



# AMENDMENT REPORT

849, 853, AND 859  
PACIFIC HIGHWAY  
AND 2 AND 8  
WILSON STREET,  
CHATSWOOD

PREPARED ON BEHALF OF  
**BB WILSON PROPERTY PTY LTD**  
July 2025



## URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Project Code P0050207  
Report Number V1



# Acknowledgement of Country

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

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

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

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

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# 1. INTRODUCTION

## 1.1. OVERVIEW

This Amendment Report is submitted to the Department of Planning, Housing and Infrastructure (**DPHI**) on behalf of Billbergia Pty Ltd (**Billbergia, the Applicant**) in support of a State Significant Development Application (**SSDA**) (SSD-74319707) for the proposed mixed use (with infill affordable housing) development (**the project**) at 849, 853 and 859 Pacific Highway and, 2 and 8 Wilson Street, Chatswood (**the site**).

The project is State Significant Development (**SSD**) pursuant to Schedule 1, Section 26A of the *State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)*, as it is development to which Chapter 2, Part 2, Division 1 of *State Environmental Planning Policy (Housing) 2021, (Housing SEPP)* applies that:

- Is not prohibited under an Environmental Planning Instrument (**EPI**) applying to the land.
- Has an Estimated Cost of Development (**EDC**) that exceeds \$75 Million for the residential components.
- Meets the locational requirements of the Housing SEPP; and
- Will provide at least 10% of the total floor space as affordable housing for at least 15 years.

In accordance with Section 4.5 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, the Minister is the consent authority for the proposal.

The SSDA was publicly exhibited between 4 April 2025 - 1 May 2025. Several changes are proposed to the project in response to the submissions received and DPHI's issues letter dated 27 May 2025. These changes are addressed in this Report, and a full response to all submissions is provided in **Appendix A**.

This Amendment Report has been prepared in accordance with section 37 of the *Environmental Planning & Assessment Regulation 2021 (EP&A Regulation)* to comprehensively outline the changes and provide a consolidated assessment of the amended scheme for consideration by DPHI.

This Report includes assessment of compliance with the statutory and strategic planning framework, and all other potential environmental impacts identified through the preparation of this amended SSDA. Further, this report has been prepared in accordance with *State Significant Development Guidelines – Preparing an Amendment Report* (October 2022).

This Report also provides an assessment of the proposal against the relevant considerations under Section 4.15 of the EP&A Act.

This Report should be read in conjunction with all supporting documentation.

## 1.2. APPLICANT DETAILS

The applicant details for the proposed development are listed in the following table.

Table 1 Proponent Details

Descriptor	Proponent Details
Full Name(s)	BB Wilson Property Pty Ltd
Postal Address	101/25 Angas Street, Meadowbank
ABN	85 661 086 513
Nominated Contact	Oscar Brady - Assistant Development Manager (Billbergia)

## 1.3. PROJECT OVERVIEW

The SSDA (as lodged) sought consent for:

- Demolition of existing buildings, removal of trees, and remediation of hazardous material.
- Bulk excavation to a depth of approximately 22 metre deep to accommodate 6 levels of basement.
- Construction and operation of a 36-storey mixed use development with a commercial podium and two residential tower forms above comprising:
  - Retail / showroom uses at ground and lower levels
  - Childcare centre at Level 2
  - 332 x residential apartments (249 x apartments, 59 x affordable apartments and 24 x live / work studios)
  - 6 x levels of basement (+ mezzanine) providing 381 x car parking spaces, 368 x bicycle parking spaces, 20 x motorcycle spaces, a loading bay, waste storage, and plant
  - Storage areas and services
  - Communal open spaces on Level 02

The lodged SSDA scheme was a result of an architectural design competition which was held in 2023. The winning competition scheme was used as the basis for the SSDA, with an additional 30% height and FSR incorporated under the infill affordable housing provisions of the Housing SEPP. This has been managed through a GANSW endorsed “Bridging Design Excellence Strategy”.

The proposal has been subject to a Design Integrity Panel (**DIP**) meeting (on 23 October 2024) to ensure the scheme is capable of achieving design excellence.

The intent of the amended proposal remains as per the original SSDA; however a number of design and project description changes have been made in response to issues raised by DPHI, agencies, and public submissions after exhibition of the proposal.

The design changes broadly relate to the following:

- Enclosure of breezeways;
- Reconfiguration of live / work units;
- Amendment of floor to floor heights;
- Minor adjustments to the childcare layout and open spaces;
- Updates to waste storage areas on Basement Level 01 and reduction of 9 x car parking spaces;
- Updated driveway crest and ramp design; and
- Updated landscape and tree planting strategy.

A detailed list of all design changes is provided in **Section 3** and the accompanying RFI Architectural Design Report (**RTS Appendix MM**).

The legal description of the site has also been amended due to the reclassification of the property referred to as “8 Wilson Street”.

## 1.4. SITE CONTEXT

The site is referred to as 849, 853, and 859 Pacific Highway and, 2 and 8 Wilson Street, Chatswood. It is located in the Willoughby Local Government Area (LGA). The EIS submitted the original SSDA submission identified the legal description of the site as follows:

- Lot 1 Deposited Plan (DP) 1189541 (8 Wilson Street (Lot 1 O'Brien Street))
- SP 52947 (2 Wilson Street)
- SP 1496 (849 Pacific Highway)
- SP 60178 (853 Pacific Highway)
- SP 10110 (859 Pacific Highway)
- SP2 land fronting Pacific Highway.

Since the submission of the original EIS, the legal title associated with 8 Wilson Street has been amended. Specifically, Lot 1 DP1189541 has been legally amended to Lot 5 DP1310282. This updated lot configuration is shown in **Figure 1**. The current legal property description of the site is:

- **Lot 5 DP1310282 (8 Wilson Street)**
- SP 52947 (2 Wilson Street)
- SP 1496 (849 Pacific Highway)
- SP 60178 (853 Pacific Highway)
- SP 10110 (859 Pacific Highway)

Figure 1 Site Context Map



Source: Urbis

Figure 2 Regional Context



Source: Urbis

## 1.5. REVISED PROJECT DESCRIPTION

The revised description of the proposed development is as follows:

- Construction and operation of a new 36-storey mixed use development, comprising:
  - Six-storey (+ mezzanine) basement, containing 381 x residential and commercial car parking spaces, 353 x bicycle parking spaces, 20 x motorcycle parking spaces, waste rooms, plant rooms, vertical circulation, lobby areas, loading docks, OSD tank, and back-of-house areas;
  - Two-storey podium (Ground Level to Level 01) comprising:
    - Ground Level: 2 x retail showrooms (lower levels), 6 x retail / commercial units (lower levels), 4 x live / work studios (lower commercial components), 15 x visitor bicycle parking spaces, pedestrian lobby entries, mailroom, basement vehicle entry, fire control rooms, vertical circulation, plant, and back-of-house areas.
    - Level 01: 2 x retail showrooms (upper levels), 6 x retail / commercial units (upper levels), 4 x live / work studios (upper residential components), 1 x residential apartment (studio), outdoor communal space, vertical circulation, plant, and back-of-house areas.
  - Two Levels above podium comprising:
    - Level 02: Childcare centre (including outdoor play areas), communal open space for residents (including barbecue facilities, outdoor yoga deck, outdoor gym, swimming pool, spa, open lawns, alfresco dining areas, and seating areas), vertical circulation, and back-of-house areas.
    - Level 03: 14 x live / work studios (lower commercial components), outdoor communal area, communal amenity space, vertical circulation, plant, and back-of-house areas.
  - Two 32-storey residential buildings (above podium) (Levels 04 – 35) containing 14 x live / work units at Level 04 (upper residential components), 308 x residential apartments (47 x one-bedroom units, 125 x two-bedroom units, 133 x three-bedroom units, and 3 x four-bedroom units) (including 59 x affordable housing units), vertical circulation, and back-of-house areas.
- Public domain works, including landscaping, street trees, and publicly accessible open spaces;
- Reticulation of site services and infrastructure (electricity, telecommunication, gas, water, and sewer).

## 1.6. PROJECT BACKGROUND

### 1.6.1. Early Works and Demolition DA

On 29 January 2024 the applicant lodged a DA (DA- 2024/19) with Willoughby City Council (**Council**) for the demolition and removal of existing buildings and structures, site improvements and the removal of vegetation (referred to as the “Demolition DA”). The Demolition DA was approved by Council on 9 December 2024.

### 1.6.2. Regional DA

The applicant has submitted a concurrent DA to Council (DA-2024/47) (referred to as the “**Regional DA**”) which seeks consent for the construction and operation of a new mixed use shop top housing development. The DA was submitted prior to the gazettal of the in-fill affordable housing provisions under the Housing SEPP. The DA is subject to a deemed refusal appeal to the NSW Land and Environment Court (**LEC**).

The amendments made to the subject SSDA, as detailed in **Section 3** and **RTS Appendix X**, are generally consistent with amendments made to the Regional DA during the Section 34 conciliation process. The amendments made to the Regional DA (which Council publicly exhibited between 6 May– 20 May 2025) reflect negotiations between the applicant and Council and resolution to contentions.

### 1.6.3. Assessment History

A scoping meeting was held on 1 July 2024 with DPHI and the project team. A high-level review of the SSDA proposal was undertaken and DPHI issued SEARs for the project on 9 August 2024.

The subject SSDA (SSD-74319707) was lodged with DPHI in April 2025 with public notification undertaken between 4 April 2025 and 1 May 2025.

Following the public exhibition, a number of submissions were received from government agencies and the public. Following the public exhibition of the SSDA, the applicant undertook further consultation with DPHI via a teleconference meeting held on 22 May 2025, to understand key issues raised by the submissions. The matters raised by DPHI were reflected in the Key Issues letter issued to the applicant on 27 May 2025.

