 29m² • 1 bedroom: 44m² • 2 bedroom: 78m² • 3 bedroom: 99m²	Yes										
<table><thead><tr><th>Apartment Type</th><th>Minimum internal area</th></tr></thead><tbody><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></tbody></table>		Apartment Type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	Studio apartments that apply a flexible approach to the ADG minimum area objectives have been presented with detailed plans and dimensions to demonstrate their functionality in the Design Report. These units are fully capable of accommodating standard furniture and equipment without compromising the design quality of the apartments.	
Apartment Type	Minimum internal area												
Studio	35m ²												
1 bedroom	50m ²												
2 bedroom	70m ²												
3 bedroom	90m ²												
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m ² each.													
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m ² each.													
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.													
Habitable room depths are limited to a maximum of 2.5 x the ceiling height.													
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.													
Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).													
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).													
Living rooms or combined living/dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments.													
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.													
4E Private Open Space and Balconies													
All apartments are required to have primary balconies as follows:		• All apartments are designed with a balcony. However, due to the nature of the development, provision of onsite amenity, and Site constraints, some a flexible approach has been taken to the sizing of private open spaces / balconies throughout the proposal. As stated in the Build-to-Rent Housing and Flexible Design Guidelines, “When it isn’t possible to provide balconies or private open space, developers and consent authorities can apply the Apartment Design Guide flexibly. They can replace some of the ‘missing’ external private space with more	Yes										
<table><thead><tr><th>Dwelling Type</th><th>Minimum Area</th><th>Minimum depth</th></tr></thead><tbody><tr><td>Studio apartment</td><td>4m²</td><td>-</td></tr></tbody></table>	Dwelling Type			Minimum Area	Minimum depth	Studio apartment	4m ²	-					
Dwelling Type	Minimum Area	Minimum depth											
Studio apartment	4m ²	-											

Objectives and Design Criteria			Commentary	Satisfies Criteria
1 bedroom apartment	8m ²	2m	communal outdoor space, over and above that required under the guide's Objective 3D: Communal and Public Open Space.” • In line with this approach, the Proposal provides generous communal open spaces with a variety of characters and uses, ensuring high-quality outdoor amenity for residents.	
2 bedroom apartment	10m ²	2m		
3+ bedroom apartment	12m ²	2.4m		
The minimum balcony depth to be counted as contributing to the balcony area is 1m.				
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.				Yes
4F Common Circulation and Spaces				
The maximum number of apartments off a circulation core on a single level is eight.		There is one central core with four lifts that service the apartment floors. 8 apartments are proposed on Level 3 -5, 4 are proposed on Level 6, 7 apartments on Level 7-22, 6 apartments on Levels 24-44.		Yes
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.				Yes
4G Storage				
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:		Storage has been provided in all apartments. Additional storage units are provided in podium levels and Basement levels. Refer Architecture Drawing DA 507 for Storage schedules.		Yes
Dwelling Type		Minimum Area		
Studio apartment		4m ³		
1 bedroom apartment		6m ³		
2 bedroom apartment		8m ³		
3+ bedroom apartment		10m ³		
At least 50% of the required storage is to be located within the apartment.				

6.4.1 Apartment Mix

The Proposal delivers an apartment mix that is highly responsive to local demographic demands and market trends. As confirmed by ABS Census Data, Chatswood currently has a high portion of single-person households (24%) and couples without children (37.6%). Currently, there is an undersupply of housing typologies catering towards these groups, noting that approximately 40% of current housing stock in Chatswood is 3+ bedrooms (ABS, 2021), and just 19% of dwellings are studios and 1-bedroom residences (ABS, 2021). As such, the Proposal is responding to this misalignment and broader demand for smaller dwelling types, particularly in key strategic centres.

The Proposal includes the following apartment mix:

- **Studio:** 115 or 44%
- **1-bedroom:** 79 or 30%

- **2-bedroom:** 63 or 24%
- **3-bedroom:** 3 or 1%

The proposed mix enhances the project's appeal to a broader spectrum of residents by providing dwelling types which are underrepresented in the local area. This tailored approach to apartment mix, supported by demographic and market analysis, positions the Proposal as a forward-thinking development that addresses both current and emerging housing needs in Chatswood.

6.5 Environmental Amenity

6.5.1 Sun Access

Public Domain/Open Spaces

As noted above in **Section 6.5.1**, under Clause 6.15 of the WLEP 2012, the Proposal is subject to the sun access controls which seek to protect solar access to the Chatswood Garden of Remembrance and Chatswood Oval:

6.15 Sun access

*(1) Development consent must not be granted to development on land in Zone E2 Commercial Centre or Zone MUI Mixed Use that **results in additional overshadowing** on the following land at mid-winter **between midday and 2pm**—*

- (a) **Chatswood Garden of Remembrance,***
- (b) Chatswood Tennis Club and Croquet Club,*
- (c) Victoria Avenue and Concourse Open Space.*

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

Accompanying this provision is a Sun Access plane map indicating the maximum height of buildings for sites surrounding these spaces (refer **Figure 43** below).

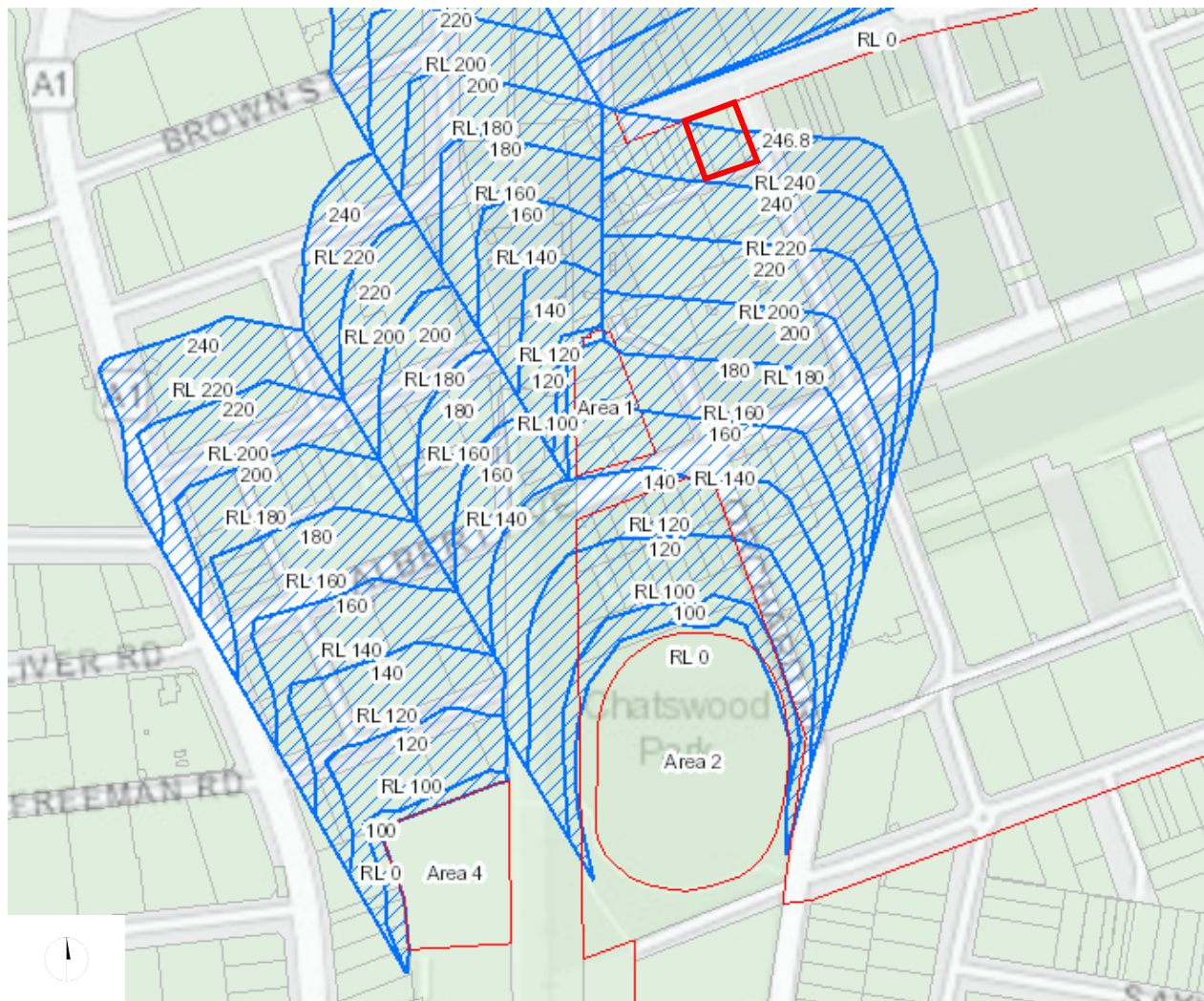


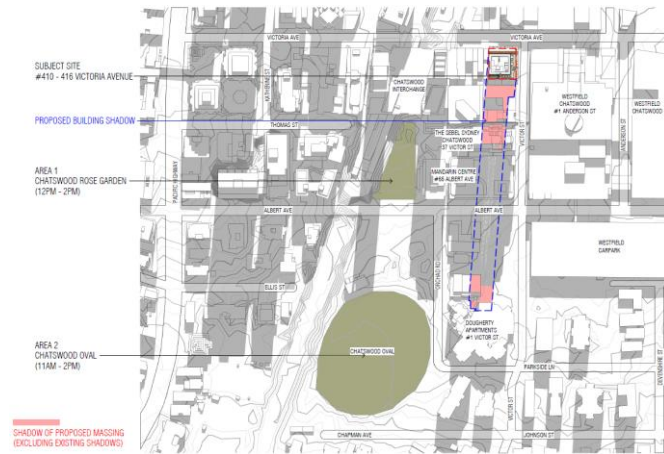
Figure 43 Sun Access Protection Map (Site outlined in red)

