

# Submissions Report

SSD-75408008

44-52 Anderson Street, Chatswood

PREPARED FOR

BRIDGESTONE PROJECTS PTY LTD

July 2025




MECONE.COM.AU

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2	2 May 2025	FINAL	GBASSETT 
3	25 June 2025	Update for DPHI	GBASSETT 

\* This document is for discussion purposes only unless signed and dated by the persons identified.  
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BA	Lift Traffic Management Study	KONE
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BC	DIP Review Cover Letter	Mecone
BD	DIP Endorsement Letter	DIP
BE	Submissions Register	Mecone
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# Executive Summary

This Submissions Report has been prepared on behalf of Bridgestone Projects Pty Ltd (the **proponent**) to address matters raised by government agencies, local Council, relevant stakeholder groups and community during public exhibition of the proposed State Significant Development application (**SSDA**) (SSD-75408008) for a shop-top housing development at 44-52 Anderson Street, Chatswood (the **site**).

## Overview of Submissions

The SSDA was publicly exhibited between 31 January 2025 and 6 March 2025.

There were 8 submissions from public agencies, including Willoughby City Council and other government agencies, and 20 submissions from members of the local community and individuals (one of which was in support of the proposed development).

### Government agencies:

- Department of Planning, Housing and Infrastructure (DPHI)
- Willoughby City Council (Council)
- Transport for NSW (TfNSW)
- Heritage NSW
- Sydney Trains
- Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group
- Ausgrid
- Sydney Water

### General public:

- Milestone (AUST) Pty Ltd
- Andrew Nelson
- Brice Lis
- Anthony McLean
- Aiden Brennan
- 15 anonymous submissions

### The key issues:

The key issues raised in the submissions can be broadly grouped into the following categories:

- Bulks and scale
- Design Excellence
- Landscaping and Public Domain
- Affordable Housing
- Residential Amenity



- Traffic and Parking
- Heritage
- Flooding and Stormwater Management
- Infrastructure

This Submissions Report provides a response to all submissions received.

## Actions Taken Since Exhibition

A meeting was requested with DPHI officers on 11 March 2025 to discuss the matters raised by submissions. DPHI issued the Key Issues Letter on 21 March 2025. Given the nature of issues raised the Proponent opted to respond via this report.

Following exhibition, upon review of all submissions received, a series of minor amendments have been to the documentation to clarify aspects of the proposal. Importantly, conditions of consent have now been satisfied for DA-2023/219 and as such, this SSDA no longer proposes early works or tree removal which is granted consent by DA-2023/219. These amendments are inclusive of the following:

- Amendments to Environmental Impact Statement to reflect the removal of the early works approved under DA-2023/219 from this proposal,
- Annotations to Architectural Plans,
- Amendments to Architectural Design Report to include updated shadow analysis and compliance diagrams;
- Amendments to Noise and Vibration Impact Assessment Report to provide additional noise monitoring on 9 April 2025 and address minor clarifications,
- Amendments to Landscape Plans and Design Report to address clarifications pertaining to deep soil and canopy planting, tree replacements and BASIX requirements,
- Amendments to Civil Drawings to address stormwater clarifications,
- Amendments to Clause 4.6 Variation Request to address DPHI concerns,
- Amendments to CHP letter to confirm they are satisfied with the dwelling mix proposed,
- Amendments to Demolition and Construction Waste Management Plan to address waste clarifications,
- Amendments to Operational Waste Management Plan to address waste clarifications, and
- Amendments to EDC Report to address operational job clarifications.

## Response to Submissions

The Proponent has made minor amendments to the proposed development in response to the submissions. Refer to detailed responses at **Tables 5 – 8** below for further details on specific project amendments.

## Public and Social Benefit

The site is deemed highly suitable for the proposed development due to its alignment with planning controls, strategic objectives, and location benefits. The development complies with zoning regulations (MU1), supports the growth of Chatswood CBD, makes efficient use of underutilised land, and contributes to housing supply



with minimal environmental impact. It is appropriately scaled for its context and well-connected to public transport and major roads, enhancing its accessibility and integration with the broader region.

The proposal is in the public interest as it aligns with key State and local strategic plans, particularly the Chatswood CBD Strategy, and largely complies with relevant planning controls. It contributes to housing supply targets, addresses local housing needs, and has been assessed to pose no significant environmental impacts. Additionally, it will deliver affordable housing, commercial and retail spaces, generate local jobs, and support the efficient and sustainable use of the land.