There were a total of eight (8) submissions from public agencies and Council including:

- DPHI (Key Issues letter)
- Sydney Water
- Heritage NSW
- Sydney Trains
- Transport for NSW
- Sydney Metro
- Ausgrid
- Department of Climate Change, Energy, the Environment and Water (**DCCEEW Water**)

The Council and agency submissions provided comment on the proposal and recommended draft conditions of conditions.

In addition, ten (10) public submissions were received from members of the local community and individuals (including a special interest group). Of the public submissions, 7 x submissions objected to the project, 2 x submissions supported the project, and 1 x submission made comment on the project.

These submissions have been addressed within this Amendment Report and the Response to Submissions Matrix attached as **RTS Appendix A**.

## 1.7. SUPPORTING DOCUMENTATION

This Amendment Report is supported by the following technical reports and documentation to support the amended proposal.

Table 2 Supporting Documentation

RTS Appendix	Report	Prepared By
<b>RTS Appendix A</b>	Response to Submissions	Urbis
<b>RTS Appendix B</b>	Response Matrix to DPHI's RFI (11 July 2025)	Urbis
<b>RTS Appendix C</b>	Updated Mitigation Measures	Urbis
<b>RTS Appendix D</b>	Amended Architectural Plans	PBD Architects
<b>RTS Appendix E</b>	Revised Clause 4.6 Variation Request (FSR)	Urbis
<b>RTS Appendix F</b>	Revised Clause 4.6 Variation Request (Height)	Urbis
<b>RTS Appendix G</b>	Revised Clause 4.6 Variation Request (Non-residential FSR)	Urbis
<b>RTS Appendix H</b>	Revised Arborist Report	McArdle Arboricultural Consultancy

<b>RTS Appendix</b>	<b>Report</b>	<b>Prepared By</b>
<b>RTS Appendix I</b>	BASIX certificate	Integreco
<b>RTS Appendix J</b>	Revised Landscape Plans	LandFX
<b>RTS Appendix K</b>	Childcare Planning Guideline Assessment	Urbis
<b>RTS Appendix L</b>	Revised Preliminary Construction Pedestrian Traffic Management Plan	JMT
<b>RTS Appendix M</b>	Supplementary Swept Paths	JMT
<b>RTS Appendix N</b>	Revised Operational Waste Management Plan	Elephants Foot
<b>RTS Appendix O</b>	Revised Construction and Demolition Waste Management Plan	Elephants Foot
<b>RTS Appendix P</b>	Revised Noise and Vibration Impact Assessment	E-Lab
<b>RTS Appendix Q</b>	Childcare Noise and Vibration Impact Assessment	E-Lab
<b>RTS Appendix R</b>	Vertical Circulation Report	JHA Services
<b>RTS Appendix S</b>	Preliminary Ambient Air Quality Assessment	E-Lab
<b>RTS Appendix T</b>	Letter of Advice – Drained Basement	Reditus
<b>RTS Appendix U</b>	Dewatering Management Plan	Reditus
<b>RTS Appendix V</b>	Public Art Strategy	PBD Architects
<b>RTS Appendix W</b>	Updated Civil Report and Plans	Xavier Knight
<b>RTS Appendix X</b>	Schedule of Amendments	PBD Architects
<b>RTS Appendix Y</b>	Advice Letter - Wind Comfort at Pacific Highway	SLR
<b>RTS Appendix Z</b>	Acoustic Assessment for Rail Noise and Vibration	E-Lab
<b>RTS Appendix AA</b>	Structural and Engineering Impact Assessment Report	Cadigal Group
<b>RTS Appendix BB</b>	Structural Engineering Report on Shoring Arrangement Adjacent to the Railway Corridor	Cadigal Group

<b>RTS Appendix</b>	<b>Report</b>	<b>Prepared By</b>
<b>RTS Appendix CC</b>	Structural General Arrangement Plans	Cadigal Group
<b>RTS Appendix DD</b>	Geotechnical Railway Impact Assessment	Fortify Geotech
<b>RTS Appendix EE</b>	Detailed Sections and Survey	SDG
<b>RTS Appendix FF</b>	Electrolysis Risk Assessment Report	Corrosion Control Engineering
<b>RTS Appendix GG</b>	Plan of Redefinition of Lot 1 in DP1189541	N/A
<b>RTS Appendix HH</b>	Throw Risk Analysis	PBD Architects
<b>RTS Appendix II</b>	Statement of Access - Trees for Removal on Eastern Boundary	McArdle Arboricultural Consultancy
<b>RTS Appendix JJ</b>	Rail Engineering Stormwater	Xavier Knight
<b>RTS Appendix KK</b>	Cranage Plans	SDG
<b>RTS Appendix LL</b>	Cranage and Easement Access Methodology	BB Wilson Property Pty Ltd
<b>RTS Appendix MM</b>	Amended Urban Design Report	PBD Architects
<b>RTS Appendix NN</b>	Vertical Transportation Advice	JHA

## 2. STRATEGIC CONTEXT

This section describes how the amended proposal addresses the strategic planning policies relevant to the site. It identifies the key strategic issues relevant to the assessment and evaluation of the project.

### 2.1. PROJECT JUSTIFICATION

The amendments are considered minor in the context of the broader proposal and do not alter the overall intent or strategic alignment of the development. The scheme will continue to deliver a mix of commercial and residential uses in a highly accessible and appropriate location within the Chatswood CBD.

The development as amended remains consistent with the State, district and local strategic plans and policies applying to the site. This is outlined below.

Table 3 Strategic Planning Consistency

Plan	Detail
<b>Greater Sydney Region Plan – A Metropolis of Three Cities</b>	<p>The Greater Sydney Region Plan (<b>Regional Plan</b>) provides the overarching strategic framework guiding growth and development across metropolitan Sydney over the next 40 years. The subject site is located within the North District and forms part of the Eastern Harbour City under the Plan.</p> <p>The amended development remains consistent with the key objectives of the Regional Plan, including:</p> <ul style="list-style-type: none"> <li>▪ <b>High-Quality and Affordable Housing:</b> The proposal continues to deliver a high-quality mixed-use development with affordable housing, contributing to the Plan’s goal of providing diverse and affordable housing options to meet the needs of a growing and changing population.</li> <li>▪ <b>Future Character of Chatswood CBD:</b> The proposed 36-storey tower remains aligned with the desired future character of the Chatswood CBD. The scale, design, and land use support the Plan’s vision for vibrant, high-density, and well-designed urban centres.</li> <li>▪ <b>Proximity to Public Transport:</b> The development continues to leverage its strategic location near the Chatswood Interchange, aligning with the Plan’s objective of enhancing accessibility and strengthening connections within the Eastern Harbour City.</li> <li>▪ <b>Employment-Generating Floor Space:</b> The inclusion of retail, live/work units, and commercial tenancies is retained, supporting the Plan’s intent to grow local employment and stimulate economic activity.</li> <li>▪ <b>Sustainable Urban Growth and SEPP Housing:</b> The proposal maintains a diverse land use mix and communal open spaces, consistent with the Plan’s emphasis on sustainability and liveability. The use of the Housing SEPP to achieve additional floor space and provide affordable housing supports the Region Plan’s strategic direction of leveraging policy tools to facilitate well-located urban growth.</li> </ul> <p>In summary, the amended development remains aligned with the vision and strategic priorities of the Greater Sydney Region Plan.</p>
<b>Our Greater Sydney 2056 - North District Plan</b>	<p>The North District Plan is a 20-year plan that manages growth in line with economic, social, and environmental considerations, giving effect to the Greater Sydney Region Plan at the district level. It informs Local Strategic Planning Statements and Local Environmental Plans, guiding how growth and change are supported across the North District.</p> <p>The amended development remains consistent with the key Planning Priorities of the North District Plan, including:</p> <p><b>Planning Priority N5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport</b></p>

Plan	Detail
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The amended proposal continues to deliver a mix of residential, commercial, and early education uses that meet the diverse needs of the local community. It retains a range of apartment types, including live-work configurations, supporting housing diversity and flexibility. Its strategic location within the Chatswood CBD and close proximity to the North Sydney CBD ensures residents benefit from easy access to employment, services, and public transport.

The provision of approximately 59 affordable housing dwellings continues to respond to the Plan's emphasis on housing stability and meeting the needs of changing demographics over time.

**Planning Priority N12 – Delivering integrated land use and transport planning and a 30-minute city**

The proposal maintains its strong alignment with this priority through its integration of residential and commercial uses within walking distance of key transport hubs, including Chatswood Metro Station and nearby rail stations at Roseville and Artarmon. Its location near major regional road corridors such as the Pacific Highway and M1 further enhances connectivity.

The development continues to capitalise on existing and planned State infrastructure investment, particularly the Sydney Metro, supporting the objective of enabling more people to live and work within 30 minutes of their daily needs.

In summary, the amended development remains well-aligned with the North District Plan's priorities, supporting sustainable growth, housing diversity, and integrated transport and land use planning within the North District.

**Willoughby Local Strategic Planning Statement**

The Willoughby Local Strategic Planning Statement (**LSPS**) establishes a 20-year vision for land use planning within the Willoughby LGA and gives effect to the objectives of the Greater Sydney Region Plan and North District Plan at the local level. It outlines local planning priorities and informs updates to the Willoughby Local Environmental Plan and Development Control Plan.

The amended development continues to align with the LSPS and supports several key planning priorities, including:

**Priority 1 – Increasing housing diversity to cater to families, the aging population, diverse household types and key workers.**

The proposal continues to offer a broad mix of apartment types, including live-work studios and one-, two-, three- and four-bedroom apartments. This diversity accommodates a range of household structures and life stages, from singles and key workers to larger families and downsizers, consistent with the LSPS goal to provide inclusive and adaptable housing.