Source: Willoughby City Council

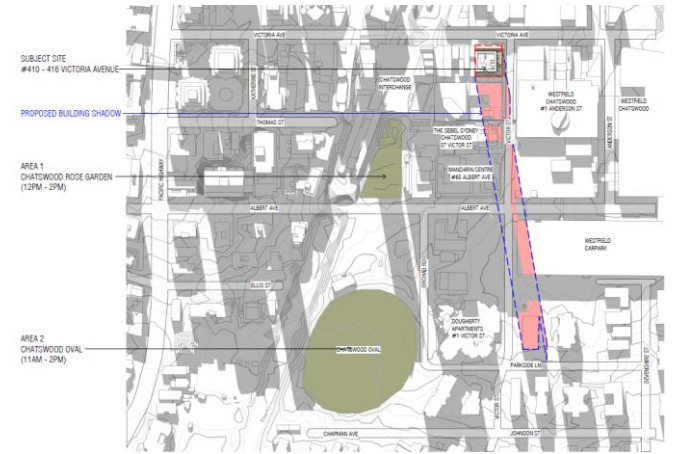
As can be seen below in



11:00am



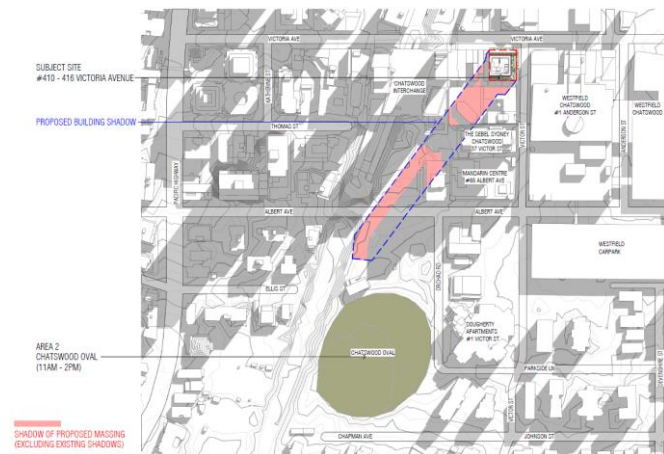
12:00pm



1:00pm

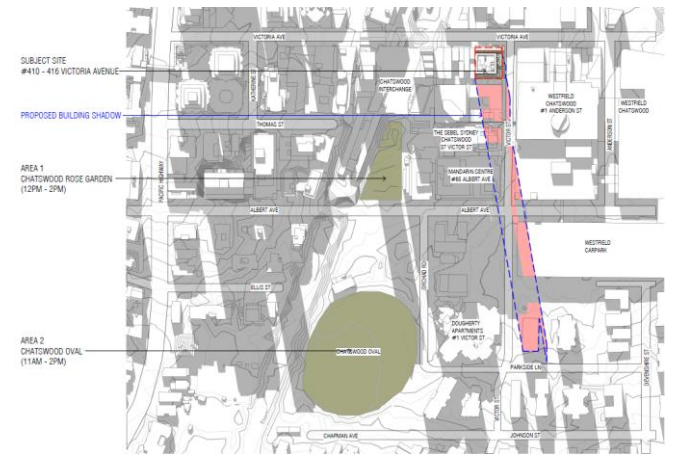
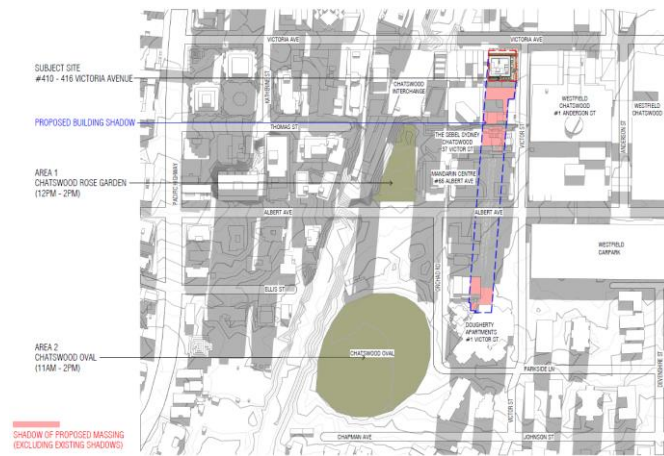
2:00pm

Figure 44, the shadows cast by the Proposal do not impact the abovementioned public open spaces during the prescribed times.



11:00am

12:00pm



1:00pm

2:00pm

Figure 44 Shadow diagrams between 11am-2pm, for key public open spaces (with additional shadowing excluding existing shadows indicated in red shading)

Source: Fender Katsalidis

Adjacent Properties

The Proposal has been designed to minimise overshadowing and solar access impacts to neighbouring towers. Of particular note, are the residential developments at 438 Victoria Avenue (West of the site) as well as 37 Victor Street (South of the site). As demonstrated below in **Figure 45**, impacted facades on these buildings will continue to achieve a minimum of 2 hours solar access at the June solstice, according with the design criteria stipulated in ADG Objective 3B-2 and 4A-1.

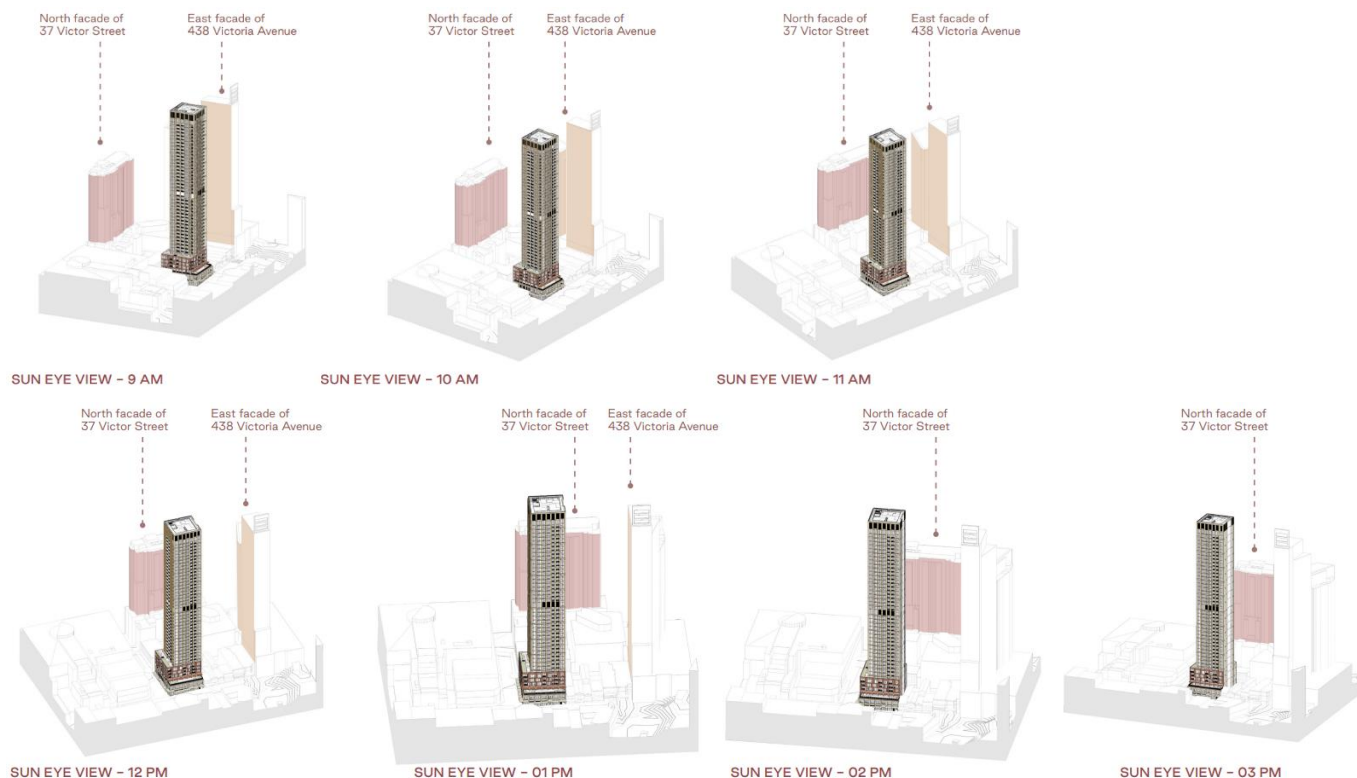


Figure 45 Sun Eye Diagrams demonstrating minimal solar impact to adjoining properties

Source: Fender Katsalidis

Further, the proposed development also results in some minor overshadowing to properties further to the south and south-east of the Site. As per **Figure 46**, residential flat building developments along Parkside Lane (which are approximately located 400m to the south-east of the Site) will experience limited, brief overshadowing impacts caused by the Proposal during winter afternoons. Notwithstanding, due to their orientation and distance from the Site, these properties will retain sufficient levels of solar access between 9:00am to 3:00pm at the Winter Solstice, as per the design criteria in ADG Objectives 3B-2 and 4A-1.

An overview of the overshadowing impacts to the southern properties is provided in **Figure 46**.





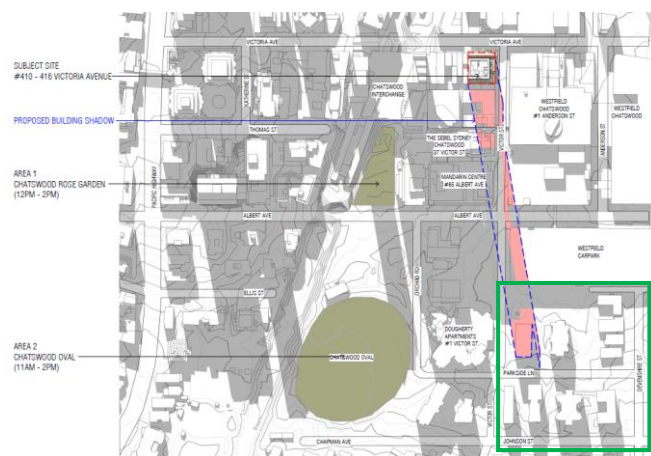
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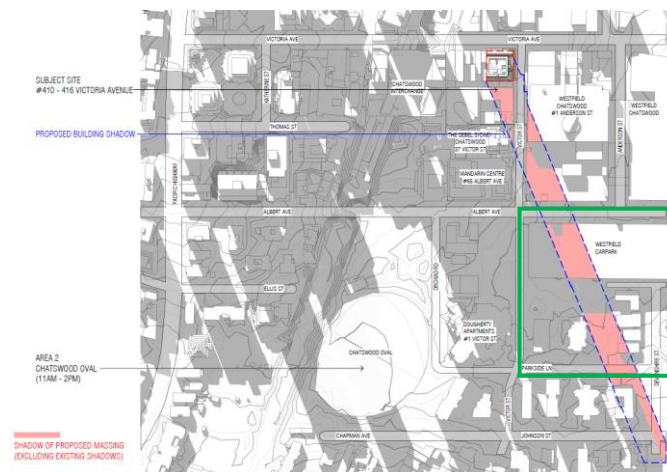
12:00pm



1:00pm



2:00pm



3:00pm

Figure 46 Overshadowing impacts of the southern properties during the Winter Solstice (spaces with additional shadowing excluding existing shadows indicated in red shading)

Source: Fender Katsalidis

6.5.2 Wind Impacts

A Pedestrian Wind Environment Study has been prepared by Windtech and is attached at **Appendix N**. Testing was conducted on a 1:300 scale model, incorporating surrounding topography and built form within a 375m radius. The results were benchmarked against industry-recognised comfort and safety criteria, specifically the T.V. Lawson (2001) comfort thresholds and the W.H. Melbourne (1978) safety limit of 23 m/s.

- All assessed areas within and around the development comply with pedestrian safety thresholds.
- The majority of outdoor areas meet the nominated pedestrian comfort criteria for their intended use (e.g. walking, sitting, standing).
- A small number of locations were identified as experiencing wind conditions that marginally exceed comfort criteria, but appropriate wind mitigation measures have been integrated into the design to address this.

The study tested 41 trafficable outdoor locations including:

- 22 external street-level and perimeter areas
- 16 podium and low-level communal spaces
- 3 high-level terraces on Level 23

Of these, only a small subset marginally exceeded the GEM comfort threshold for brief standing or sitting activities (typically 6.0 m/s). However, with the integrated architectural and landscape mitigation strategies (refer to **Appendix E**), all areas are expected to meet their designated comfort criteria.