## Updated Project Justification

This Report responds to each of the issues raised in the government agencies and public submissions received regarding the proposed shop-top housing development at the site.

There is no change to the evaluation of the proposal's statutory or strategic merit, as a result of the RTS.



# 1 Introduction

This Submissions Report has been prepared in support of State Significant Development Application (**SSDA**) SSD-75408008, for on behalf of Bridgestone Projects Pty Ltd (the **proponent**) to address the matters raised by public agencies, Willoughby City Council, the community and other relevant stakeholders throughout the public exhibition period. The proposal was initially placed on public exhibition for 28 days between 31 January 2025 and 28 February 2025. However, due to an incorrect website link the public exhibition was extended to 6 March 2025.

This Submissions Report has been prepared in accordance with the DPHI's *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C)* March 2024.

## 1.1 Exhibited Project Description

The SSDA seeks approval for the construction of a 33-storey shop top housing development including in-fill affordable housing. Specifically, the exhibited project included

- Site preparation works including demolition of existing structures on the site, tree and vegetation clearing, and bulk earthworks;
- Construction of a 33-storey mixed-use shop-top housing development comprising:
  - A two-storey non-residential podium, with commercial/retail floor space,
  - Two residential towers, comprising 123 dwellings (including 36 IAH apartments)
- Bulk earthworks and construction of an eight-level basement with 296 carparking spaces comprising:
  - 255 residential spaces (including 25 accessible spaces);
  - 22 commercial and retail spaces (including 1 accessible space);
  - 18 visitor spaces;
  - 1 electric vehicle space;
- Communal open space on Level 2 including shared outdoor spaces, swimming pool and associated amenities, sauna and BBQ area and a green spine running between the two towers;
- Associated landscaping and public domain works, and
- Services and infrastructure improvements, as required.



## 2 Analysis of Submissions

This section provides a summary of the submissions received including a breakdown of respondent type, nature / position and number of submissions received.

### 2.1 Breakdown of Submissions

The SSDA was publicly exhibited between 31 January 2025 and 6 March 2025. There were 8 submissions from public agencies, including Willoughby City Council and other government agencies, and 20 submissions from members of the local community and individuals (one of which was in support of the proposed development).

All submissions were managed by DPHI, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-75408008).

A breakdown of the submissions made by group and issues raised is provided in **Table 1** below with responses provided in **Section 4** with further detail provided in the Register of Submissions, refer to **Appendix BC**.

**Table 1: Mixed Use Development with In-Fill Affordable Housing at 44-52 Anderson Street, Chatswood SSDA Submissions**

SOURCE	POSITION	NUMBER OF SUBMISSIONS
<b>Public Authorities</b>		
DPHI	Comment	1
Willoughby City Council	Object	1
Heritage NSW	Comment	1
Transport for NSW (TfNSW)	Comment	1
Sydney Trains	Comment	1
Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group	Comment	1
Ausgrid	Comment	1
Sydney Water	Comment	1
<b>SUBTOTAL</b>		<b>8</b>
<b>General Public</b>		
Milestone (AUST) Pty Ltd	Object	1
Andrew Nelson	Comment	1
Brice Lis	Object	1
Anthony McLean	Object	1
Aiden Brennan	Support	1
Name withheld	Object	15
<b>SUBTOTAL</b>		<b>20</b>
<b>TOTAL</b>		<b>28</b>



## 2.2 Key Themes & Categorisation

In accordance with the DPHI State Significant Development Guidelines, the issues raised in the submissions are summarised in **Table 2** below. A response to submissions is provided in **Section 4** and **5** of this report.