**Priority 2 – Increasing the supply of affordable housing**

The amended scheme retains the delivery of approximately 5,852 sqm GFA of affordable housing (59 dwellings) within the core of the Chatswood CBD. This contributes to local housing affordability and ensures equitable access to services, public transport, and employment opportunities - all key LSPS objectives.

**Priority 9 – Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor**

The inclusion of retail and commercial uses within the development continues to generate local employment and enhance the commercial vitality of Chatswood. The proposal supports the LSPS vision of strengthening the Chatswood CBD as a strategic centre within Greater Sydney's Eastern Economic Corridor.

**Priority 14 – Increasing Willoughby's tree canopy coverage**

The development incorporates increased landscaping and canopy planting throughout the site, improving on existing site conditions and contributing to broader urban greening goals.

Plan	Detail
<b>Chatswood CBD Strategy</b>	<p>The Chatswood CBD Strategy, adopted by Willoughby City Council in September 2020, provides a comprehensive 20-year framework to guide future public and private development in the CBD. The Strategy aims to accommodate growth while delivering high-quality urban design outcomes and reinforcing Chatswood's identity as a vibrant, resilient, and distinctive metropolitan centre.</p> <p>The amended proposal remains consistent with the vision and objectives of the Chatswood CBD Strategy. The scheme continues to respond to key built form controls, including street setbacks, tower and podium setbacks, and building separation, ensuring that the development contributes positively to the public domain and urban form of the CBD.</p> <p>The proposal upholds the strategic intent of the Chatswood CBD Strategy and supports the long-term transformation of Chatswood into a well-designed, high-density centre with a strong commercial and residential presence.</p>
<b>Willoughby Housing Strategy 2036</b>	<p>The Willoughby Housing Strategy 2036 sets a long-term vision for the delivery of housing in the Willoughby LGA. It provides a strategic framework to guide the quantity, location, and diversity of future residential development, and was informed by demographic trends, community feedback, and planning analysis.</p> <p>The site is identified in the Strategy as being located within Focus Area 2, which supports mixed-use development on the edge of the B3 Commercial Core in Chatswood CBD. The amended proposal continues to align with this vision by delivering a high-density mixed-use development that integrates residential, commercial, retail, and community uses within a strategic centre.</p> <p>The proposal provides a total of 327 dwellings (including the live / work units), including a mix of apartment types and live / work units, supported by childcare facilities, public open space, and strong access to public transport. These elements directly support the Strategy's objectives to increase housing supply in well-connected locations while promoting housing diversity and mixed-use outcomes.</p> <p>The amended development remains consistent with the strategic intent of the Willoughby Housing Strategy 2036, contributing to the delivery of well-located, diverse, and sustainable housing in the Chatswood CBD.</p>
<b>Future Transport Strategy</b>	<p>The NSW Future Transport Strategy is a long-term vision for delivering an integrated, modern, and customer-focused transport network across New South Wales. It supports land use and population growth by encouraging development in locations that maximise the use of existing and planned transport infrastructure, while embracing innovation and emerging technologies.</p> <p>The amended proposal remains well-aligned with the Strategy's objectives by delivering a high-density mixed-use development within a highly accessible, transport-rich location. The site is located approximately 500 metres from both Chatswood Train Station and the Chatswood Metro Station, enabling future residents, workers, and visitors to easily connect to the broader metropolitan and regional transport network.</p> <p>The site is well serviced by bus routes along the Pacific Highway, ensuring seamless multi-modal transport options. By supporting transit-oriented development, the proposal contributes to the Strategy's goal of creating walkable, connected communities and reducing reliance on private vehicles.</p>
<b>Better Placed</b>	<p><i>Better Placed</i> is the NSW Government Architect's integrated design policy for the built environment. It sets out the principles of good design to enhance the quality of life, health, and wellbeing of communities across New South Wales. The policy promotes design excellence across buildings, public spaces, landscapes, and neighbourhoods, and is intended to guide decision-making at all stages of the planning and development process.</p>

Plan	Detail
	<p>The amended proposal remains consistent with the objectives of Better Placed, demonstrating a commitment to high-quality urban design that contributes positively to the built environment and public realm. The development reflects key design principles including context-sensitive planning, integrated landscape design, improved walkability, and activation of the street interface.</p> <p>A detailed assessment of the proposal against the Better Placed design principles is provided in the Urban Design Report at <b>RTS Appendix MM</b>, confirming the proposal's alignment with the NSW Government's vision for well-designed, liveable, and sustainable places.</p>
<p><b>NSW Housing Strategy: Housing 2041</b></p>	<p>In March 2021, the NSW Housing Strategy: Housing 2041 was released. It sets out a long-term (20 year) strategy for delivering better housing outcomes across NSW. High density housing and affordable housing was identified as an important housing typology to expand housing choice across the state.</p> <p>This proposal is positioned well to deliver housing choice and affordability through the varied apartment typologies and sizes and 59 x affordable housing units.</p>

### 3. DESCRIPTION OF AMENDMENTS

This section of the report describes the proposed amendments and provides a comparative analysis of the original development and amended proposal. It also includes an updated detailed description of the various components of the proposal, including the proposed amendments.

#### 3.1. OVERVIEW AND COMPARATIVE ANALYSIS

The original proposal was for a mixed-use development comprising a commercial podium, two residential tower forms, and six basement levels. The amended proposal is consistent with this project description.

**Table 4** summarises the refinements made to the SSDA proposal following the public exhibition and submissions and further engagement with DPHI. The refinements are generally consistent with the original project description and do not materially alter the proposed development for which consent is sought.

Table 4 Schedule of Updates

Project Element	Proposed Amendments
<b>Administrative Amendments</b>	
<b>Legal Description</b>	<p>As noted in <b>Section 1.3</b> above, the legal property description of the site has been amended. The site is referred to as:</p> <ul style="list-style-type: none"> <li>▪ Lot 5 DP1310282 (8 Wilson Street)</li> <li>▪ SP 52947 (2 Wilson Street)</li> <li>▪ SP 1496 (849 Pacific Highway)</li> <li>▪ SP 60178 (853 Pacific Highway)</li> <li>▪ SP 10110 (859 Pacific Highway)</li> </ul>
<b>Architectural Plans</b>	
<b>Basement Levels</b>	<ul style="list-style-type: none"> <li>▪ Relocation of residential bin holding room adjacent to the loading bay at Basement Level 01. Residential bin holding room increase in size to accommodate the requested quantity of recycling bins.</li> <li>▪ Consolidation of bulky waste to one room with charity bin at Basement Level 01.</li> <li>▪ Organic waste room increased in size to accommodate further bin quantity at Basement Level 01.</li> <li>▪ Updated end-of-trip facility to include additional bathroom and lockers at Basement Level 01.</li> <li>▪ General layout reconfiguration at Basement Mezzanine Level.</li> <li>▪ Updated retail and commercial car parking quantity resulting in a reduction of 9 car parking spaces across basement levels (381 x spaces now proposed).</li> <li>▪ Reconfiguration of bicycle parking.</li> <li>▪ Updated services loading bay position.</li> </ul>
<b>Ground and Level 1</b>	<ul style="list-style-type: none"> <li>▪ Additional security gates added to Ground Level.</li> <li>▪ Awning reduced at the ground level (contained within the site boundary).</li> <li>▪ Updated driveway crest and ramp design.</li> <li>▪ Reconfiguration of live/work units at Ground Floor and Level 1, to provide commercial on both levels and retain the residential / commercial uses across on both levels.</li> <li>▪ Void infilled at Level 1 showrooms.</li> <li>▪ Additional 12 residential visitor bicycle parking spaces on Ground Level.</li> </ul>
<b>Level 2 childcare</b>	<ul style="list-style-type: none"> <li>▪ Minor adjustments to the childcare layout and open space to reflect the indoor / outdoor ratio required under the Childcare planning guideline.</li> <li>▪ Removal of perimeter planting bordering the outdoor area.</li> <li>▪ Updated acoustic measures and awning design to the perimeter of the outdoor area as per recommendations of the Noise and Vibration Impact Assessment.</li> <li>▪ Further updated acoustic screening opacity to provide further privacy from overlooking by residential towers above.</li> </ul>

Project Element	Proposed Amendments
<b>Levels 3 and 4</b>	<ul style="list-style-type: none"> <li>▪ Reconfiguration of live / work tenancies on Level 3 to Level 4, to create an upper-level residential suite at the top and commercial suite below.</li> <li>▪ Allocation of northern communal open space at Tower B for residential use exclusive to live / work residents.</li> </ul>
<b>Roof</b>	<ul style="list-style-type: none"> <li>▪ Additional stair access to the rooftop area for services maintenance purposes.</li> <li>▪ Updated extent of services enclosure.</li> </ul>
<b>Façade</b>	<ul style="list-style-type: none"> <li>▪ Breezeways now enclosed and included in GFA calculations.</li> <li>▪ Removal of wind mitigation planters across levels due to enclosure of breezeways. Additional external windows and doors to now enclosed corridors throughout all levels generally.</li> </ul>
<b>General</b>	<ul style="list-style-type: none"> <li>▪ Adjustments to floor-to-floor heights: <ul style="list-style-type: none"> <li>- Level 1 to Level 2: from 3350 to 3420mm (+70mm)</li> <li>- Level 2 to Level 3: from 3200 to 3420mm (+220mm)</li> <li>- Level 3 to Level 4: from 3200 to 3420mm (+220mm)</li> <li>- Level 4 to Level 5: from 3150 to 3420mm (+270mm)</li> <li>- Level 33 to Level 34: from 3150 to 3420mm (+270mm)</li> <li>- Level 34 to Level 35: from 3150 to 3420mm (+270mm)</li> <li>- Level 35 to Level Roof: from 3150 to 3420mm (+270mm)</li> </ul> </li> <li>▪ Adjustments to proposed GFA to include on-floor residential waste circulation area throughout Levels 3-35</li> </ul>

Landscape Plans	
<b>Ground Level and Public Domain</b>	<ul style="list-style-type: none"> <li>▪ Updated landscape strategy and tree planting strategy - <ul style="list-style-type: none"> <li>- A total of 12 street trees to be retained (within the public domain and the site boundaries)</li> <li>- A total of 7 trees to be removed (within the site boundaries)</li> <li>- Additional landscaping is provided east of the SP2 zoned land fronting Pacific Highway. This landscaping comprises a low raised planter along the edge of the retail showroom.</li> <li>- Minor amendments to deep soil</li> </ul> </li> <li>▪ Additional 12 residential visitor bicycle parking spaces on Ground Level.</li> </ul>

The above amendments are incorporated into the updated architectural drawings (**RTS Appendix D**) and included in the RFI Architectural Design Report (**RTS Appendix MM**).