With the inclusion of proposed architectural and landscape treatments, the development will provide a safe and comfortable pedestrian environment in all outdoor areas. The scheme demonstrates compliance with industry standards and provides a well-considered approach to managing wind impacts within a high-density urban context.

6.5.3 Visual Impacts

Visual Analysis

The proposed development is designed as a slender and sophisticated addition to the Chatswood skyline, complementing its urban setting while minimizing disruptions to key view corridors. The tower's positioning and form are strategically planned to integrate with existing and future high-rise developments, maintaining skyline consistency and visual coherence.

A detailed Visual Analysis has been included in the Design Report prepared by Fender Katsalidis at **Appendix H**. It provides a series of photomontages of the Proposal from various, key vantage points within the public domain surrounding the Site. These are shown below in **Figure 47** to **Figure 49**.



Figure 47 View from Victoria Avenue & Anderson Street (left), and Victoria Avenue & Railway Street (right)

Source: Fender Katsalidis



Figure 48 View from Brown Street & Railway Street (left), and Garden of Remembrance (right)

Source: Fender Katsalidis



Figure 49 View from Chapman Avenue

Source: Fender Katsalidis

A summary of the analysis is provided below:

- **Victoria Avenue & Anderson Street:** The proposed development acts as a focal point at the western end of Victoria Avenue, contributing to a vibrant pedestrian realm. The tower's presence fosters a sense of place, creating a recognizable urban landmark within the Chatswood CBD.

- **Chatswood Station Western Gateway:** The tower is subtly positioned behind the skyline, ensuring the existing view corridor remains intact. This careful placement maintains an open and legible arrival experience at Chatswood Station, reinforcing the visual rhythm of the surrounding towers.
- **Brown Street & Railway Street Intersection:** The tower is strategically placed behind adjacent buildings, ensuring a minimal impact on the skyline, preserving the established high-rise character of Chatswood's urban fabric.
- **Garden of Remembrance:** The proposed tower is deliberately set within the skyline, maintaining the serene and reflective atmosphere of the garden by preserving existing view lines and avoiding visual obstruction.
- **Chatswood Park:** The proposed development is thoughtfully positioned behind existing buildings, integrating into the cityscape while ensuring its presence does not dominate the skyline.

View Loss

Further, **Figure 50** identifies the key buildings surrounding the Site, with an analysis of these buildings provided further below.

View impacts on residential properties are typically considered of greater importance than impacts to commercial buildings/uses, and the impacts assessed have been undertaken with an appreciation of the Site's context within the Chatswood CBD, which comprises a highly evolving, high-rise and dense CBD character. This character is supported by the planning framework, including recent amendments to the Willoughby LEP 2012 which have facilitated greater permissible height and floorspace controls throughout the Chatswood CBD. As such, it is considered reasonable to expect that a degree of change to existing visual outlooks will occur into the future.

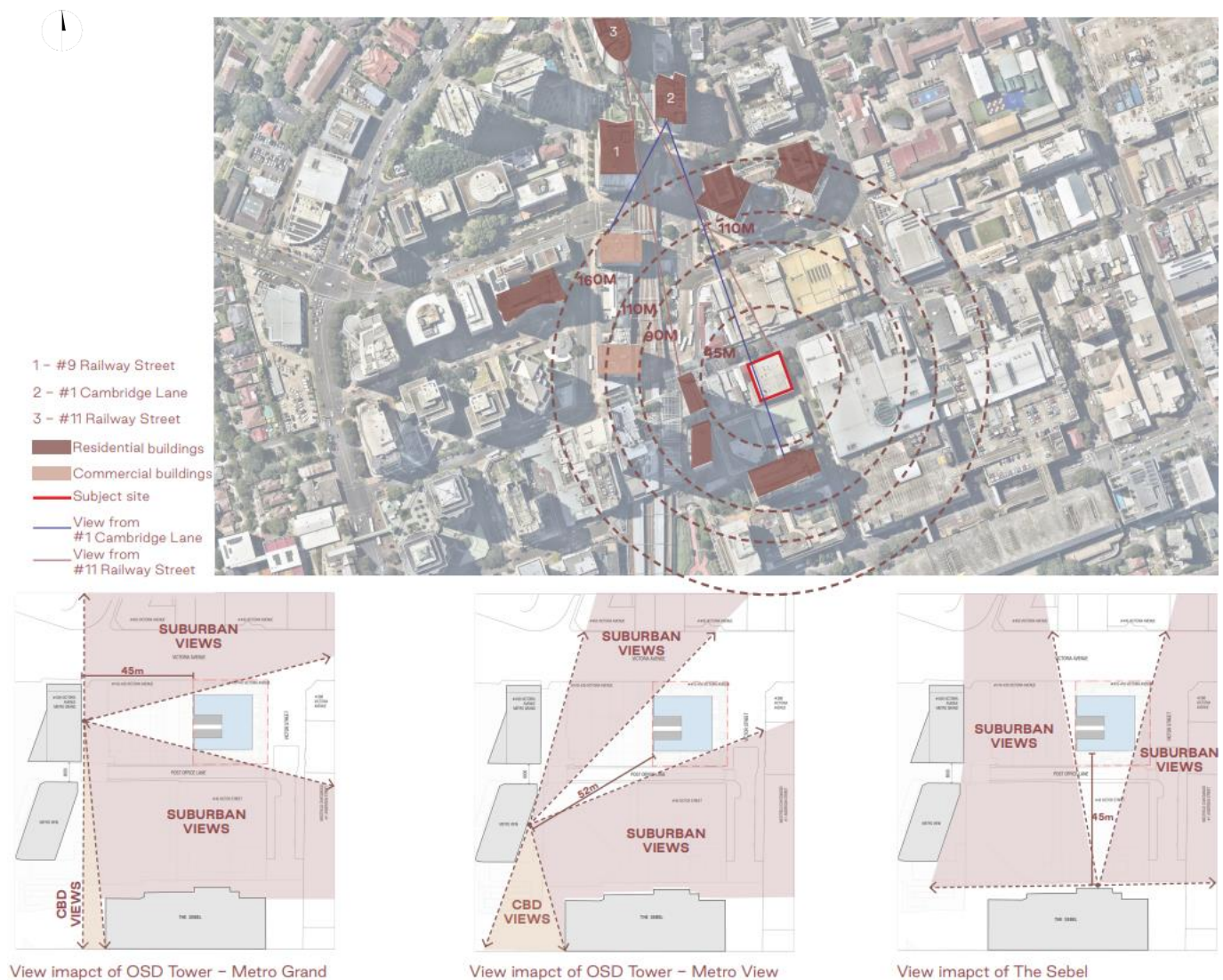


Figure 50 View impact on neighbouring buildings

Source: Fender Katsalidis

To encourage a consistent approach to address the impact on private views through development, in 2004 the NSW Land and Environment Court established a planning principle in *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* (Tenacity). While this principle was formulated in particular response to a clause in the relevant LEP (the *Warringah Local Environmental Plan 2000*) which specifically cited reasonable sharing of views as an objective, this principle has been widely adopted by consent authorities even in the absence of such statements, due to the public interest test of the EP&A Act. On this basis, Tenacity has been adopted as the relevant test in this case.

In *Tenacity*, Roseth SC noted that the LEP did not, “state what is view sharing or when view sharing is reasonable”. To provide guidance, Roseth SC stated that, “the notion of view sharing is invoked when a property enjoys existing views, and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable)”. To determine whether view sharing is reasonable in the circumstances, Tenacity specifies a four-step process:

- **Step 1: The first step is the assessment of views to be affected.** For example, water views are valued more highly than land views. Iconic views (e.g., of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g., a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.
- **Step 2: The second step is to consider from what part of the property the views are obtained.** For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.
- **Step 3: The third step is to assess the extent of the impact.** This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.
- **Step 4: The fourth step is to assess the reasonableness of the proposal that is causing the impact.** A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

An assessment against the four steps of Tenacity for relevant properties (refer **Figure 50**) is provided below.

Assessment of Impacts

- **438 Victoria Avenue (North Building):** This building is located approximately 45m West of the site, and currently experiences expansive suburban views in a northerly, easterly and southerly orientation. As can be seen in **Figure 50**, only a small portion of this wide view will be obstructed by the Proposal, as a result of its slender nature. A significant majority of the view corridor will remain unobstructed and when considering the dense CBD context, this is considered an acceptable outcome.
- **438 Victoria Avenue (South Building):** This building is located approximately 52m southwest of the Site and currently experiences expansive suburban views to the north and east, as well as Sydney CBD views to the South. As shown above, the Proposal will only obstruct a small portion of the suburban views to the northeast, with the remainder of views remaining unobstructed, including the highly valuable CBD views to the South.
- **37 Victor Street:** This building is located approximately 45m South of the Site, and experiences suburban views to the North. As seen above, only a small portion of this wide view will be obstructed by the Proposal, as a result of its slender nature. A significant majority of the view corridor will remain unobstructed and when considering the dense CBD context of which these sites form part of, this is considered an acceptable outcome.
- **9 Railway Street:** This building is located approximately 200m northwest of the Site, and experiences primarily suburban views to the east and west, as well as some limited suburban views to the southwest,

through existing gaps in buildings through the CBD. The Proposal will only obstruct a narrow portion of the southwestern view corridors, however it is noted that the primary orientation of this building (i.e. to the West), is not impacted.

- **11 Railway Street:** This building is located approximately 250m northwest of the Site, and experiences primarily suburban views to the east and west, as well as some limited suburban views to the southwest, through existing gaps in buildings through the CBD. The Proposal will only obstruct a narrow portion of the southwestern view corridors, however it is noted that the primary orientation of this building (i.e. to the West), is not impacted.
- **1 Cambridge Lane:** This building is located approximately 220m northwest of the Site, and experiences primarily suburban views to the east and west, as well as some level of views to the south, although it is noted that these are highly obstructed by existing development within the Chatswood CBD. As shown above, the existing development at 2A Help Street means that view lines across the subject Site are not available, and therefore no view loss impacts to this property will arise.

Summary of reasonableness

Ultimately, step 4 of Tenacity (relating to the reasonableness of the Proposal) is the test for assessing view loss. It is considered that the Proposal represents a reasonable outcome for the following reasons:

- Whilst the Site currently contains a low scale development, it is not reasonable nor the intent of the applicable planning controls for opportunity sites within the Chatswood CBD to remain at this scale in order to preserve existing visual conditions.
- The Proposal maintains a high degree of compliance with the relevant planning controls governing built form and is entirely consistent with the development outcomes envisaged in the Chatswood CBD Planning and Urban Design Strategy 2036, which identifies significant uplift on the Site.
- The Proposal represents a slender tower design through alignment with key setback controls prescribed by the Willoughby DCP, ADG, and as informed by the Urban Design Study. This slender form ensures that only relatively narrow portions of a view are obstructed, mitigating the impact to the holistic view catchment.
- Several identified views consist of district or suburban views only, with no significant features (as considered in Tenacity) being prevalent. Whilst a select number of views comprise of CBD views (which would be considered iconic under Tenacity) these features are located at a significant distance from the Site, with the Sydney CBD being approximately 7.8km away. As such, the retention of the entirety of these views, which traverse such a significant distance, is an unreasonable expectation given not just the Chatswood CBD context, but the development context of the areas between the affected property and the Sydney CBD.