**Table 2: Categorisation of Key Issues**

CATEGORY	ISSUE	STAKEHOLDER
The Project	<b>Design Matters:</b>	DPHI
	<ul style="list-style-type: none"> <li>Proposed development is too large and out of proportion for the area.</li> </ul>	Willoughby City Council
	<ul style="list-style-type: none"> <li>The height of 117m was not anticipated for this location and represents departure from DPHI direction.</li> </ul>	Public submissions
	<ul style="list-style-type: none"> <li>The proposed street wall heights and setbacks are not consistent with SSDCP.</li> </ul>	
	<ul style="list-style-type: none"> <li>In Council's view it is considered that compliance with the WLEP 2012 Clause 6.25, 17% non-residential minimum floor space requirement, is not unreasonable or unnecessary.</li> </ul>	
	<ul style="list-style-type: none"> <li>Improvement of active street frontage.</li> </ul>	
	<b>Design excellence:</b>	DPHI
	<ul style="list-style-type: none"> <li>Further design resolution is required to meet WLEP 2012 Clause 6.23 Design Excellence.</li> </ul>	Willoughby City Council
	<ul style="list-style-type: none"> <li>All accessible parking, including adaptable parking, needs to comply with AS1890.6 and not AS 4299.</li> </ul>	Public submissions
	<ul style="list-style-type: none"> <li>Respond to recommended ADG standards.</li> </ul>	
	<b>Landscaping and public realm:</b>	DPHI
	<ul style="list-style-type: none"> <li>Any work external to the site shall be undertaken in accordance with the current Anderson St Public Domain Plan, and in liaison with Willoughby City Council's Traffic and Transport Manager, Urban Design Specialist, Open Space and Engineering sections.</li> </ul>	Willoughby City Council
	<ul style="list-style-type: none"> <li>Redevelopment in Anderson Street is required to work with the Council objective of creating a bike lane on the western side of Anderson Street, leading in and out of the Chatswood CBD.</li> </ul>	Public submissions
	<ul style="list-style-type: none"> <li>Only 58% of the 6m setback frontage to Anderson Street has deep soil, with the rest impeded by basement parking below.</li> </ul>	
	<ul style="list-style-type: none"> <li>Design competition winning scheme provided more deep soil zones along Anderson Street than what is proposed in the SSDA</li> </ul>	
	<ul style="list-style-type: none"> <li>Trees subject to removal on adjoining sites were not approved under DA and require owners consent.</li> </ul>	
	<ul style="list-style-type: none"> <li>Urban heat island effect: The high-density construction could increase heat retention, impacting local microclimate.</li> </ul>	
	<b>Affordable housing:</b>	DPHI
	<ul style="list-style-type: none"> <li>Provide evidence from the Community Housing Provider supporting the location of the proposed affordable housing and affordable housing dwelling mix.</li> </ul>	Willoughby City Council



- Council's preference that built affordable housing units be provided to Council in perpetuity.

Procedural matters	<b>Public interest:</b> <ul style="list-style-type: none"> <li>• Not in the public interest</li> </ul>	Willoughby City Council  Public submissions
	<b>Development history:</b> <ul style="list-style-type: none"> <li>• Regard should be made to the Planning Proposal on 44-52 Anderson Street.</li> <li>• There are points in the previous Refusal of Development Application DA-2023/172 that should be noted in the assessment of the SSDA, with particular regard to the proposal not being in the public interest in its current form.</li> </ul>	DPHI  Willoughby City Council
	<b>VPA:</b> <ul style="list-style-type: none"> <li>• Critical that this approval retains the agreed infrastructure contributions under the voluntary planning agreement.</li> </ul>	Willoughby City Council
Economic, environmental and social impacts	<b>Amenity:</b> <ul style="list-style-type: none"> <li>• Impact on sunlight exposure and overshadowing.</li> <li>• Privacy impacts.</li> <li>• Visual impact associated with large building.</li> <li>• Wind hazards will make public spaces less useable and unsafe for pedestrians.</li> <li>• View impacts.</li> </ul>	Public submissions
	<b>Traffic and parking:</b> <ul style="list-style-type: none"> <li>• Excess of parking spaces according to Housing SEPP.</li> <li>• vehicle/pedestrian conflict in the shared loading bay zone</li> <li>• All accessible and adaptable parking must comply with AS 2890.6, not AS 4299.</li> <li>• impact of traffic from the development on the local road network on Anderson Street and Albert and Victoria Avenue.</li> <li>• Insufficient bike parking and EV charging.</li> </ul>	DPHI  Willoughby City Council  Public submissions
	<b>Construction impacts:</b> <ul style="list-style-type: none"> <li>• Potential impacts on air quality and increased noise pollution due to construction activities.</li> <li>• Construction noise during the development phase will further disrupt the area, affecting both residents and local businesses.</li> <li>• Vibrations from construction activities could potentially damage the foundations of nearby buildings, posing a risk to structural integrity.</li> </ul>	Public submissions
	<b>Heritage:</b> <ul style="list-style-type: none"> <li>• Doesn't have appropriate regard to the location on the boundary of the Chatswood CBD, opposite the low density residential North Chatswood Conservation Area.</li> </ul>	DPHI  Willoughby City Council
	<b>Noise:</b> <ul style="list-style-type: none"> <li>• Noise impacts on surrounding residents.</li> <li>• Development will increase noise pollution.</li> </ul>	DPHI  Public submissions