The below provides a comparative analysis of the proposed changes to the original development.

Table 5 Comparative Table

Aspect of Proposal	EIS Proposal	RTS Proposal
Land Uses	'Shop top housing', 'commercial premises', and 'childcare centre'	'Shop top housing', 'commercial premises', and 'childcare centre'
Building Height	120.05 metres (RL223.8)	<b>121.53 (RL225.14)</b>

Aspect of Proposal	EIS Proposal	RTS Proposal
Number of Stories	36	36
FSR / GFA	8.46:1 / 36,323sqm <b>Note:</b> The FSR / GFA excluding the wintergardens are 7.8:1 / 33,493 sqm	<b>9.09:1 / 39,014 sqm</b> <b>Note:</b> The FSR / GFA excluding the wintergardens and enclosed corridors (previously breezeways) are 7.8:1 / <b>33,679.6sqm</b>
GFA dedicated to affordable housing	5,448 sqm (59 x apartments)	<b>5,852 sqm</b> (59 x apartments)
Number of apartments	332 x residential apartments: <ul style="list-style-type: none"> <li>▪ 47 x 1-bedroom apartments</li> <li>▪ 125 x 2-bedroom apartments</li> <li>▪ 133 x 3-bedroom apartments</li> <li>▪ 3 x 4-bedroom apartments</li> <li>▪ 24 x live / work units</li> </ul>	<b>327 x residential apartments:</b> <ul style="list-style-type: none"> <li>▪ <b>48 x 1-bedroom apartments</b></li> <li>▪ 125 x 2-bedroom apartments</li> <li>▪ 133 x 3-bedroom apartments</li> <li>▪ 3 x 4-bedroom apartments</li> <li>▪ <b>18 x live / work units</b></li> </ul>
Communal Open Space	Primary communal open space provided at Level 02 podium. Additional communal open space at: <ul style="list-style-type: none"> <li>▪ Level 01</li> <li>▪ Level 03</li> <li>▪ Level 04.</li> </ul> Total communal open space - 29.6% of the site area (1,271sqm).	Primary communal open space provided at Level 02 podium. Additional communal open space at Level 04.  Total residential communal open space – <b>24.8%</b> of the site area ( <b>1,067sqm</b> ).  <b>Note:</b> Additional communal open space is provided at levels 01 and 03. These are incidental spaces likely to be used by occupants of commercial tenancies during the operational hours.
Deep Soil	307 sqm (7.2% of the site area)	<b>303.5 sqm (7.1% of site area)</b>
Tree removal	Retain 25 trees and remove 43 trees	<b>Retain 12 and remove 7 trees</b>
Car Parking	390 x car parking spaces	<b>381 x car parking spaces</b>
Bicycle Parking	368 x bicycle parking spaces	368 x bicycle parking spaces

## 3.2. DETAILED DESCRIPTION

The proposed development (as amended) comprises:

- Demolition of existing structures, tree removal, and remediation works;
- Earthworks, excavation and retaining walls;
- Construction and operation of a 36-storey mixed use development with a commercial podium and two residential tower forms above (containing a total of 332 x residential apartments);
- Vehicular access via O'Brien Street; and
- On-site car parking and loading within six (6) basement levels (+ mezzanine level).

The amended Architectural Drawings are provided at **RTS Appendix D**.

Table 6 Project Details

Descriptor	Project Details
<b>Project Area</b>	<p>The site has a total area of 4,752 sqm including the portion of SP2 Infrastructure zoned land along the western boundary of the site fronting Pacific Highway.</p> <p>The proposal incorporates a setback to Pacific Highway, with areas of deep soil zones and soft landscaping, clear of built form. This setback is capable of integration with Council's proposed 5m shared pedestrian and cycle along the eastern side of the Pacific Highway (comprising a 2m verge and 3m shared pathway).</p> <p>The project relates to the remainder of the site, which has a site area of 4,294 sqm. This is the project area for the purpose of assessment of the project against numeric planning controls.</p>
<b>Site Description</b>	<p>Lot 5 DP1310282 (8 Wilson Street)</p> <p>SP 52947 (2 Wilson Street)</p> <p>SP 1496 (849 Pacific Highway)</p> <p>SP 60178 (853 Pacific Highway)</p> <p>SP 10110 (859 Pacific Highway)</p>
<b>Project Description</b>	<p>The Project includes site preparation, bulk earthworks, construction and landscaping works:</p> <ul style="list-style-type: none"> <li>▪ Demolition of existing structures, tree removal and remediation works.</li> <li>▪ Earthworks, excavation and retaining walls.</li> <li>▪ Construction and operation of a 36-storey mixed use development with a commercial podium and two residential tower forms above.</li> <li>▪ Vehicular access via O'Brien Street.</li> <li>▪ On-site car parking and loading within 6 basement levels (+ mezzanine)</li> </ul>
<b>GFA</b>	<p>Total GFA of 39,014 sqm broken down as follows:</p> <ul style="list-style-type: none"> <li>▪ Residential: 34,801 sqm</li> <li>▪ Non-residential: 4,213 sqm</li> </ul> <p><i>Note: The proposal does not meet the minimum non-residential floor space control (17% of total floor area) under the WLEP. A revised Clause 4.6 Variation Request (Non-residential Floor Space) is submitted to justify the non-residential FSR non-compliance.</i></p>
<b>FSR</b>	<p>Measured against the site area of 4,294sqm, the floor space ratio (<b>FSR</b>) is 9.08:1.</p> <ul style="list-style-type: none"> <li>▪ Residential FSR: 8.1:1</li> <li>▪ Commercial FSR: 0.98:1</li> </ul> <p><i>Note: The maximum permissible FSR under the Housing SEPP is 7.8:1. A revised Clause 4.6 Variation Request (FSR) is submitted to justify the FSR non-compliance.</i></p>
<b>Residential Apartments</b>	<p>327 total apartments including:</p> <ul style="list-style-type: none"> <li>▪ 250 Market Apartments</li> <li>▪ 59 Affordable Apartments</li> <li>▪ 18 Live / Work Studio Apartments</li> </ul> <p>15% of the overall GFA is to be allocated to affordable housing.</p>
<b>Maximum Height</b>	<p>120 metres over 36 levels</p> <p><i>Note: The maximum permissible height limit under the Housing SEPP is 117 metres. A Clause 4.6 Variation Request (Height) is submitted to justify the minor height non-compliance.</i></p>

Descriptor	Project Details
<b>Parking Spaces</b>	A total of 381 x car parking spaces are provided including: <ul style="list-style-type: none"> <li>▪ 347 x residential car parking spaces</li> <li>▪ 12 x visitor car parking spaces</li> <li>▪ 14 x retail and commercial car parking spaces</li> <li>▪ 8 x car parking spaces for the childcare centre</li> </ul>
<b>Bicycle Parking</b>	368 x bicycle parking spaces
<b>Motorcycle parking spaces</b>	20 x motorcycle parking spaces
<b>Communal Open Space</b>	1,067 sqm communal open space (24.8% site area)
<b>Deep Soil</b>	303.5 sqm (7.1% site area)

### 3.2.1. Reconfiguration of Live / Work Units

The applicant has revised the design and configuration of the live / work units to provide a genuine approach of an upper-level residential suite at the top, and commercial suite at the bottom. The upper levels of the live / work units now provide for a residential use only, removing the commercial component at Level 1 and 4. However, 6 live / work units (now identified as retail / commercial units 01 – 06) have been replaced to retail / commercial uses only across both levels. The revised live / work configuration is as follows:

- 4 units at Levels 1 and 2 retain for commercial land use at lower level and residential use on upper level.
- 6 units at Levels 1 and 2 provide for commercial land uses across both levels.
- 14 units at Levels 3 and 4 provide for commercial land use at lower level and residential use on upper level.

The removal of the commercial components at Level 01 and 04 results in benefits in terms of the operation, management, and security of the live / work units. These benefits are summarised as follows:

- **Improved amenity:** Public access to the non-residential floors and private residential access to the residential floor levels in the live/work units is clearly separated;
- **Improved safety:** The clear separation of access between the commercial and residential components of the live / work units will alleviate concerns of safety and security for occupants and visitors; and
- **Commercial local market oversupply:** The live / work units respond to the local market and prevailing economic conditions by providing an economically viable alternative to larger floorplate commercial uses.

The conversion of 6 x live / work units to commercial use, will assist in delivering non-residential land uses as required by Clause 6.25 of the LEP. The revisions to the live / work units reflect and are consistent with amendments made to the Regional DA during the Section 34 conciliation process. The amendments made to the Regional DA (which Council publicly exhibited between 6 May– 20 May 2025) reflect negotiations between the applicant and Council and resolution to contentions.