6.6 Heritage

The Statement of Heritage Impact (SoHI) (**Appendix Z**) and Aboriginal Cultural Heritage Assessment Report (ACHAR) (**Appendix AA**) prepared by Artefact Heritage confirms that the proposed development is not located on or within the curtilage of any listed heritage items and will not result in direct physical impacts on any heritage places. The Proposal has been assessed in relation to nearby heritage items, with consideration given to visual impacts, archaeological sensitivity, and built form integration within the existing heritage context.

6.6.1 Environmental Heritage

Relationship to Nearby Heritage Items

The Site is located within 250 metres of the following heritage-listed items under the Willoughby Local Environmental Plan 2012:

- **Garden of Remembrance** (Item I236 – Local Significance)
- **Orchard Tavern (including original interiors)** (Item I239 – Local Significance)
- **South Chatswood Heritage Conservation Area** (Item C11 – Local Significance)

The Proposal is not within the curtilage of any of these items. As such, **no physical impact** to built heritage items or conservation areas will occur.

However, minor to moderate visual impacts are identified:

- Minor adverse visual impacts to the South Chatswood Conservation Area and Orchard Tavern due to the scale and prominence of the tower within the skyline.
- Moderate visual impacts to the Garden of Remembrance, although these are mitigated by the tower's placement within a high-density CBD setting, consistent with surrounding development.

The assessment concludes that the cumulative heritage impact is minor, and that the development remains sympathetic to the existing urban context and the established built form of the Chatswood CBD.

The ACHAR confirmed that no Aboriginal objects, sites, or areas of archaeological potential were identified during the archaeological survey of the site. The site's long history of urban development and physical disturbance has effectively removed any likelihood of intact Aboriginal heritage remaining. Visibility and exposure across the site was extremely low, with development cutting into the slope and imported fill observed in isolated landscape beds.

6.6.2 Aboriginal Heritage

Aboriginal Cultural Values

The ACHAR recognises the broader cultural landscape significance held by Aboriginal people for the region, with connections to traditional pathways and watercourses such as the Lane Cove River. However, no specific Aboriginal cultural values were identified within the study area itself, either through desktop research or during engagement with RAPs.

The consultation process, consistent with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010)*, involved formal letters to key agencies, public advertisements, and multiple rounds of engagement with stakeholders. While some RAPs provided endorsement of the findings and methodology, no unique cultural or spiritual associations with the site were raised during consultation.

Archaeological Assessment

The study area has been assessed as having nil to low potential for archaeological relics of local significance, and no expectation of State-significant archaeology. The Site has been heavily disturbed by prior development, with deep basement structures and modern utilities.

Consequently, the Proposal is considered to result in neutral archaeological impact. No excavation permits are required under the NSW Heritage Act 1977, although an Unexpected Finds Procedure is recommended during excavation as a precautionary measure.

The Statement of Heritage Impact also provides cultural context regarding the Cammeraygal people, the Traditional Custodians of the Chatswood area. While there are no recorded Aboriginal heritage sites within the study area, the surrounding North Shore region retains rich evidence of Aboriginal occupation, including rock engravings, middens, and ceremonial sites. As such, a heritage induction for Site personnel and clear communication protocols in the event of unexpected finds are included as part of the recommended mitigation strategy.

6.7 Transport and Access

A Traffic and Transport Impact Assessment has been prepared by Stantec and is attached at **Appendix P**. The report confirms that the Proposal is suitable from a traffic and transport perspective, with manageable impacts supported by efficient access, car share prioritisation, and optimised circulation strategies.

6.7.1 Traffic Generation and Intersection Performance

The expected traffic generation for the proposed BTR and retail components is minimal due to the high public transport accessibility and the prioritisation of car share. Expected trip generation is shown below in **Table 17** and **Table 18**.

Table 17 Estimated Traffic Generation – Residential

Travel Mode	AM Peak Hour Trips	PM Peak Hour Trips
Car (driver/passenger)	9	9
Train/Light Rail	65	55
Bus	22	19
Walking	69	58
Cycling/Motorbike	7	6

Travel Mode	AM Peak Hour Trips	PM Peak Hour Trips
Total	172	147

Source: Stantec

Table 18 *Estimated Traffic Generation – Retail*

Travel Mode	AM Peak Hour Trips	PM Peak Hour Trips
Car (driver/passenger)	0	0
Public Transport	233	342
Walking	26	38
Total	259	380

Source: Stantec

Net Traffic Generation

The development is expected to generate a net increase of only 9 vehicle trips during the AM and PM peak periods, due to the low provision of private parking and emphasis on active and public transport modes. As a result, the impact on surrounding intersections is negligible, and no road network upgrades are required.

6.7.2 Access and Circulation Strategy

Vehicular access is provided from Post Office Lane, consistent with Council's strategy to consolidate service and vehicle entries to rear lanes. This avoids disruptions to key pedestrian frontages along Victoria Avenue and Victor Street.

Key features include:

- Car lifts and a turntable system, removing the need for internal ramps and reducing the basement footprint.
- Pedestrian access clearly separated from vehicle and service entries.
- Internal circulation supported by swept path analysis, confirming compliance for vehicle manoeuvring.
- Dedicated queuing space off Post Office Lane for vehicles utilising the car lift, despite the minimal provision of parking onsite. This is a deliberate design move to minimise queuing into Post Office Lane in recognition of its importance as a pedestrian pathway.
- This strategy maximises retail tenancy depth and street activation, consistent with the design intent to prioritise active ground-level uses.

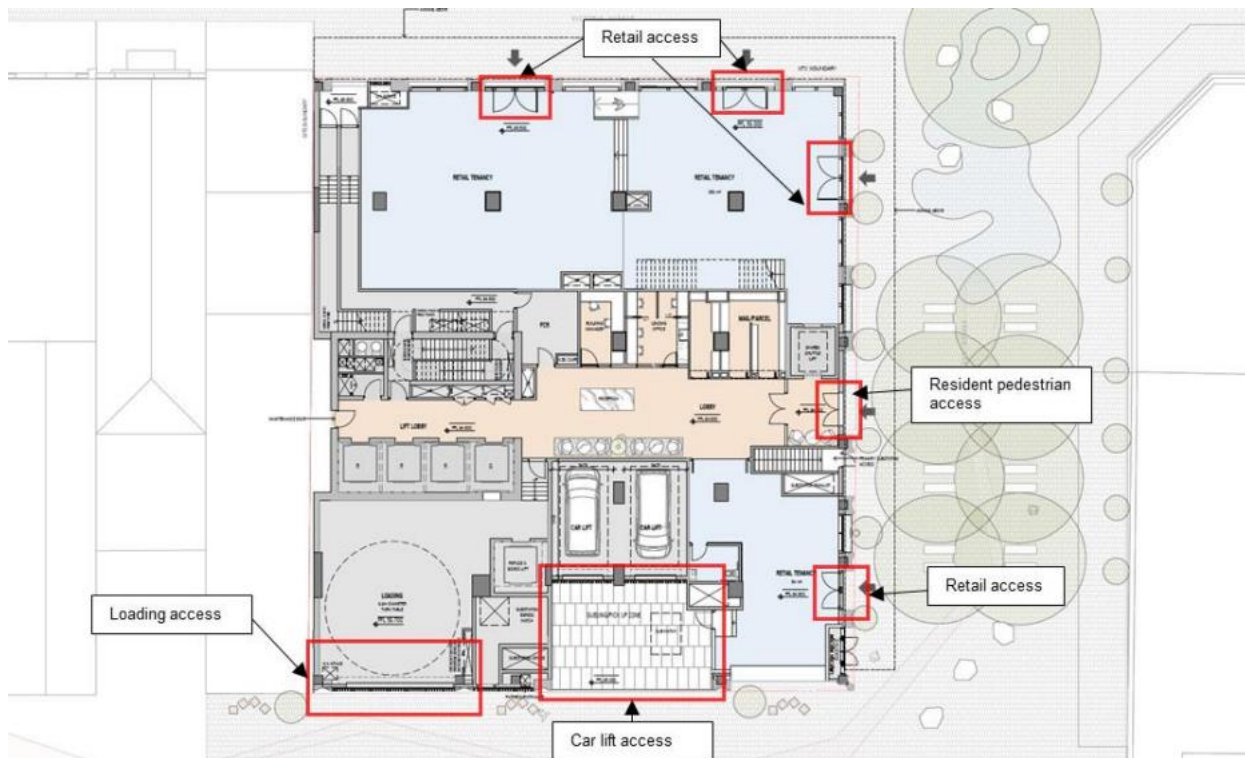


Figure 51 Proposed access arrangement

Source: Fender Katsalidis, Stantec

6.7.3 Parking Provision

The Housing SEPP provides non-discretionary car parking rates of 0.2 car spaces per apartment for BTR development within accessible areas, which if complied with cannot be used as grounds to refuse development consent. It should be noted that Section 4.15(3) of the EP&A Act does not prevent development consent being granted if a non-discretionary development standard is not complied with. Given the Proposal's highly connected location only 50m from the Chatswood Transport Interchange, a site-specific approach to car parking provision has been developed to appropriately cater for the needs of the proposed development whilst minimising traffic movements and optimising pedestrian amenity in this important location within the Chatswood CBD.

As detailed in the Transport and Accessibility Impact Assessment (refer **Appendix P**), the private car parking requirement for the Proposal based on relevant planning documents could range from 44 spaces to 183 spaces, including:

- 183 car spaces if the maximum rates under the Willoughby DCP 2023 (WDCP 2023) are applied;
- 52 car spaces if the non-discretionary standards under the Housing SEPP are applied; and
- 44 car spaces if the minimum rates under the WDCP are applied.

In addition to the above, it is noted that Part F, Section 5.7 of the WDCP includes provisions for the substitution of private car parking with carshare spaces at a rate of 1 carshare space per 10 private vehicle car parking spaces. Utilising the ration provided by Council in the WDCP 2023 as a guide, this could translate to:

- 18 car spare spaces, based on the maximum car parking provisions set out in the WDCP 2023;
- 5 car share spaces, based on the non-discretionary development standard set out in the Housing SEPP;
- or
- 4 car share spaces, based on the minimum car parking provisions set out in the WDCP 2023.

As such, utilising the car share replacement ratio set out in the WDCP 2023, the site could be expected to provide between 4 and 18 car share spaces in lieu of private car parking on site. The total of 9 car share spaces proposed is within this range and is therefore considered appropriate.

In addition, due to the close proximity to Chatswood Station and frequent public transport services it is expected that most trips will be via public transport. The development is also located centrally within Chatswood CBD within close proximity to major shopping centres, meaning that most residents will not require a vehicle to make trips. Furthermore, the reduction in private car parking on site will reduce the traffic load within the highly pedestrianised areas surrounding the subject site.

It is also anticipated the proposed retail area is mainly ancillary to the proposed residential use and will primarily serve the proposed development and surrounding buildings. As such, no parking is required for the retail component, visitors and staff alike.

6.7.4 Loading and Servicing Arrangements

All servicing is consolidated along Post Office Lane and includes the following features:

- A loading dock and turntable enabling forward-in, forward-out movements for Small Rigid Vehicles (SRVs).
- Waste transported via a refuse lift to the ground-level loading bay, minimising visual and operational impacts.