<p><b>Waste:</b></p> <ul style="list-style-type: none"> <li>• Ensure that the proposal has been designed to allow for the size and manoeuvrability of Council's waste vehicle (10.5m length and 4.5m clearance).</li> <li>• Clarification on items such as: <ul style="list-style-type: none"> <li>○ Bin carting routes</li> <li>○ Waste management</li> <li>○ Bin details</li> <li>○ Waste/recycling generation</li> </ul> </li> </ul>	<p>DPHI</p> <p>Willoughby City Council</p>
<p><b>Flooding:</b></p> <ul style="list-style-type: none"> <li>• Note these comments from Council are identical to flood comments received in relation to the SSDA at 57-61 Archer Street (SSDA-72891212). As such, we believe it is an error in Council's submission.</li> </ul>	<p>DPHI</p> <p>Willoughby City Council</p>
<p><b>Stormwater management:</b></p> <ul style="list-style-type: none"> <li>• Note these comments relating to stormwater management are not relevant to the site and we believe it is an error in Council's submission.</li> <li>• Stormwater runoff: Large impervious surfaces could increase flood risk in the area.</li> </ul>	<p>DPHI</p> <p>Willoughby City Council</p> <p>Public submissions</p>
<p><b>Infrastructure:</b></p> <ul style="list-style-type: none"> <li>• Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric &amp; Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.</li> </ul>	<p>Ausgrid</p>



## 3 Actions Taken Since Exhibition

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency and public submissions outlined in **Section 4**.

### 3.1 Further Engagement

#### 3.1.1 Department of Planning, Housing and Infrastructure

A meeting was requested with DPHI officers on 11 March 2025 to discuss the matters raised by submissions. DPHI issued the Key Issues Letter on 21 March 2025. Given the nature of issues raised, this report provides the Proponent's response.

### 3.2 Refinements to the Project

Following exhibition, upon review of all submissions received, a series of minor amendments have been to the documentation to clarify aspects of the proposal. Importantly, conditions of consent have now been satisfied for DA-2023/219 and as such, this SSDA no longer proposes early works or tree removal which is granted consent by DA-2023/219. The amendments are inclusive of the following:

- Amendments to Environmental Impact Statement to reflect the removal of the early works approved under DA-2023/219 from this proposal,
- Annotations to Architectural Plans,
- Amendments to Architectural Design Report to include updated shadow analysis and compliance diagrams;
- Amendments to Noise and Vibration Impact Assessment Report to provide additional noise monitoring on 9 April 2025 and address minor clarifications,
- Amendments to Landscape Plans and Design Report to address clarifications pertaining to deep soil and canopy planting, tree replacements and BASIX requirements,
- Amendments to Civil Drawings to address stormwater clarifications (it is noted that the RTS comments in relation to flooding and stormwater are not relevant to the site or project and look to be included by Council in error),
- Amendments to Clause 4.6 Variation Request to address Council concerns,
- Amendments to CHP letter to confirm they are satisfied with the dwelling mix proposed,
- Amendments to Demolition and Construction Waste Management Plan to address waste clarifications,
- Amendments to Operational Waste Management Plan to address waste clarifications, and
- Amendments to EDC Report to address operational job clarifications.

Details of the design refinements are illustrated in the updated Architectural Plans at **Appendix G**. Refer to detailed responses at **Tables 3 - 6** below for further details on specific project amendments.



# 4 Response to Submissions

## 4.1 Department of Planning, Housing and Infrastructure

**Table 3** sets out a response to each issue raised by the **Department of Planning, Housing and Infrastructure** submission.

**Table 3: DPHI Submission & Responses**

ITEM REFERENCE	SUMMARY OF ISSUE RAISED	RESPONSE
<b>1. Built Form</b>		
DPHI-1	Review the proposed off-street entrances to ground floor retail and whether access can be provided directly from O'Brien Street and Day Street to the larger retail tenancies to improve street frontage activation.	<p>A review of the proposed off-street entrances to the ground floor retail tenancies has been undertaken, with consideration given to the potential for direct access from O'Brien Street and Day Street.</p> <p>However, due to existing site levels, and cross-directional fall across the site and internal floor requirements, providing direct street access to the larger retail tenancies would necessitate the introduction of stairs. This would result in non-compliance with accessibility standards under the Disability Discrimination Act (DDA) and the National Construction Code (NCC), and compromise equitable access to these tenancies.</p> <p>As such, the current off-street entry arrangements have been retained to ensure full accessibility while maintaining functional and compliant commercial spaces.</p>
DPHI-2	Provide confirmation that the ground level areas would be subject to public rights of way as raised by Willoughby City Council (Council).	Bridgestone confirm that the ground level areas would be granted as right of way to Council.
DPHI-3	Provide amended plans/details which demonstrate that all wind mitigation measures recommended in section 6 of the Pedestrian Wind Environment Statement (Appendix AA) can be incorporated into the architectural and landscaping design.	A detailed Pedestrian Wind Environment Study was submitted to DPHI on 11 March 2025. Turner has confirmed that all recommended mitigation measures outlined in the study have been incorporated into the design. In addition, an awning will be provided at Level 1 to address the remaining wind mitigation requirement and finalise this matter.