The residential component of the live/work studios is included in the ADG assessment. Drawing DA001 Apartment Schedule assesses ADG compliance of the residential component of the live / work units at Level 01 and 04.

## 4. STATUTORY CONTEXT

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

- *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999*
- *NSW Biodiversity Act 2016 (BC Act);*
- *Environmental Planning and Assessment Act 1979 (EP&A Act);*
- *Environmental Planning Assessment Regulation 2021 (the Regulations);*
- *State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP);*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP);*
- *State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP);*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP);*
- *State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)*
- *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*
- *Willoughby Local Environmental Plan 2012 (LEP)*
- *Willoughby Development Control Plan 2023 (DCP)*

Consideration is also required to be given to the following matters:

- Voluntary Planning Agreement between Willoughby City Council and 853 Pacific Highway Pty Ltd as trustee for the 2017 PHC Unit Trust (as executed).

This section identifies the key statutory matters addressed in detail within the Amendment Report, including the power to grant consent, permissibility, other approvals, pre-conditions and mandatory considerations.

### 4.1. STATUTORY REQUIREMENTS

**Table 6** categorises and summarises the relevant requirements in accordance with the DPIE *State Significant Development Guidelines*. A statutory compliance table is attached as EIS **Appendix C**.

Table 7 Identification of Statutory Requirements for the Project

Matter	Consideration
<b>Power to grant approval</b>	<p>In accordance with Schedule 1, Section 26A of the Planning Systems SEPP, development to which:</p> <ul style="list-style-type: none"> <li>▪ Chapter 2, Part 2, Division 1 of the Housing SEPP applies; and</li> <li>▪ Has an EDC of \$75million + (for the residential components); and</li> <li>▪ Is not prohibited under an EPI applying to the land; and</li> <li>▪ Will provide at least 10% of the residential component as affordable housing for at least 15 years</li> </ul> <p>Is classified as SSD.</p> <p><b>26A In-fill affordable housing</b></p> <p>(1) <i>Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i></p> <p>a) <i>the part of the development that is residential development has a capital investment value of—</i></p>

Matter	Consideration
	<p>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 \$75 million, or</p> <p>b) the development does not involve development prohibited under an environmental planning instrument applying to the land.</p> <p>The residential component of the proposed works has an estimated CIV greater than \$75,000,000 (refer to EDC Report) and accordingly, the proposal is SSD for the purposes of the Planning Systems SEPP.</p> <p>To qualify for the SSDA pathway, the proposal must not be prohibited development. The proposal is permitted with development consent and therefore qualifies as SSD.</p>
<b>Permissibility</b>	The development as amended remains permissible with consent. The site is zoned MU1 (Mixed Use) in accordance with the LEP. The proposed uses of 'commercial premises', 'shop-top housing' and 'child care centre' are permissible with consent in the MU1 Mixed Use zone.

## 4.2. PRE CONDITIONS

**Table 7** outlines the pre-conditions to exercising the power to grant approval which are relevant to the project and the section where these matters are addressed within the EIS.

Table 8 Pre-Conditions

Statutory Reference	Pre-Condition	Appendix Reference
<i>Biodiversity Conservation Act 2016</i>	An SSDA is to be accompanied by a Biodiversity Development Assessment Report ( <b>BDAR</b> ), unless DPHI determine that the proposed development is not likely to have any significant impact on biodiversity values. On 4 December 2024, DPHI issued a BDAR Waiver confirming that the development is not likely to have any significant impacts on biodiversity values.	<b>EIS Appendix Z</b>
<i>Resilience and Hazards SEPP – Clause 4.6(1)</i>	<p>Potential sources of contamination exist but are not expected to preclude the proposed development.</p> <p>Under the SEPP a consent authority must be 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.</p>	<p>Two Detailed Site Investigations and a Remediation Action Plan were submitted with the EIS.</p> <p><b>EIS Appendix GG</b></p> <p><b>EIS Appendix HH.</b></p>
<i>SEPP (Transport and Infrastructure) 2021</i>	<p>Clause 2.98 applies to development adjacent to a rail corridor and requires the consent authority to consider any response received from the relevant rail authority within 21 days of referral.</p> <p>The application was referred to both Sydney Trains and Sydney Metro for comment. Sydney Trains recommended deferred commencement conditions, requesting additional technical information to be reviewed and endorsed by the agency. Similarly, Sydney Metro requested further technical details to enable a more detailed assessment.</p>	<p>Additional technical information as requested by Sydney Trains and Sydney Metro is provided at <b>RTS Appendix Z – RTS Appendix LL.</b></p>

Statutory Reference	Pre-Condition	Appendix Reference
	<p>This Amendment Report includes the requested technical information from both agencies submitted at <b>RTS Appendix Z – RTS Appendix LL</b>.</p>	
	<p>Clause 2.100 relates to the impact of rail noise or vibration on non-rail development. The consent authority must be satisfied that appropriate measures will be taken to ensure that the relevant LAeq levels are not exceeded for development for the purposes of residential accommodation.</p>	<p>The site is located adjacent to a railway line and will be affected by rail noise.</p> <p>The amended proposal is accompanied by an Acoustic Assessment for Rail Noise and Vibration (<b>RTS Appendix Z</b>).</p>
	<p>Clause 2.119 relates to development with frontage to a classified road. The consent authority must not grant consent to development unless it is satisfied that where practicable and safe, vehicular access is provided by a road other than a classified road and that the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development.</p>	<p>The site fronts Pacific Highway which is identified as a Classified Road. Vehicular access to the site is provided from O'Brian St, a local road.</p> <p>Refer <b>EIS Appendix Y</b>.</p>
	<p>Clause 2.120 relates to the impact of road noise or vibration on non-road development. The consent authority must be satisfied that appropriate measures will be taken to ensure that the relevant LAeq levels are not exceeded for development for the purposes of residential accommodation.</p>	<p>The proposal is accompanied by an updated Noise and Vibration Impact Assessment (<b>RTS Appendix P</b>) and suitable mitigation measures have been identified to ensure that the relevant LAeq levels are not exceeded. These measures are outlined in the updated Mitigation Measures Table at <b>RTS Appendix C</b>.</p>
	<p>Clause 2.122 relates to traffic generating development and requires that before granting consent the consent authority must refer certain development for with access to any road to Transport for NSW.</p> <p>The proposal is traffic generating development under Schedule 3 of the SEPP in that it comprises more than 75 dwellings and fronts a Classified Road (the Pacific Highway).</p> <p>The SSD was referred to TfNSW for a response during the public exhibition of the EIS package. TfNSW identified matters to be addressed as part of the 'Response to Submission' and also recommended conditions of consent.</p>	<p>A response to each of the matters raised by TfNSW is provided in the Response to Submissions at <b>RTS Appendix A</b>.</p>
<p><i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></p>	<p>Chapter 2, Part 2.1(5) requires that development consent must not be granted for BASIX development unless the consent authority is satisfied that embodied emissions attributable to the development have been quantified.</p>	<p>Refer to the Embodied Emissions at <b>EIS Appendix VV</b> and updated Basix Certificate at <b>RTS Appendix I</b>.</p>

Statutory Reference	Pre-Condition	Appendix Reference
<i>State Environmental Planning Policy (Housing) 2021</i>	<p>Chapter 2, Part 2 of the Housing SEPP relates to development for affordable housing.</p> <p>The Chapter sets out the development to which the affordable housing bonus provisions set out under Division 1 can apply.</p>	<p>Compliance with the requirements of Chapter 2, Part 2 and Chapter 4 is provided at <b>EIS Appendix C</b>.</p>
	<p>Section 15C provide that the in-fill affordable housing provisions of the Housing SEPP apply to development that includes residential development if –</p> <ul style="list-style-type: none"> <li>▪ The development is permitted with consent under an EPI.</li> <li>▪ The affordable housing component is at least 10%.</li> <li>▪ The development is carried out in an accessible area</li> </ul>	<p>The proposed land uses are permitted with consent under the Willoughby LEP.</p> <p>At least 10% of the total GFA is proposed to be affordable housing.</p> <p>The site is approximately 500 metres from Chatswood Train and Metro stations and meets the ‘accessible area’ threshold.</p>
	<p>The minimum affordable housing component is 10%. 30% additional FSR is permitted for proposals delivering up to 15% affordable housing, based on the maximum permissible FSR for the land, in accordance with Section 16 (1) and (2).</p> <p>In accordance with Section 16 (3), the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</p>	<p>15% of the total GFA proposed is provided as affordable housing (59 units). Therefore, the proposal seeks to utilise the 30% FSR bonus available.</p> <p>As the full 30% bonus FSR is permitted under Section 16 (1) and the development comprises shop top housing, a 30% height bonus is also applicable to the proposed development.</p>
	<p>Chapter 4 of the Housing SEPP provides non-discretionary development standards for residential apartment development.</p>	<p>Compliance with the requirements the non-discretionary standards is provided at <b>EIS Appendix C</b></p>
<i>Willoughby Local Environmental Plan 2012</i>	<p>Clause 6.8 (3) provides that development consent must not be granted to development to which this clause applies unless the consent authority has considered:</p> <ul style="list-style-type: none"> <li>(a) the Willoughby Affordable Housing Principles,</li> <li>(b) the impact of the development on the existing mix and likely future mix of residential accommodation in Willoughby.</li> </ul>	<p>The proposed development is consistent with the Willoughby Affordable Housing Principles. The proposal provides 15% of the total GFA as affordable housing (59 units).</p> <p>Refer <b>EIS Appendix C</b>.</p>
	<p>Clause 6.7(3) provides that development consent must not be granted to the erection of a building unless the consent authority is satisfied that the building will have an active street frontage.</p>	<p>The proposal provides commercial premises and retail premises (contributing active street frontages) to O'Brien Street, Pacific Highway, and Wilson Street.</p>

Statutory Reference	Pre-Condition	Appendix Reference
		Refer <b>Appendix C</b> .
	Clause 6.23 relates to design excellence. Development consent must not be granted to development to which this clause applies unless the design of the development is the winner of a competitive design process held in relation to the development.	The site is on land identified as 'Area 5' on the Special Provisions Area Map.  A design competition was undertaken in accordance with the LEP. A 'design integrity' process was subsequently undertaken, including a DIP review.  Refer to <b>EIS Appendix L</b> .