It is noted that typically (and in accordance with the Willoughby DCP) Council prefers basement loading operations which are serviced by Heavy Rigid Vehicles (HRV's), as opposed to alternate arrangements serviced by MRV's or SRV's. Notwithstanding, HRV's have been assessed as an inappropriate and impractical outcome for the site for the following reasons:

- Principally, as demonstrated in the swept path analysis (refer extract below in **Figure 52**), the dimensions and layout of the Victor Street/Post Office Lane intersection cannot support movements of a vehicle this size accessing and leaving the site in a forward direction, with the below diagram demonstrating that an HRV encroaches on all corners of the intersection upon its approach to the site.



Figure 52 HRV Swept Path Analysis

Source: Stantec

- Further to the above, irrespective of the constrained access arrangements for HRV's, it is also noted that attempting to accommodate HRV's onsite would require a significant redesign of the Post Office Lane frontage, noting that HRV's obviously have much larger spatial requirements than SRV's. In this regard, a greater portion of this frontage would be required to be dedicated to servicing only, likely eliminating any activated use that could be provided.
- With the above in mind, it has been confirmed that SRV's servicing the site are the most appropriate outcome, both from a traffic/manoeuvrability perspective, as well as pedestrian amenity and ground plane activation.

SRV access and dimensions are all supported by swept path modelling and are compliant with Council's and RMS technical guidelines. All waste and loading will be serviced by the Ground Floor loading bay as shown below in **Figure 53**.

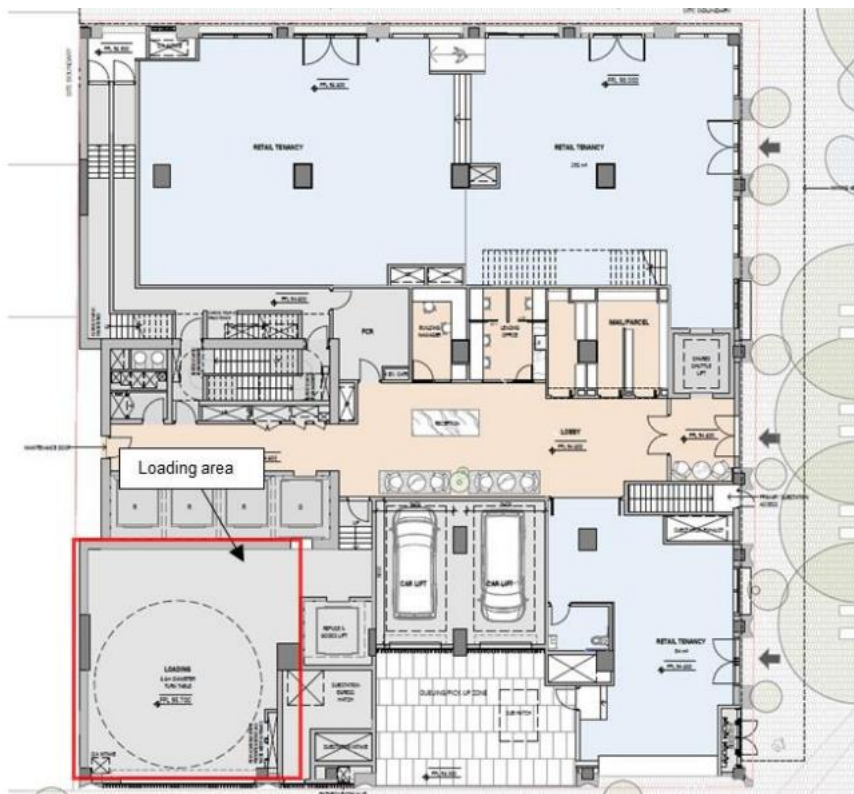


Figure 53 Proposed loading facilities

Source: Stantec

In consideration of the above, it is also noted that the design includes a subterranean substation, in order to further maximise the amount of street frontage that can be utilised for activating uses. The delivery of this substation in the basement is noted to introduce significant design complexity and cost into the proposal. Nonetheless, this has been implemented to ensure activating the respective street frontages remains as one of the key outcomes of the broader development.

6.7.5 Construction Traffic Management

The preliminary Construction Traffic Management Plan (CTMP) outlines how potential construction impacts will be managed during demolition and construction phases.

Site Access and Loading

- Construction vehicle access is anticipated to be provided via Post Office Lane and Victor Street. The flow of construction vehicles is anticipated to be eastbound along Albert Avenue where they will turn left at Victor Street to access the site.
- The details of the construction vehicle size that will be used to deliver construction materials will be determined at a later stage when a contractor is engaged and the detailed CTPMP has been finalised. As large construction vehicles may interrupt some traffic flows around the site during construction, traffic management measures, including installation of appropriate traffic signage as well as consideration of traffic controllers will be considered to manage any construction vehicle movements along Victor Street and Post Office Lane and to minimise any safety issues.
- All loading activities will be undertaken within the site and surrounding road reserves and will be managed by appropriate traffic management procedures, including traffic controllers, where required.
- As part of the detailed CPTMP, Traffic Guidance Schemes will be prepared in accordance with the principles of the Traffic Control at Work Sites manual (TfNSW, 2022). The Traffic Guidance Schemes primarily show where construction signs will be located at specific locations (such as uncontrolled intersections) along the approved truck routes to warn other road users of the increase in construction vehicle movements.
- Access to the neighbouring sites by emergency vehicles would not be affected by the works, and emergency protocols on the site would include a requirement for site personnel to assist with emergency access from the street. All truck movements to the site and/or incident point would be suspended and cleared.

Construction Staff Parking

- It is anticipated that there will be on average around 100 workers on site at one time, with up to 150 workers on site during peak activities.
- No construction worker parking will be provided. Given the site's location within Chatswood CBD and proximity to a range of high-frequency public transport services, workers will be encouraged to use public transport to access the site. During site induction, workers will be informed of the existing bus, train, and metro network servicing the site. Appropriate arrangements will be made for any equipment/ tool storage and drop-off requirements.

Heavy Vehicle Traffic Generation

- Construction vehicles generated by the site would generally include vehicles up to 12.5-metre heavy rigid trucks. There are expected to be on average around 15 trucks per day accessing the site, or up to 25 trucks per day during peak activities (concrete pours).
- Construction vehicle movements will be minimised / avoided during peak hours where possible.

A full CTMP will be prepared prior to the commencement of works, and measures will be implemented in line with Work Zone Permits and public safety standards.

6.8 Noise and Vibration

A Noise and Vibration Impact Assessment (NVIA) has been prepared by E-LAB Consulting and is attached at **Appendix T**. This report has been prepared in accordance with the NSW Environment Protection Authority's (EPA) guidelines including the Noise Policy for Industry (Npfi), the Interim Construction Noise Guidelines and Road Noise Policy so as to provide an assessment of operational noise, construction noise and road noise respectively.

A summary of the assessment is provided below, with the mitigation measures being outlined in **Appendix E**.

6.8.1 Existing Environment

The Site is located within the Chatswood CBD and is surrounded by a mix of high-rise residential apartments, commercial developments, and a serviced apartment hotel. The eight (8) identified receivers are listed below and are also shown in **Figure 54**.

- **RC1–RC3, RC8**: Residential receivers (high-rise and serviced apartments).
- **RC4–RC7**: Commercial premises.

Noise monitoring was conducted at two long-term locations, which are also shown in **Figure 54**:

- **LT1**: On Victoria Avenue (commercial interface)
- **LT2**: Near Garden of Remembrance (closer to rail lines)



Figure 54 Noise sensitive receivers surrounding the site

Source: E-LAB

6.8.2 Road Traffic Noise

The development is more than 300m from Pacific Highway, which is screened by existing buildings. The assessment confirms the Site does not trigger the criteria of the T&I SEPP for further road noise assessment. Traffic generation from the development is minimal (only 9 daily car share trips), meaning no measurable increase in local road noise is expected.

6.8.3 Operational Noise

Mechanical Services

E-Lab notes that detailed plant selections as well as their location have not yet been undertaken, which is to be completed at the Construction Certificate (CC) stage, as will more detailed assessment of acoustic impacts. Satisfactory levels of noise emissions will be achievable through standard measures such as:

- Positioning mechanical plant away from nearby receivers.
- Acoustic attenuators fitted to duct work.
- Screening around mechanical plant.
- Acoustic insulation within duct work.
- Acoustic louvres to the façade at plant room areas.
- Reselection of mechanical plant.

Carpark Usage

All carparking is situated in an enclosed carpark located on Basement Level 2, accessed through a car lift on via Post Office Lane. As such, it can be reasonably expected that the use of the carparking will not have noise impact on the nearest noise sensitive receivers.

Loading Dock

The existing commercial building opposite Post Office Lane will provide significant noise screening to residential receivers located to the south along Victor Street. The loading dock is also fully enclosed (apart from the entry

roller door). As such it can be reasonably expected that the use of the loading dock will not have adverse noise impacts on the nearest noise sensitive receivers.

Retail Noise Emissions

Whilst the tenants of the retail premises are not yet known, acoustic requirements and detailed measurements can be considered as part of a future application for the tenancy. In any case, it is not considered that retail premises are noise inducing uses and it is therefore not expected that any noise intrusion would occur.

Outdoor Communal Terrace

- Located on Levels 2, 6, and 23.
- Potential for noise spill managed via:
 - Signage
 - Restrictions on amplified music
 - Avoidance of large gatherings during sensitive hours

6.8.4 Construction Noise and Vibration Impacts

While no detailed construction program is confirmed at this stage, the report has assumed excavation and construction tasks, along with the equipment likely to be used and their sound power and vibration levels. As such, noise and vibration levels have been modelled and predicted and assessed against the relevant construction noise criteria. Predicted noise levels across each construction stages are provided in **Appendix T**.

Key Findings:

- All residential receivers comply with noise management levels.
- RC2 experiences a minor 3dB exceedance during the excavation phase.
- Intermittent exceedances of the noise management level at commercial developments surrounding the project site are unavoidable due to their proximity.
- No receivers are highly noise affected (i.e. >75 dB(A)).

Vibration Impacts

- Assessed against DIN 4150-3 and BS 7385.
- All works are compliant with structural and cosmetic damage criteria.
- Human comfort levels are also not expected to be breached.
- A vibration monitoring program is recommended during excavation near RC4.

In light of the above, E-Lab Consulting proposes a number of more detailed mitigation measures which are to be implemented. These are identified and discussed further in **Appendix T**.

6.9 Flooding

A Flood Impact and Risk Assessment has been prepared by Lyall & Associates and is attached at **Appendix W**.

The subject Site lies in the upper reaches of the Scotts Creek catchment. Moreover, the Site is not affected by depths of inundation greater than 0.1 metres during a 1% Annual Exceedance Probability (AEP) flood and the Probable Maximum Flood (PMF), respectively.

As the subject Site is not located on flood prone land, the proposed development would not be subject to the flood related development controls that are set out in Willoughby Development Control Plan 2023. For the same reason, the requirements set out under item 19 of the PSEARs are also not applicable to the proposed development.