		To confirm this, Turner have prepared updated Architectural Plans including updated wind mitigation strategies drawing DA8150-DA8152 of the Architectural package
DPHI-4	In light of the matters raised in Council's submission regarding insufficient non-residential uses, update the assessment and Clause 4.6 request to further justify the planning grounds for the variation and why an increase in commercial GFA on the site cannot be provided.	Mecone are preparing a revised Clause 4.6 Variation to be provided under a separate cover.

## 2. Residential Amenity

DPHI-5	Address potential noise and overlooking from proposed communal areas to the apartments and open spaces of neighbouring development at 1 Day Street and 9 and 11 Railway Streets.	<p>The proposed communal open spaces are on Level 2 (top of podium) and on alternate levels through the green spine.</p> <p>The distance between the trafficable areas of the proposed podium (the setback and planter zones accounted for) to 1 Day Street is a minimum of 20m. This is considered adequate in this urban context, particularly given that the podium is only two storeys in height. We note the ADG recommends an 18-metre separation between habitable rooms or balconies for developments between five and eight storeys. There is substantially more separation between 1 Day Street and the green spine common areas, such that overlooking from these areas is considered to be acutely angled and minimal.</p> <p>The proposed development maintains a substantial separation of approximately 47m from 9–11 Railway Street – which is located on the opposite side of 1 Day Street and the Metro and railway lines.</p> <p>In terms of noise, the proposed residential common areas will be subject to future strata regulation and managed appropriately by building management. It is not expected that the use of these spaces will result in unacceptable noise impacts to the neighbouring properties.</p> <p>Renzo Tonin have provided an addendum to their updated Noise and Vibration Impact Assessment Report at <b>Appendix AC</b> to further address this matter.</p> <p>The addendum confirms that there are no noise emission criteria (eg EPA guidelines or similar) for assessing residential noise from private and communal outdoor areas. Noise arising from the use of common areas by</p>
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		<p>residents may be addressed by building management and strata bylaws which limit hours of use - should this be deemed a necessary condition of consent. This approach is outlined in section 6.2.4 of the Acoustic Report which provides management recommendations.</p> <p>Further, a 1.8m high solid barrier has been recommended around the outdoor area to provide shielding to neighbouring receivers.</p> <p>It is important to note that:</p> <ul style="list-style-type: none"> <li>• The communal outdoor area is located on Level 2, a noise intensive use of this space (e.g a group of 10 people speaking at normal vocal noise level -72dB(A)Leq) would produce a noise level of approximately 42dB(A)Leq at the nearest residence.</li> <li>• At 42dB(A), this is equal to the night time background noise level (42dB(A)), and 5dB(A) below the day and evening background noise levels (see table 11 of our report). This would not be considered intrusive.</li> </ul> <p>It is therefore considered there is no need for any over and above noise management besides hours of operation and prohibitions on parties/amplified music as is already proposed in Section 6.2.4 of the submitted acoustic report.</p>
DPHI-6	<p>Respond to the following ADG design criteria and provide justification for any departures:</p> <p>i. Part 3B: provide solar access and overshadowing diagrams at 30-minute intervals at a larger scale to what is provided in the Design Report (Appendix H) as well as accompanying analysis of:</p> <ul style="list-style-type: none"> <li>• the solar access to apartments 204,404, 504, 506, 508, 904 and 906.</li> <li>• the solar access to neighbouring properties along Day Street and Street that do not currently receive 2 hours of solar access. Confirm that solar access</li> </ul>	<p>Turner have prepared an updated Architectural Design Report (<b>Appendix H</b>), including updated analysis under the Shadow analysis section and drawing DA8001-DA8007 of the Architectural package for 30-minute intervals, as requested.</p> <p>The proposed scheme retains the same built form and solar access outcomes as the endorsed Design Competition scheme. The Competition scheme was assessed in accordance with the standard ADG solar access provisions and did not rely on an extended assessment window.</p> <p>As noted in the Design Report under Compliance Diagrams - Residential compliance solar access, Apartments 204, 404, 504, 506, 508, 904 and 906 do not achieve 2-hour solar access. Refer to DA8011 for sun eye diagrams with notes on location of apartments to prove they are not NDS.</p>