### 4.3. MANDATORY CONSIDERATIONS

**Table 8** outlines the relevant mandatory considerations to exercising the power to grant approval and the section where these matters are addressed within the EIS

Table 9 Mandatory Consideration

Statutory Reference	Mandatory Consideration	Appendix Reference
<b>Consideration under the EP&amp;A Act and Regulations</b>		
Section 1.3	Relevant objects of the EP&A Act	<b>EIS Appendix C</b>
Section 4.15 (1)(a)(i) Relevant environmental planning instrument	All relevant EPIs will be addressed in the EIS, these include:  <i>State Environmental Planning Policy (Planning Systems) 2021</i>  <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>  <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>  <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>  <i>State Environmental Planning Policy (Housing) 2021</i>  <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>  <i>Willoughby Local Environmental Plan 2012</i>	<b>EIS Appendix C</b>  <b>EIS Appendix C</b>  <b>EIS Appendix C</b>  <b>EIS Appendix C</b>  <b>EIS Appendix C</b>  <b>EIS Appendix C</b>

Statutory Reference	Mandatory Consideration	Appendix Reference
Section 4.15 (1)(a)(ii) Relevant draft environmental planning instrument	Relevant proposed instruments include: <ul style="list-style-type: none"> <li>Housekeeping Amendment to Willoughby Local Environmental Plan 2024</li> </ul>	EIS Appendix C
Section 4.15 (1)(a)(iii) Relevant development control plan	A site-specific DCP for the site was adopted concurrent with the site-specific amendment to the LEP (gazetted on 26 May 2023). This is provided at Section 13.1.15 of the Willoughby DCP.  Clause 2.10 of the Planning Systems SEPP provides that DCPs do not apply to SSDAs. As such, compliance with the DCP is not required. Notwithstanding, consideration is given to Section 13.1.15 of the DCP.	EIS Appendix C
Section 4.15 (1)(a)(iiia) any planning agreement or draft planning agreement	The applicant has entered into a Voluntary Planning Agreement (VPA) with Council to provide for the payment of monetary contributions. The monetary contributions are to be applied towards Community Infrastructure as identified in Council's Planning Agreements Policy.	EIS Appendix C
Section 4.15 (1)(a)(iv) relevant matters prescribed by the Regulations	Clause 66 applies and will be addressed in the EIS and VPA entered into for any matters that may be the subject of a contribution plan should one not be in force for the land on which the application relates.	N/A
Section 4.15(1)(b) the likely impacts of that development	The likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	Section 5
Section 4.15(1)(c)	The suitability of the site for the development.	Section 6
Section 4.15(1)(2)	The Public interest	Section 7
<b>Mandatory relevant considerations under EPIs</b>		
State Environmental Planning Policy (Resilience and Hazards) 2021	Section 4.6 – Contamination and remediation to be considered in determining development applications.	EIS Appendix C
State Environmental Planning Policy (Transport and Infrastructure) 2021	Section 2.98 – Development adjacent to rail corridors. Section 2.100 – Impact of rail noise or vibration on non-rail development Section 2.119 – Development with frontage to a classified road. Clause 2.120 – Impact of road noise or vibration on non-road development Section 2.122 – Traffic-generating development.	EIS Appendix C
State Environmental Planning Policy	Section 2.1 – Standards for BASIX development and BASIX optional development.	EIS Appendix C

Statutory Reference	Mandatory Consideration	Appendix Reference
(Sustainable Buildings) 2022)		
State Environmental Planning Policy (Housing) 2021	Chapter 2, Part 2, Division 1 – In-fill affordable housing, Chapter 4 Design of residential apartment development.	EIS Appendix C
Willoughby Local Environmental Plan 2012	Objectives and land uses for MU1 (Mixed Use) Zone <ul style="list-style-type: none"> <li>▪ Part 4 – Principal development standards</li> <li>▪ Part 5 – Miscellaneous provisions</li> <li>▪ Part 6 – Additional local provisions</li> </ul>	EIS Appendix C

### Considerations under other legislation

BC Act – Section 7.14	<p>The BC Act protects native vegetation, species of threatened flora and fauna, endangered populations and endangered ecological communities and their habitats in NSW. Section 7.9 requires a development application for SSD to be accompanied by a Biodiversity Development Assessment Report (<b>BDAR</b>), unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.</p> <p>A BDAR Waiver been issued by DPHI to confirm that the proposed development is unlikely to have any significant impact on biodiversity values of the site and surroundings.</p>	EIS Appendix C and EIS Appendix Z
Water Management Act 2000	<p>Section 91 of the Water Management Act regulates two kinds of activities, being controlled activity approvals and aquifer interference approvals.</p> <p>A water use approval, a water management work approval or controlled activity approval other than an aquifer interference approval, which confers a right to carry out specified aquifer interference activities is not required for State significant development. Nevertheless, guidelines for Controlled Activities on Waterfront Land and NSW Aquifer Interference Policy 2012 is considered in the EIS and supporting documentation.</p>	EIS Appendix BB and EIS Appendix CC

### Development Contributions Plan

Willoughby Local Infrastructure Contributions Plan 2019	<p>The <i>Willoughby Local Infrastructure Contributions Plan (2019)</i> applies to the Willoughby Local Government Area. The applicant expects a condition of consent to be imposed requiring a nexus based payment (accounting for offsets and credits) to be made before the first construction certificate, in accordance with the Contributions Plan (Section 7.11 Plan).</p> <p>Clause 6.8 of the LEP outlines the affordable housing contributions which apply to the land.</p> <p>The rate that is applied to the site is 4% of the total residential GFA. This contribution can either be made in kind with a dedication, in favour of the Council, of land comprising 1 or more dwellings, each having a gross floor area of at least 50 sqm, or the equivalent monetary contribution. The applicant intends to satisfy the requirement of Clause 6.8 via a monetary contribution to satisfy the relevant condition of development consent.</p>	
HPC (regional) development contributions	<p>The <i>Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Bill 2023</i> was assented on 13 July 2023, to levy contributions for regional infrastructure via the Housing and Productivity Contribution (<b>HPC</b>). Regional infrastructure</p>	

Statutory Reference	Mandatory Consideration	Appendix Reference
	<p>includes public amenities, public services, affordable housing, transport infrastructure, regional or State roads, and measures to conserve or enhance the natural environment.</p> <p>The contribution rate for residential flat buildings in the Greater Sydney Region is \$10,000 per dwelling. The contribution rate for commercial/ retail land uses is \$30 per sqm new GFA.</p> <p>Affordable housing provided by or on behalf of a social housing provider is exempt from the HPC regime. Affordable housing that is required by conditions of development consent to be managed by a registered community housing provider is also exempt from the HPC regime.</p>	

## 5. ASSESSMENT OF IMPACTS

This section provides a comprehensive description of the updated specialist technical studies undertaken to assess the potential impacts of the project (as amended) and in response to issues raised in the agency and public submissions and DPHI's Key Issues letter. Updated mitigation, minimisation and management measures recommended to avoid unacceptable impacts are also included where relevant.

The detailed technical reports and plans prepared by specialists and appended to this Report are referenced in the following table. A summary of the updated mitigation measures is provided as **RTS Appendix C**.

Table 10 Assessment of Impacts

Impact	Assessment
<p><b>Built Form and Urban Design</b></p>	<p>The key built form and urban design principles adopted for the SSDA proposal remain the same for the amended proposal.</p> <p><b>Bulk and Scale</b></p> <p>The proposal has been amended to fully enclose the horizontal corridors on Ground Level, Levels 01, 03, 04, and all levels beyond Level 05. The SSDA originally proposed breezeway corridors that were thoughtfully designed to allow natural light and airflow to create a bright and inviting environment, fostering a sense of openness and connection for residents. The amendment to fully enclose the horizontal corridors provides consistency between the SSDA and the amendments made to the Regional DA (DA-2024/47) during the Section 34 conciliation process. The inclusion of breezeways in the GFA adds an additional 2,487 sqm of GFA.</p> <p>As a direct response to the matters raised in submissions, the GFA calculations within the architectural plans have also been updated to:</p> <ul style="list-style-type: none"> <li>▪ Include the circulation spaces associated with the waste room at Levels 3-35 in Building A (91 sqm)</li> <li>▪ Include the stairwell to private rooftop terraces for apartments A3403, A3404 and B3501 (20 sqm)</li> <li>▪ Apportion the GFA between the affordable housing and market housing GFA for corridors leading to apartments B504-B1004 and B505-B1005 (11.4 sqm)</li> </ul> <p>A revised Clause 4.6 variation request (FSR) is provided at <b>RTS Appendix E</b>.</p> <p>The amended proposal includes raising the floor-to-floor heights in order to achieve compliance the <i>Design and Building Practitioners Act 2020</i> in relation to requirements for insulation and water proofing.</p> <p>The floor-to-floor height have been updated in the architectural plans as follows:</p> <ul style="list-style-type: none"> <li>▪ Level 1 - 2: +70mm</li> <li>▪ Level 2 - 3: +220mm</li> <li>▪ Level 3 - 4: +220mm</li> <li>▪ Level 4 - 5: +270mm</li> <li>▪ Level 33 - 34: +270mm</li> <li>▪ Level 34 - 35: +270mm</li> <li>▪ Level 35 - roof: +270mm</li> <li>▪ <b>Total adjustment to the floor-to-floor height: 1590mm</b></li> </ul> <p>The revised floor to floor heights (in addition to a minor reduction to the extent of rooftop services enclosure) result in an additional 1530mm to the building height.</p> <p>A revised Clause 4.6 variation Request (Height) is provided at <b>RTS Appendix F</b>.</p>

### Façade

The open horizontal corridors (breezeways) have been converted to enclosed corridors. This design amendment has resulted in the removal of wind mitigation planters across levels. Additional external windows and doors have been added to now enclosed corridors throughout all levels generally.