6.10 Water Cycle Management

A Civil Engineering Report has been prepared by Northrop (**Appendix V**) outlines the stormwater strategy, erosion control measures, and the achievement of water quality targets through an integrated system of treatment devices and onsite detention (OSD). The proposed system ensures the development will not place additional strain on downstream infrastructure, reduce flooding risk, and maintain the environmental quality of stormwater discharge into the local network.

6.10.1 Stormwater Management

The proposed development incorporates a site-specific stormwater management strategy that responds to the existing topography, regulatory requirements, and the urban context of the Chatswood CBD. The lawful point of discharge for the site is located at the corner of Victoria Avenue and Victor Street, connecting to Council's existing stormwater network.

Key elements of the stormwater strategy include:

- A 38kL suspended Onsite Detention (OSD) tank located at Level 2 to meet Willoughby City Council's stormwater quantity requirements for a 1% AEP storm event.
- The tank is fitted with a 103mm orifice, achieving a permissible site discharge of 17L/s, in accordance with the prescribed threshold for the 1,049.88m² site.
- The OSD system includes overflow slots fitted with louvers and guttering to safely direct excess water in the event of extreme rainfall, minimising any impact on public domain areas.
- Stormwater runoff from the podium and rooftop terraces is captured and directed into the OSD system, with only 1.8% of the site area bypassing this system — well below the 5% threshold that would require additional hydraulic modelling.

The design ensures that stormwater runoff is appropriately managed on-site and discharges are attenuated before reaching the public network, significantly improving current runoff conditions and reducing the potential for localised flooding.

6.10.2 Water Quality

Water quality management has been addressed through a combination of treatment devices designed to meet the pollutant removal targets outlined in the DCP, namely:

- Gross Pollutants (90%)
- Total Suspended Solids (85%)
- Total Phosphorus (60%)
- Total Nitrogen (45%)

To achieve these targets, the following Stormwater Quality Improvement Devices (SQIDs) are proposed:

- 1x Ocean Protect OceanGuard 200-micron filter basket for runoff from the Level 2 terrace.
- 1x Ocean Protect Aluminium combination unit (2.31m x 0.71m) incorporating:
 - 1 x OceanGuard 200-micron filter basket
 - 2 x Stormfilter 690 Psorb cartridgesThese treat rooftop and Level 6 terrace runoff prior to discharge into the Level 2 OSD tank.

Water quality performance was validated using MUSIC (Model for Urban Stormwater Improvement Conceptualisation) modelling. The results confirm that all relevant pollutant reduction targets are exceeded, including:

- TSS reduction of 85.6%
- TP reduction of 65.7%
- TN reduction of 49.7%
- GP reduction of 98.1%

As no catchments within the development discharge into the basement, hydrocarbon treatment devices are not required. Similarly, a rainwater reuse system is not proposed, as water quality targets have been met through other means and reuse infrastructure is not mandated for this type of development.

Overall, the integrated water cycle management approach demonstrates compliance with all relevant policy objectives and ensures that the development contributes to sustainable and resilient water outcomes.

6.11 Landscaping

The landscape design for the Proposed development offers a holistic, contextual outcome, with a focus on quality communal spaces, ecological integration, and cultural sensitivity. The Landscape Design Report (**Appendix K**) prepared by Land+Form Studios, the strategy balances private amenity and public activation, while embedding sustainability and Designing with Country principles throughout.

Key features of the Proposal include a series of activated terraces, strong place-making initiatives at ground level, generous planting on structure, and landscape infrastructure that supports water management and biodiversity.

Communal Open Space (COS) Terraces

- Level 2 Pool Terrace includes a lap pool, sun lounges, rain gardens, a garden lounge, and a wellness area with spa/sauna and plunge pools—creating a health-oriented landscape.
- Level 6 Communal Terrace delivers a more informal, pet- and work-friendly space featuring a dog park, dog wash, study nooks, and raised planters with native species.
- Level 23 Social Terrace caters to recreation and dining with BBQs, a multipurpose sports court, outdoor kitchen, bar setting, and extensive seating areas.

Landscape Area and Planting

- Total soft landscape area across all terraces amounts to 310 m², with softscape proportions of:
 - Level 2: 118m² (28%)
 - Level 6: 128m² (53%)
 - Level 23: 52m² (25%)
- The planting palette draws from locally endemic species such as *Backhousia citriodora*, *Angophora costata*, and *Lomandra longifolia*, promoting habitat and cultural resonance.
- Deep soil planters and rain gardens help manage runoff and enable medium-scale tree planting above podium level.

Public Domain and Streetscape Enhancements

- As aforementioned, public domain enhancements will be subject to further negotiation post-consent with Council, in order to fully resolve a design outcome prior to implementation.

6.12 Ecologically Sustainable Development

An Ecologically Sustainable Design (ESD) Report has been prepared by JHA (**Appendix O**) to demonstrate compliance with planning requirements, including the *State Environmental Planning Policy (Sustainable Buildings) 2022* and *Item 15 of the Industry-Specific SEARs*. The report details a suite of initiatives embedded in the design, construction, and operational phases of the Proposed mixed-use development. Key commitments include, but are not limited to:

- Building envelope design incorporates high-performance insulation and glazing aligned with NCC 2022 and BASIX targets.
- A roof-mounted photovoltaic system (PV) will be installed to reduce grid dependency and greenhouse gas emissions.
- High-efficiency HVAC and LED lighting systems will be adopted, along with passive solar design and solar shading strategies to optimise daylight and thermal comfort.
- Water-sensitive urban design (WSUD) will be implemented to manage stormwater and reduce potable water demand.
- Sustainable materials with low embodied emissions and low VOCs will be prioritised where possible.
- A Construction Waste Management Plan will aim to divert demolition and construction waste from landfill.
- Mechanical ventilation systems will be designed to reduce indoor pollutants, with adherence to ASHRAE and AS standards.

Together, these initiatives form a holistic and integrated ESD strategy that supports long-term sustainability outcomes for the site, enhances resident comfort, and ensures compliance with State policy and regulatory requirements. Further discussion is provided within **Appendix O**.

6.13 Contamination

The Preliminary Site Investigation prepared by Douglas Partners (**Appendix X**) confirms that the Site is not listed on any EPA contaminated land registers and there is no evidence of significant contamination. Historically, the Site has supported commercial uses including food retail, a gym, educational premises, and a substation (installed circa 1974), with earlier records suggesting light manufacturing or cabinet making. A Site walkover found no exposed soil and no signs of staining, odours, or significant environmental risk.

Potential sources of contamination include legacy fill materials from past demolition, historical commercial activities, and potential hazardous building materials (e.g. asbestos, lead paint). While no underground tanks were confirmed on-site, a possible UST in nearby Post Office Lane was noted. The PSI concludes the Site can be made suitable for its intended residential and commercial uses, subject to further investigations.

Key recommendations include undertaking a Hazardous Building Materials Survey pre-demolition and a Detailed Site Investigation (DSI) post-demolition to confirm soil, groundwater, and vapour conditions. If required, a Remediation Action Plan (RAP) or Environmental Management Plan (EMP) would be prepared to address any identified contamination. Due to ongoing tenancy, these investigations will occur following development consent. Overall, the PSI supports that the Site is capable of being made suitable for the proposed development under the relevant planning and environmental guidelines.

6.14 Groundwater and Soil Conditions

The Geotechnical Desktop Assessment prepared by Douglas Partners (**Appendix U**) provides a preliminary understanding of subsurface conditions and excavation implications for the Site at 410–416 Victoria Avenue, Chatswood. The report supports the State Significant Development Application (SSDA) and outlines key geotechnical risks, excavation parameters, and future investigation requirements.

Based on regional geological mapping and data from nearby projects, the subsurface profile is expected to consist of man-made fill overlying stiff to very stiff residual clays, followed by weathered Ashfield Shale bedrock with increasing strength at depth. Groundwater is anticipated at around RL 90 m AHD, which is above the proposed excavation level, although site-specific levels may vary.

Excavation is expected to encounter mostly fill, clay, and low-strength weathered rock, which can generally be removed using conventional machinery. Harder rock may be encountered at the lowest basement levels (e.g. lift pits), requiring rock hammers or saws, particularly near boundaries where overbreak and vibration need to be controlled. Ground movements from excavation will need to be quantified to protect adjacent structures, and dilapidation surveys are recommended prior to commencement.

A drained basement system is considered feasible, subject to further groundwater monitoring. Preliminary seepage rates are expected to be low due to the low permeability of Site soils and bedrock. Groundwater inflow is likely to be manageable using perimeter drainage and sump-pump systems, although regulatory approval will be required. Measures should also be incorporated to address iron oxide residue from oxidised groundwater, with access for drain maintenance.

Future geotechnical investigations are planned once demolition permits access, including borehole drilling, groundwater well installation, and permeability testing. These investigations will inform the final excavation support, foundation design, and groundwater management strategy.

6.15 Waste Management

The Operational Waste Management Plan prepared by Elephants Foot (**Appendix Y**) outlines a comprehensive system for the management of waste across both the residential and retail components of the proposed development. The plan supports best-practice sustainability, source separation, and on-site operational efficiency in alignment with relevant guidelines and Willoughby Council expectations (notwithstanding the SSD pathway).

Residential Waste Management

The residential component includes 260 Build-to-Rent dwellings and is estimated to generate the following volumes weekly:

- General Waste: 36,400L
- Recycling: 31,200L
- FOGO (Food Organics and Garden Organics): 7,800L

To manage this, the following bin provisions and collection frequencies are recommended:

- 17 × 1100L general waste bins – collected twice weekly
- 15 × 1100L recycling bins – collected twice weekly
- 17 × 240L FOGO bins – collected twice weekly

Waste disposal is facilitated by dual chute systems (general waste and recycling) discharging into linear track carousel systems in the Basement 3 chute discharge room. FOGO is managed via a communal FOGO room

where residents manually dispose of organic waste. Bulky waste is stored in a designated room and collected by a private contractor on an as-needed basis.

All residential waste streams will be collected by a private contractor who will access the building via Post Office Lane, using a dedicated refuse lift to transport bins from Basement 3 to the loading area. The building manager is responsible for preparing bins for collection, overseeing access, and returning bins to their respective rooms post-service.

Retail Waste Management

Retail tenancies (café, restaurant, bar and kitchen uses) are estimated to generate:

- General Waste: 50,589L/week
- Recycling: 9,198L/week

To manage this, the following provisions are recommended:

- 10 × 1100L general waste bins – collected five times weekly
- 2 × 1100L recycling bins – collected five times weekly

Retail tenants will be responsible for transporting waste from their tenancies to the retail waste room in Basement 3. Waste collection will be undertaken by a private contractor, also accessing the Site via Post Office Lane. Retail and residential waste collections are to occur on separate days to ensure segregation of waste streams.

Collection, Access and Responsibilities

- Collection Point: Ground-level loading area accessed via Post Office Lane
- Waste Contractor: Private waste collection provider engaged by building management
- Responsibilities: The building manager oversees all operational waste functions, including bin rotation, contractor access, waste room hygiene, education, and equipment maintenance. Tenants and residents are responsible for sorting and correctly disposing of their own waste into the appropriate bins.

Equipment is stored and operated from within designated waste rooms, with all bin movements taking place entirely within the property boundary.