The amended proposal also includes changes to the external area of the childcare centre at Level 2, consistent with the recommendations of the Childcare Noise and Vibration Impact Assessment. These changes involve the removal of perimeter planting surrounding the outdoor area, which is now replaced with acoustic treatments and a revised awning design to better manage noise impacts.

### Roof Level

Additional stair access has been added to the rooftop area for services maintenance purposes.

Overall, the proposed built form remains appropriate for the site because:

- It is generally consistent with the envelopes and massing envisaged in the Chatswood CBD Strategy. The building form is consistent with the desired future character of the area, as expressed through the planning framework, which envisages slender towers and workable floorplates.
- The proposal has undergone an architectural design competition in accordance with the LEP.
- The additional 30% density available under the SSD pathway has been carefully applied to the competition winning scheme via a GA NSW endorsed "Bridging Design Excellence Strategy". The DIP has reviewed the scheme and confirms no further reviews are required by the Design Integrity Panel prior to submission of the proposal for assessment.
- The applicant has a strong working relationship with registered CHPs. The affordable housing component has been carefully designed to ensure high levels of amenity and a variety of housing typologies that will meet the expected needs / profile of the affordable housing tenants.

## Environmental Amenity

The accompanying amended architectural plans (**RTS Appendix D**), RFI Architectural Design Report (**RTS Appendix MM**), and Advice Letter - Wind Comfort at Pacific Highway (**RTS Appendix Y**) demonstrates that the amended proposal continues to comply with key NSW Apartment Design Guide (**ADG**) criteria, which will ensure a high standard of internal amenity for occupants:

- 76.6% of apartments (251 out of 327 units) will achieve natural ventilation (251 out of 327 apartments).
- 98.2% of apartments (321 out of 327 units ) will achieve 2 hours of direct solar access between 9-3pm at midwinter.
- 0.9 % of apartment (3 out of 327 units) do not receive direct sunlight.
- 67 livable units are provided (20.49% of apartments)
- The Air Quality Assessment concludes that particulate Matter, PM2.5 and PM10, was below the concentration limit and gases were in concentrations less than the minimum detectable amount of the equipment, and below the concentration limit where applicable.
- The Advice Letter - Wind Comfort at Pacific Highway concludes the pedestrian environmental at Pacific Highway will generally remain within the acceptable wind comfort criteria should the SP2 zoned land be acquired and trees and landscaping in the SP2 zoned land be removed. Some locations may require additional planter boxes to provide localised wind protection.

### Communal Open Space

The amended proposal provides clarification regarding the allocation and calculation of communal open space. The spaces located on Levels 01 and 03

Impact	Assessment
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are incidental in nature and are expected to be used primarily by occupants of the commercial tenancies during business hours. However, residents of the live/work dwellings are also able to access and use these areas.

In the original SSDA, communal open spaces at Levels 01 and 03 were included in the overall communal open space calculations. These areas have now been excluded, as they are not exclusively available for residential use and therefore do not meet the criteria for inclusion in the calculation.

The primary communal open space and associated amenities for residents are provided at Level 02, with additional communal open space, exclusive to residents, located at Level 04.

The amended proposal clarifies the area of the communal open space being 1,067 sqm. This represents 24.8% of the total site area (4,294 sqm).

While this results in a minor non-compliance with the Apartment Design Guide (ADG) requirement of 25% (a shortfall of just 0.2%) this is offset by the provision of extensive, high-quality public open space within the ground plane. This includes three through-site links, 303.5 sqm of deep soil zones, and 1,399 sqm of soft landscaping, which collectively contribute to a well-considered and accessible open space network.

### Trees and Landscaping

The proposal has been amended to identify the number of trees proposed for removal, as addressed in the updated Arborist Report (RTS Appendix H).

The original SSD application (as lodged) sought to retain 25 trees and remove and replenish 43 trees. However, some of the trees identified for removal in the SSD overlapped with those already approved for removal under the separate Demolition DA (DA-2024/19) (approved in December 2024). The SSDA now proposes the removal of 7 trees within the site to facilitate the proposed development.

It is also noted that five street trees were previously proposed for removal, four along O'Brien Street and one along Wilson Street. These street trees are no longer required to be removed as part of the proposal. The updated Arborist Report outlines revised tree protection measures to avoid impacts to their structural root and tree protection zones. The Landscape Plans (RTS Appendix J) have also been updated to reflect these changes to tree retention and removal.

The Landscape Plans have been updated to include additional landscaping east of the SP2 zoned land along the site fronting Pacific Highway. This landscaping comprises a low raised planter along the edge of the retail showroom.

The amended proposal results in a minor reduction in deep soil area (3.5sqm). The proposal includes a total of 303.5 sqm (7.1%) of deep soil zone area, excluding the SP2 zone. Whilst the road widening area (SP2 zone) may be considered additional to the subject site, further landscape design and works have been included as part of the SSDA proposal. With the inclusion of the SP2 zone, the proposal achieves a total of 504.5 m<sup>2</sup> (10.6% of site area 4.758m<sup>2</sup>). Refer to architectural drawing DA550 for detailed calculation (RTS Appendix D)

### Traffic, Parking and Access

JMT prepared a detailed Transport Impact Assessment (TIA) for the project, which includes an analysis the strategic transport strategy undertaken to support the Chatswood CBD Planning and Urban Design Strategy. An updated preliminary Construction Traffic Management Plan and supplementary swept paths have been prepared to address matters raised in the submissions.

The additional information from JMT concludes:

- The proposal is consistent with the non-discretionary car parking standards in the Housing SEPP and the TfNSW Guide to Transport Impact Assessment.
- The proposal has been amended to include 12 additional visitor bicycle parking spaces at the Ground Level in close proximity to building entrances for ease of access.

Impact	Assessment
	<ul style="list-style-type: none"> <li>▪ The expected traffic generation arising from the proposal is relatively minor and can be accommodated on the surrounding road network.</li> <li>▪ Updated swept paths have been prepared to demonstrate the functionality of the loading dock. The loading dock is designed in accordance with the relevant standards and can accommodate a 10.5m Council waste collection vehicle and a 6.4m Small Rigid vehicle (<b>SRV</b>) parked at any one time.</li> <li>▪ Pacific Highway and Wilson Street are forecast to operate below capacity in the future year 2036 following the full development of the CBD as identified in the Chatswood Strategy. The Strategy did not identify that future development planned for the CBD would have a detrimental impact on the road network.</li> </ul>
<p><b>Noise</b></p>	<p>An updated Noise Impact Assessment has been prepared in response to matters raised in the submissions. The Acoustic Assessment confirms the project can comply with relevant noise management levels. Bespoke mitigation measures are recommended by E-Lab to manage potential noise impacts to this site. These can be incorporated into a Construction Management Plan as a condition of consent.</p> <p>A Childcare Noise and Vibration Impact Assessment has been prepared (<b>RTS Appendix Q</b>) to assess traffic and rail noise and vibration intrusion to the future childcare centre. Acoustic mitigation measures are provided in Section 5 of the Childcare NVIA to ensure compliance with the relevant guidelines. The measures have been incorporated into the revised Architectural Plans at <b>RTS Appendix D</b>.</p>
<p><b>Waste Management</b></p>	<p><b>Operational Waste</b></p> <p>An updated Operational Waste Management Plan (<b>RTS Appendix N</b>) has been prepared in response to Council's submission. The updated Report addressed the matters raised in Council's submission relating to generation rates and assessment against the relevant guidelines. The following design changes were made in response to Council's submission –</p> <ul style="list-style-type: none"> <li>▪ Reconfiguration of waste rooms at the basement level. The residential bin holding room has been relocated adjacent to the loading dock. Bins can now be collected at the rear of the loading bay and do not have to be transported across the main traffic aisle.</li> <li>▪ Relocation of bulky waste storage room and charity waste areas</li> <li>▪ 49 organics bins can now be accommodated at Basement Level 01</li> <li>▪ 37 recycling bins can now be accommodated at Basement Level 01</li> </ul> <p>The updated Operational Waste Management Plan concludes that the amended proposal includes sufficient space for storage of waste and an appropriate waste servicing arrangement.</p> <p>No new or updated mitigation measures are required.</p>
<p><b>Civil Engineering</b></p>	<p>Updated Civil Plans have been prepared in response to Council's submission:</p> <ul style="list-style-type: none"> <li>▪ The FFL for Residential Lobby A has been amended to RL 103.76 and is now compliant with flood planning level requirements (Refer drawing C100).</li> <li>▪ Provide a non-return flap-valve at the OSD Basin outlet pipe to prevent potential issues with backflow of street drainage into the system.</li> </ul>

## 6. JUSTIFICATION OF AMENDED PROJECT DESCRIPTION

This section of the report provides an evaluation of the amended proposal having regard to its economic, environmental, and social impacts, including the principles of ecologically sustainable development. It assesses the potential benefits and impacts of the proposed amendments, considering the interaction between the findings in the detailed assessments and compliance with the relevant controls and policies.

### 6.1. PROJECT DESIGN

The design of the development generally remains unchanged from the lodged scheme, which was carefully considered to ensure any potential impacts are mitigated or minimised. The development will deliver a landmark high-quality mixed use development at an accessible, strategically located site that will contribute to addressing the increasing demand for housing, including affordable housing, in Chatswood CBD.

The design of the building and layout is generally consistent with the desired future character of the area, as expressed in the Chatswood CBD Strategy. The additional 30% density available under the Housing SEPP has been incorporated via the GANSW endorsed “Bridging Design Excellence Strategy”, which has ensured design excellence qualities of competition winning scheme are retained and improved in the SSD scheme. The building provides active frontages to Pacific Highway, O’Brien Street and Wilson Street by incorporating internal through site links and residential laneways, active commercial uses, and public open space.

### 6.2. STRATEGIC CONTEXT

The proposal continues to be consistent with the strategic framework and has been considered against key Government and Council documents including the following:

- Greater Sydney Region Plan – A Metropolis of Three Cities
- Our Greater Sydney 2056: The North District Plan
- Willoughby Local Strategic Planning Statement
- Chatswood CBD Strategy
- Willoughby Housing Strategy 2036
- Future Transport Strategy
- NSW Better Placed

All levels of strategic planning seek to facilitate additional housing (including affordable housing) and ‘transit oriented development’ through the ‘30 minute city’ concept. The proposal meets these objectives, given it:

- Proposes high amenity residential accommodation in an accessible area. The site is in close proximity to Chatswood train and Metro station and proximate to several bus stops on Pacific Highway and Ashley Street. These transport services provide access to Greater Sydney, including key employment centres.
- Bolsters housing supply in the Chatswood area while providing a significant number of affordable housing dwellings, equating to 17% of the overall development yield. This directly addresses the NSW Government mandate to boost housing supply and tackle housing affordability.
- Provides employment generating, non-residential floor space in the podium to activate the ground plane and provide a balanced mix of land uses, as envisaged by the Chatswood CBD Strategy.

In conclusion, the proposal seeks the orderly and economic redevelopment of an underutilised site. The applicant has invested in a GANSW-endorsed design excellence process to ensure the built form outcome achieves the vision set out in the design competition winning scheme and Chatswood CBD Strategy.

## 6.3. STATUTORY PLANNING CONTEXT

The relevant State and local environmental planning instruments are listed in **Section 4** and assessed in **EIS Appendix C**. The assessment concludes that the amended proposal complies with the relevant provisions within the relevant instruments as summarised below:

- The proposed development has been assessed and designed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 the Act.
- A BDAR Waiver has been granted by DPHI in consideration of any potential biodiversity impacts.
- This SSDA pathway has been undertaken in accordance with the Planning Systems SEPP, as the proposed development is classified as SSD.
- Concurrence from Sydney Trains will be required as per section 2.99 of the Transport & Infrastructure SEPP for 'Excavation in, above, below or adjacent to rail corridors'
- The proposal generally complies with the relevant provisions of the Willoughby LEP. Where variations are proposed, clause 4.6 variation requests have been prepared to demonstrate that non-compliances in relation to building height, FSR, and non-residential floor space are supported on their individual merits, with the proposal remaining consistent with the objectives of the MU1 (Mixed Use) zone.
- The proposal has been assessed in accordance with the Resilience & Hazards SEPP and complies with the relevant clauses.
- The proposal generally accords with the relevant provisions of the Chatswood CBD Strategy.
- The application is supported by a Bridging Design Excellence Strategy. A waiver to the completion of a new design competition has been granted by GANSW.

## 6.4. LIKELY IMPACTS OF THE PROPOSAL

The amended proposal has been assessed considering the potential environmental, economic and social impacts. The assessment of impacts carried out in **Section 5** confirms a satisfactory outcome and compliance with key criteria in regard to the following:

- Built form and urban design;
- Amenity impacts and ADG compliance;
- Trees and landscaping;
- Traffic, parking, and access;
- Noise and vibration;
- Waste management; and
- Civil engineering.

No new or additional adverse impacts have been identified as a result of the amended proposal.

All other impacts remain unchanged from those assessed in the EIS and the mitigation measures remain.

The potential impacts can be mitigated, minimised or managed through the measures discussed in detail within **Section 5** and as summarised in **RTS Appendix C**.

## 6.5. SUITABILITY OF THE SITE

The site remains highly suitable for the proposed development for the following reasons:

- The project is consistent with the MU1 (Mixed Use) zone objectives, is permitted with consent and satisfactorily addresses the relevant provisions in the Willoughby LEP 2012 and the Housing SEPP.
- The site is currently underutilised and presents an opportunity to provide a landmark mixed-use development within the Chatswood CBD.

- It aligns with the vision to increase housing supply in key locations, particularly those near major transport hubs such as Chatswood Metro.
- It offers a mix of uses that will support population growth of both residents and workers in a strategic area, enhancing Chatswood's role as a residential community and facilitating a competitive employment market by creating a more vibrant and appealing precinct.
- It provides high-quality housing at a crucial location, enhancing housing stability and diversity in Chatswood, and includes 59 affordable housing apartments within a mixed-use building.
- The site is free from critical constraints such as flooding, bushfire hazards, endangered species, and contamination or hazardous materials.

## **6.6. PUBLIC INTEREST**

The proposed development is considered in the public interest for the following reasons:

- The proposal delivers affordable housing in an accessible location, directly responding to the NSW Government's policy mandate to improve housing choice and affordability. The site's location allows easy access to employment centres, retail, open space, and social infrastructure (schools, hospitals etc).
- The proposal has been through a competitive design process to ensure it achieves 'design excellence'. This includes compliance with ADG design criteria, ensuring high standards of amenity for occupants.
- The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant planning controls. Accordingly, it delivers a development outcome consistent with the vision established by the NSW Government's Chatswood CBD Strategy.
- Subject to the implementation of the recommended mitigation measures, no adverse social or environmental impacts result from the proposal during construction and operation of the development.
- The proposal will deliver approximately 765 direct and 1,034 indirect jobs during the construction phase and 60 ongoing jobs during the operational phase of the development. This will create short and long term benefits for the local economy.
- No major issues were raised during the pre-lodgement consultation with the local community, Council, Government and agency stakeholders.
- The site will facilitate the orderly and economic use and development of the land.

Having considered all relevant matters, it is concluded that the proposed development (as amended) is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

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# **APPENDIX A      RESPONSE TO SUBMISSIONS**

# **APPENDIX B      RESPONSE MATRIX TO DPHI'S RFI (11 JULY 2025)**

# **APPENDIX C      UPDATED MITIGATION MEASURES**

# **APPENDIX D      AMENDED ARCHITECTURAL PLANS**

# **APPENDIX E    REVISED CLAUSE 4.6 VARIATION REQUEST (FSR)**

# **APPENDIX F    REVISED CLAUSE 4.6 VARIATION REQUEST (HEIGHT)**

# **APPENDIX G    REVISED CLAUSE 4.6 VARIATION REQUEST (NON-RESIDENTIAL FSR)**

# APPENDIX H    REVISED ARBORIST REPORT

# APPENDIX I      BASIX CERTIFICATE

# APPENDIX J    REVISED LANDSCAPE PLANS

# **APPENDIX K    CHILDCARE PLANNING GUIDELINE ASSESSMENT**

# **APPENDIX L      REVISED PRELIMINARY CONSTRUCTION PEDESTRIAN TRAFFIC MANAGEMENT PLAN**

# APPENDIX M SUPPLEMENTARY SWEEP PATHS

# **APPENDIX N    REVISED OPERATIONAL WASTE MANAGEMENT PLAN**

# **APPENDIX O    REVISED CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT PLAN**

# **APPENDIX P    REVISED NOISE AND VIBRATION IMPACT ASSESSMENT**

# **APPENDIX Q CHILD CARE NOISE AND VIBRATION IMPACT ASSESSMENT**

# **APPENDIX R    VERTICAL CIRCULATION REPORT**

# **APPENDIX S    PRELIMINARY AMBIENT AIR QUALITY ASSESSMENT**

# **APPENDIX T      LETTER OF ADVICE – DRAINED BASEMENT**

# **APPENDIX U      DEWATERING MANAGEMENT PLAN**

# **APPENDIX V PUBLIC ART STRATEGY**

# **APPENDIX W    UPDATED CIVIL REPORT AND PLANS**

# **APPENDIX X      SCHEDULE OF AMENDMENTS**

# **APPENDIX Y    ADVICE LETTER - WIND COMFORT AT PACIFIC HIGHWAY**

# **APPENDIX Z    ACOUSTIC ASSESSMENT FOR RAIL NOISE AND VIBRATION**

# **APPENDIX AA STRUCTURAL AND ENGINEERING IMPACT ASSESSMENT REPORT**

**APPENDIX BB STRUCTURAL ENGINEERING REPORT ON SHORING ARRANGEMENT ADJACENT TO THE RAILWAY CORRIDOR**

# **APPENDIX CC STRUCTURAL GENERAL ARRANGEMENT PLANS**

# **APPENDIX DD GEOTECHNICAL RAILWAY IMPACT ASSESSMENT**

# APPENDIX EE DETAILED SECTIONS AND SURVEY

# **APPENDIX FF ELECTROLYSIS RISK ASSESSMENT REPORT**

**APPENDIX GG PLAN OF REDEFINITION OF LOT 1 IN  
DP1189541**

# APPENDIX HH THROW RISK ANALYSIS

**APPENDIX II STATEMENT OF ACCESS - TREES FOR  
REMOVAL ON EASTERN BOUNDARY**

# APPENDIX JJ RAIL ENGINEERING STORMWATER

# APPENDIX KK CRANAGE PLANS

# **APPENDIX LL CRANAGE AND EASEMENT ACCESS METHODOLOGY**

# APPENDIX MM AMENDED URBAN DESIGN REPORT

# APPENDIX NN VERTICAL TRANSPORTATION ADVICE