6.16 Accessibility

6.16.1 Adaptable Housing

The proposed development seeks to provide three (3) adaptable dwellings. Ultimately, this represents a variation to the Willoughby DCP 2023 adaptable housing requirement of 50% for shop-top housing developments. It is noted that as per Section 4.6, the Willoughby DCP 2023 is not a relevant matter of consideration in the assessment of SSDAs.

Subsequently, the proposed development's nomination of three dwellings to be adaptable aligns with the nature of BTR development, which provides significant flexibility for residents to move within buildings as their housing needs change over time. This is evident in the proposed development's provision of 1,407m² of communal spaces, which comprise of both indoor amenities and outdoor private outdoor landscaped areas. It is also noted that each unit throughout the development has been supplemented with adequate storage opportunities and balconies which provide useful private outdoor open space.

Therefore, the provision of three adaptable dwellings is considered to be appropriate from an accessibility perspective. Refer to the Design Report (**Appendix H**) for further detail.

6.16.2 Liveable Housing

Of the total of 260 residential units within the building, a total of 76 apartments have been designed to meet the design requirements of Liveable Housing Guidelines Silver Level, which equates to approximately 29% of the overall apartment mix. This quantum exceeds the 20% minimum identified within the ADG and satisfies the suitable Liveable Housing Silver Level requirements. Refer to the Design Report (**Appendix H**) for further detail.

6.17 Crime Prevention Through Environmental Design

An assessment of the Proposal against the Crime Prevention Through Environmental Design (CPTED) principles has been undertaken. These principles have been applied by the collective project team in preparing the design,

particularly when considering the provision of retail, residential lobby and activated uses throughout the ground plane, as well as the siting of windows and communal open space in the upper levels of the proposed development.

Overall, the proposed development results in a direct improvement in the achievement of key CPTED principles in comparison to the existing condition of the Site. The key elements of the proposed development which meet each of the CPTED principles are addressed in **Table 19** below.

Table 19 *Proposed development consistency with CPTED principles*

CPTED Principle	Consistency
Surveillance	- The proposed development is supported by a significant amount of glazing throughout the ground floor plane and podium to support a variety of non-residential uses. The provision of glazing assists both active and passive surveillance into the building, as well as surrounding public domain. This significant visual permeability will assist both short and long sightlines throughout the immediate public domain. - The provision of communal open space in the building podium, and windows facing into the public domain will further aid informal surveillance opportunities, allowing for 'eyes on the street', which will reduce the capability for perpetrators to move undetected. - The activation of the ground floor plane throughout three street frontages will significantly aid passive surveillance in the public domain. Specifically, the provision of activated retail uses along Post Office Lane represents an improvement in comparison to the existing Site conditions.
Territorial Reinforcement	- The residential lobby entrance has been designed in a manner which clearly denotes a private use within the ground floor plane, despite its proximity to publicly accessible retail tenancies. This arrangement will be aided by adequate wayfinding signage which will clearly denote the space as being a private residential lobby. - The provision of active frontages along three separate street frontages will provide key spaces for direct and incidental social interactions among residents and the broader public to occur. This function will enhance the indirect ownership of the immediate public domain, supporting its ongoing usage as key elements of the pedestrian network.
Activity and Space Management	- The provision of new retail tenancies and consolidated awning approach will provide an improved movement pathway for pedestrians throughout the corner site. It is noted that adequate wayfinding signage indicated each retail tenancy, the residential lobby and surrounding key nodes will further improve the already elevated activity and space management outcome. - Vehicle, bicycle and pedestrian conflicts along Post Office Lane will be appropriately mitigated through the provision of roller shutters to the basement entrance, with adequate wayfinding signage and lighting providing significant warning prior to a vehicle exiting the space to passersby.
Access Control	Access into the residential lobby and basement levels will be appropriately controlled through a key card arrangement. This arrangement will clearly denote both spaces for private usage in comparison to the publicly accessible retail tenancies throughout the ground floor plane.

It is suggested the below recommendations are incorporated into the detail design of the Proposal and are considered as part of the management of the building to reduce the risk of criminal activity and encourage the safety of all users of the development.

- Ensure lighting throughout communal open spaces, entrances to retail tenancies, along the awning line and within the basement car park are adequate and meets the Australian Lighting Standard AS/NZ 1158 for public streets, car parks and pedestrian areas; and
- Ensure CCTV is appropriately monitored and surveys all external access points, lifts and common areas.

6.18 Reflectivity

A Reflectivity Study has been prepared by Windtech and is provided in **Appendix HH**. Ultimately, ongoing reflectivity recommendations have been made for the Proposal throughout the design development process, which has resulted in the incorporation of recommended panel rotation and additional vertical fin mitigation measures.

Based on the implementation of the design measures, Windtech have confirmed that the proposed development will not cause adverse solar glare to motorists, train drivers, pedestrians in the surrounding area, or to occupants of neighbouring buildings, and will comply with the applicable glare controls within the ADG.

Additional discussion is provided within **Appendix HH**.

6.19 Social Impacts

A comprehensive engagement program was undertaken by HillPDA to assess the community's views on the Proposed development. While engagement resulted in relatively low participation, the feedback received highlighted key concerns, preferences, and expectations from local residents, businesses, and community organisations.

An assessment of the existing community infrastructure around the Site has also been undertaken by HillPDA to consider whether the proposed BTR development would create additional pressure on local community services, or alternatively contribute positively to the area's social infrastructure provision. The assessment concludes that the proposal will generate a net population uplift (approximately 400–500 additional residents), which can be accommodated within existing local services, including schools, health facilities, libraries, and open space. Chatswood is well-served by existing and planned social infrastructure, including Willoughby Council's Civic Centre, the Dougherty Community Centre, and numerous early childhood centres and recreation facilities.

The proposal also contributes to the functional capacity of the precinct through the delivery of high-quality private amenity spaces and communal areas that reduce reliance on local public infrastructure. Importantly, the build-to-rent model—featuring strong on-site management and retention of residents—is also anticipated to reduce resident turnover and promote longer-term community stability, easing pressure on services compared to short-term residential uses. No new public infrastructure is required as a result of this development, and its design has been informed by the strategic objectives of Council's planning framework, including the Chatswood CBD Strategy 2036.

A summary of the social impacts is provided below:

- Possible residual impacts identified with the proposed development include:
 - A low risk of access disruption and pedestrian safety concerns during construction, particularly along Post Office Lane. These impacts are temporary and will be managed through a Construction Traffic Management Plan.
 - Perceived impacts on views, overshadowing, and increased noise or wind exposure. These are addressed through accompanying specialist reports (Visual Impact Assessment, Acoustic Report, Wind Study), and mitigated through thoughtful design interventions.
 - Community concern about resident behaviours and overcrowding associated with BTR models. These will be managed through on-site operations run by a single building manager and the adoption of clear operational protocols.
- The most significant social benefits of the proposed development are positive and relate to:
 - The delivery of a high-quality rental housing product within the Chatswood Strategic Centre, close to jobs, services, and transport, providing an uplift in housing choice and supporting diverse household needs.
 - Enhancement of community wellbeing and social cohesion through provision of shared indoor and outdoor amenities, fostering long-term tenancy, connection, and a sense of place.
 - Contribution to the vibrancy and activation of the public domain, particularly along Victoria Avenue and Victor Street, improving the quality and safety of pedestrian experiences.
 - Incorporation of inclusive design and family-friendly apartment layouts, responding to local demand for adaptable living environments.

- Integration of ESD features and Aboriginal cultural values into the built form and communal areas, reinforcing environmental and cultural sustainability.

As such, the proposed development will have a positive social impact on the community. Despite this, recommendations have been provided within the report to further manage the potential social impacts arising from the Proposal. These are summarised in the Mitigation Measures table at **Appendix E**.

6.20 Contributions and Public Benefit

6.20.1 Contributions

Willoughby Local Infrastructure Contributions Plan 2019

Development contributions will be provided in accordance with the Section 7.11 contribution rates set out in the Willoughby Local Infrastructure Contributions Plan 2019, which involves the following rates per apartment type:

		Per resident*	Per secondary dwelling or seniors living dwelling	Per bedsit, studio or 1 bed dwelling	Per 2 bed dwelling	Per 3 or more bed dwelling / Per Lot
Recoupment - open space and recreation	Works	\$58.78	\$88.52	\$88.52	\$124.58	\$160.29
Recoupment - community facilities	Works	\$1,105.51	\$1,665.00	\$1,665.00	\$2,343.15	\$3,014.84
Open space and recreation facilities	Land & works	\$5,748.33	\$8,657.55	\$8,657.55	\$12,183.73	\$15,676.35
Active transport and public domain facilities	Works	\$312.77	\$471.06	\$471.06	\$662.92	\$852.95
Plan administration		\$108.38	\$163.23	\$163.23	\$229.72	\$295.57
Total		\$7,333.75	\$11,045.37	\$11,045.37	\$15,544.09	\$20,000.00

Figure 55 Section 7.11 Contribution Rates

Source: Willoughby City Council

Housing and Productivity Contribution

The Proposal will also be subject to the Housing and Productivity Contribution (HPC). This contribution will apply the following rates to the development:

- \$10,000 per dwelling.
- \$30 per square metre of new retail GFA.

The HPC is to be paid before the issue of the first CC in relation to the development and the rates are indexed quarterly based on the Producer Price Index. Discounts apply to the HPC if it is paid before the following dates:

- Between 1 July 2024 and 30 June 2025: the amount is reduced by 25%.

6.20.2 Public Benefit

The Proposal represents a public benefit given that it will:

- Contribute to the growth of the Chatswood by capitalising on an underutilised site, strengthening the Chatswood CBD as a key strategic centre in the North District.
- Facilitate the renewal of a significantly underutilised Site at a key gateway location to the Chatswood CBD.
- Demonstrate excellence in both design and ecologically sustainable development initiatives.
- Deliver 260 BTR apartments, which will take advantage of this accessible location, proximity to services and existing networks with direct connections to major employment destinations.
- Create a more vibrant and activated precinct that provides a range of day to day services and offerings for employees, visitors, and the local community.

- Create new jobs during the construction and operation phases of the development.

6.21 Infrastructure Requirements and Utilities

Infrastructure requirements will be confirmed as part of the detailed design process, however the following is currently noted:

- **Power:**
 - There is an existing substation onsite which will need to be decommissioned. The design process for this is currently underway with Ausgrid, as is the design for the new substation to service the development.
 - The design proposes a basement-level substation to service the needs of the Proposal whilst also maximising active street frontages at ground floor.
- **Communications:**
 - DBYD analysis shows that various communications providers are located within the vicinity of the proposal, including NBN, Telstra, Optus, TPG and others.
 - Initial infrastructure investigations indicate that there are sufficient connection opportunities available to service the proposed development.
- **Water and Sewer:**
 - Initial infrastructure investigations and pressure and flow analysis indicate that there is sufficient surrounding water infrastructure to service the proposed development.
 - Initial infrastructure investigations indicate that sufficient sewer infrastructure exists in the vicinity to service the proposed development.
 - Any detailed requirements will be resolved with Sydney Water as part of the Section 73 process.
- **Gas Infrastructure:**
 - Initial infrastructure investigations indicate that sufficient gas infrastructure exists to service the proposed development.
 - It is noted that the proposal intends to minimise reliance on gas, including to the residential component which will be all electric. As such the development is proposed to generate nil to minimal demand on existing gas infrastructure.

7.0 Project Justification

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves the construction and operation of a BTR shop-top housing development, as outlined in **Section 3.0**. The assessment must, therefore, focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

In considering the justification of the proposed development and in reference to Section 4.15 of the EP&A Act which specifies matters for consideration a consent authority must consider in determining a development application, the following matters have considered:

- Design of the proposed development, including actions taken to avoid or minimise the impact of the proposed development while still achieving the objectives of the project;
- Consistency with the strategic context;
- Consistency with the statutory requirements;
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the Site for the development; and
- The public interest.

7.1 Ecologically Sustainable Development

Section 193 of the EP&A Regulation outlines four (4) principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle.
- Intergenerational equity.
- Conservation of biological diversity and ecological integrity.
- Improved valuation, pricing and incentive mechanisms.

An analysis of these principles is provided in the following sections.

Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This EIS and its supporting reports and studies has not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the Proposal.

Intergenerational Equity

Intergenerational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The Proposal has been designed to benefit both the existing and future generations by:

- The final development will incorporate a range of best-practice sustainability measures to deliver a high-performing, environmentally sustainable design, as presented in **Section 7.1** and the ESD Report prepared by E-Lab Consulting (**Appendix O**). These measures will help reduce the development's energy and water consumption and waste and greenhouse gas production.
- The consolidated list of mitigation measures (**Appendix E**) outlines measures to safeguard and protect the environment.

The Proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term

implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The Proposal would not have any significant effect on the biological diversity and ecological integrity of the study area, as confirmed in the BDAR Waiver (**Appendix R**).

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a Proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance.

7.2 Objects of the EP&A Act

The Proposal is consistent with the relevant Objects of the Act as listed under Section 1.3 of the EP&A Act and will not result in any unjust or significant environmental impact. Specifically, the Proposal is consistent with the relevant Objects of the Act as shown below in **Table 20**.

Table 20 Objects of the EP&A Act

Object	Comment
<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The Proposal promotes the social and economic welfare of the community for the following reasons: - It responds to the need for additional rental housing supply in Chatswood and Greater Sydney by establishing the delivery of 260 BTR homes in a highly accessible location and within walking distance of employment, shops, services, and public open space. - It will support the creation of healthy, safe and inclusive places by facilitating a high-quality public domain and an activated retail tenancy.
<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	As described in Section 7.1 above, the principles of ESD have been incorporated into the Proposal's design and strategy.
<i>(c) to promote the orderly and economic use and development of land,</i>	The Site is an underutilised landholding within walking distance of the Chatswood Transport Interchange as well as a range of other services and employment opportunities within the Chatswood CBD. Further, the Site is also unconstrained from matters such as bushfire, major flooding and biodiversity, and is well-positioned to provide an activated ground plane to enhance the vibrancy of the Chatswood Strategic Centre. The Proposal represents an orderly development as: - It is consistent with the strategic objectives of the NSW Government to facilitate greater housing supply in areas with excellent access to services and employment opportunities. - It is permissible with consent by virtue of the Housing SEPP. - It complies with the relevant development standards under the WLEP 2012, meaning the Proposal's scale of development is contemplated at the Site. Therefore, the Proposal will facilitate the orderly and economic use of land by revitalising a significantly underutilised landholding at a key corner Site acting as a gateway to the Chatswood CBD.
<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The BDAR Wavier confirms that the Proposal is unlikely to significantly impact biodiversity values, including threatened and other species of native animals and plants, ecological communities and their habitats.

Object	Comment
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)</i>	As presented in Section 3.3, the Proposal promotes the sustainable management of built and cultural heritage (including Aboriginal cultural heritage) for the following reasons. Site The Proposal exhibits design excellence and will in turn be of a high architectural and landscape design standard that positively contributes to the setting of nearby heritage items. The mitigation measures presented in Appendix E include appropriate management of archaeological deposits and Aboriginal items that might be uncovered at the construction stage.
<i>(g) to promote good design and amenity of the built environment,</i>	The proposed development represents the winning scheme from a rigorous Design Excellence Competition where it was subject to review by an eminent Jury, informed by specific reviews from relevant technical advisors. As detailed in Section 2.3 and Section 3.3, the Proposal has been designed to appropriately respond to the Site's surrounding context, whilst protecting the environmental amenity of the area. The form, function and overall design of the development is of a high quality that will support the amenity of its occupants and surrounding community.
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The Proposal has been designed to comply or demonstrate capability of compliance with the BCA and the Disability (Access to Premises – Buildings) Standards 2010.
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment</i>	As outlined in Section 5.0, the Proponent has carried out extensive consultation per the Department's <i>Undertaking Engagement Guidelines for State Significant Development (2021)</i>.

7.3 Consistency with the Strategic Context

The proposed development aligns with the strategic framework presented in **Section 2.3** given that:

- The proposed development will provide 260 BTR apartments in a highly accessible location within 50m of the Chatswood Transport Interchange, contributing to the State Government's directive of facilitating Transport Oriented Development.
- The Proposal directly addresses the current housing affordability and supply crisis by delivering 260 dwellings in a key strategic centre of the North District.
- The proposed development will include activating uses at the Ground level to enhance the vibrancy of the locality and provide convenience to residents and visitors. Further, the Proposal will allow for the enhancement of the Victoria Avenue and Victor Street public domain.

7.4 Consistency with the Statutory Requirements

The relevant statutory requirements have been discussed in **Section 4.0** and assessed in **Appendix C**

Specifically, this EIS has addressed all of the matters specified in the issued SEARs dated 4 February 2025 (refer to **Appendix A**) and Section 190 and 192 of the EP&A Regulation (refer to **Appendix C**).

7.5 Likely Impacts of Development

Having regard to the natural environment, built environment and economic and social impacts of the proposed development, the likely impacts of development are considered acceptable as outlined in the following sections.

Additionally, the proposed mitigation measures detailed within **Section 6.0** and **Appendix E** outlined mitigation and management measures that will minimise the impact of the proposed development.

7.5.1 Biophysical

The environmental impact assessment (**Section 6.0**) demonstrates that:

- the Proposal will not have any significant effect on threatened species, populations or ecological communities or their habitat arising from the construction or uses of the proposed development. The Proposal will not have an impact on any matters of national environmental significance under the *Environmental Protection and Biodiversity Conservation Act 1999*, or *Biodiversity Conservation Act 2016*; and

- the Proposal will not result in any undue adverse environmental impacts. Potential sources of risk associated with the construction works and operation of the proposed development can be managed with the appropriate safeguards and mitigation measures as outlined at **Appendix E**.

7.5.2 Social and Economic

The Proposal's social and economic impacts include:

- Facilitating the delivery of 260 BTR homes in a highly accessible and amenity rich location to support the shortfall of rental housing options and the requirement to deliver 6,000-6,700 new dwellings in the Willoughby LGA by 2036. This supply will support the need for additional secure rental housing options within Chatswood.
- Will address the recognised shortage in housing supply across Greater Sydney, which has accentuated the current housing affordability crisis in NSW.
- The proposed BTR model will increase social cohesion, create a sense of community, deliver on key social infrastructure and provide an improved way of life through the enhanced public domain and pedestrian experience on the Site.
- The Proposal will support 221 FTE construction jobs per annum and over 60 FTE operational jobs (both retail and residential) during the operational phase of the development.
- It will revitalise a currently underutilised Site at a key gateway location to the Chatswood CBD, which will help in catalysing the growth of the Chatswood CBD with a residential living component that demonstrates design excellence.

7.6 Suitability of the Site

Having regard to the characteristics of the Site and its immediate surrounding context, the proposed development is suitable for the Site for the following reasons:

- The Site is zoned E2 – Commercial Centre under the WLEP 2012, where shop-top housing for BTR purposes is permissible with consent by virtue of the Housing SEPP.
- The Proposal will contribute to the urban renewal of a key corner Site which acts as a gateway to the Chatswood CBD.
- Is under single ownership.
- Is capable of being developed in a manner that will minimise impacts to the existing character and qualities of the setting.
- Will not result in any adverse environmental impacts and any impact can be appropriately managed and mitigated.
- The Site is an underutilised landholding within a highly accessible and amenity rich location;
- The Site is not affected by significant constraints, such as flooding, bushfire hazards, endangered species and contamination or hazardous material.
- The Site's CBD context is conducive to supporting a well-designed high-density development that contributes to the CBD's skyline.

7.7 Public Interest

Having regard to the public interest, the proposed development is in the public interest for the following reasons:

- Contribute to the growth of the Chatswood by capitalising on an underutilised site, strengthening the Chatswood CBD as a key strategic centre in the North District.
- Facilitate the renewal of a significantly underutilised Site at a key gateway location to the Chatswood CBD.
- Demonstrate excellence in both design and ecologically sustainable development initiatives.
- Deliver 260 BTR apartments, which will take advantage of this accessible location, proximity to services and existing networks with direct connections to major employment destinations.
- Create a more vibrant and activated precinct that provides a range of day to day services and offerings for employees, visitors, and the local community.
- Create new jobs during the construction and operation phases of the development.

8.0 Conclusion

The Environmental Impact Statement (EIS) has been prepared to consider the natural environment, built environment and social and economic impacts of the proposed BTR shop-top housing development. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with section 190 and 192 of the EP&A Regulation.

Having regard to environmental and economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the statutory requirements of the relevant environmental planning instruments, including the Housing SEPP and the WLEP 2012;
- The proposed development represents a direct response to the strategic vision and objectives for the delivery of additional housing supply in Greater Sydney, stated in such documents such as the National Housing Accord 2022, Housing 2041, as well as the Greater Sydney Region Plan and North District Plan.
- The Proposal is of high-quality architectural design and represents a significant improvement to the existing Site condition, which is a significantly underutilised development site.
- The Proposal represents a significant investment opportunity where it will provide a high-quality development that will deliver a total of 221 FTE construction jobs per annum and over 60 FTE operational jobs.
- The Proposal will facilitate the delivery of high quality communal open spaces and amenity areas, as well as enable a range of future, potential public domain improvements on Victor Street (subject to separate consultation with Council).
- The Proposal aligns with State Government's strategic approach for true transit-oriented development by placing the proposed residential uses within approximately 50m of the Chatswood Transport Interchange, which offers direct access to high frequency Train, Metro, and Bus services.
- Design excellence has been achieved through the iterative design development process which has resulted in exemplary architectural design, accompanied by a well-considered selection of materials and a highly resolved built form which responds to the opportunities and constraints of the Site.
- The Proposal will contribute to an activated public domain and streetscape through the integration of ground-level retail premises.
- The Proposal has satisfactory access to all required utilities and infrastructure, as confirmed in the relevant technical inputs accompanying this EIS.
- The Proposal is consistent with the principles of ecologically sustainable development as defined by Section 193 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).
- The proposed development will not result in adverse environmental impacts, with appropriate mitigation measures that will minimise any potential impact; and
- The proposed development is suitable for the Site and in the public interest.

Given the merits described above, and the significant benefits associated with the proposed development, it is requested that the application be approved.