	to these properties is not reduced by more than 20% by the proposal.	The overshadowing impact to 1 Day Street is a result of long-term planning for the site, beginning with a site-specific Planning Proposal (PP-2021-3476) and LEP Amendment No. 34, and is an accepted outcome of the endorsed, LEP-compliant Design Competition scheme. Built circa 2005, 1 Day Street predates the 2015 ADG and was not designed with current solar access guidelines in mind. Its north-south orientation means that any development over 6–8 storeys would result in some overshadowing; however, limiting the site's development to preserve solar access would conflict with the Chatswood CBD Strategy and the site's established vision. While the ADG recommends 2 hours of sunlight, full compliance is not always achievable, and in this case, the site constraints make it impractical without compromising intended density. Importantly, 1 Day Street will still receive solar access to its eastern façade by 11.45am in mid-winter.
DPHI-7	Part 3D: provide detailed solar access diagrams at 30-minute intervals demonstrating that 50% of communal open space would receive at least 2hrs of solar access between 9am - 3pm on 21 June.	Refer to the updated drawings in the Architectural Plans ( <b>Attachment C</b> ). These updates are denoted as DA2601, new DA2610, DA2611, DA2612, DA2613.  These plans confirm that 50% of communal open space would receive at least 2hrs of solar access between 1pm - 3pm on 21 June.
DPHI-8	Part 4B: provide revised drawings indicating how many apartments within the first nine storeys achieve natural cross ventilation. The Department notes that apartments 401 and 404 on DA2014 and 501-801, 504-804, 505-805 and 508-808 on DA2015 are not cross ventilated with no apparent openings on the non-balcony frontages.	A Schedule has been added in the Architectural Design Report ( <b>Appendix H</b> ) under the compliance diagrams section. Refer to updated DA2015 in the updated Architectural Plans ( <b>Appendix G</b> ).  100% of the apartments have cross ventilation opportunity and all of the apartments have access to balconies. Operable windows are situated strategically throughout bedrooms and living spaces, on varying facade orientations, to maximise natural ventilation where possible.
DPHI-9	Part 4C: confirm the ceiling heights of apartments and that they comply with the habitable/non-habitable room requirements.	Turner have confirmed that the ceiling heights of apartments comply with the habitable/non-habitable room requirements.  This is addressed in the submitted Architectural Design Report (Page 71 of <b>Appendix H</b> ).
DPHI-10	Part 4D: provide schedule(s) confirming habitable room depths to ceiling height habitable room depths from windows and bedroom and living room sizes.	Refer to the Design Verification Statement prepared as part of the Architectural Design Report (page 68 in <b>Appendix H</b> ).

		<p>Typical ceiling heights are compliant with Clause 4D of the ADG, being at least 2.7m.</p> <p>In the kitchen, the ceiling height is reduced to 2.4m to accommodate necessary bulkheads for services. While this does not strictly meet the 2.7m guideline in this specific area, the variation is minor, limited in extent, and functionally justified. The design continues to meet the intent of the objective under Clause 4D-1 by ensuring that natural light can still penetrate to the depth of the living space and by maintaining adequate internal amenity. Kitchens are typically more service-intensive spaces and not considered primary living zones, so the localised reduction in ceiling height has minimal impact on the overall spatial experience and daylight access. As such, the proposal remains consistent with the objectives of the ADG and achieves an appropriate design outcome.</p>
DPHI-11	Part 4E: provide a schedule of balcony sizes for each apartment type.	Please refer to the Development Schedule which was already provided under the Proposal section of the Architectural Design Report ( <b>Appendix H</b> ). This table denotes the balcony sizes for each apartment.
DPHI-12	Part 4F: noting the number of apartments that would share a single lift, provide an analysis of lift efficiency demonstrating acceptable lift travel and wait times.	<p>The residents in each tower can use each of the lifts, noting the two cores are shared and accessible to each tower.</p> <p>A Lift Traffic Analysis Study is provided at <b>Appendix BA</b>.</p>
DPHI-13	Part 4G: provide an updated storage schedule identifying the amount of storage located within and outside the apartment. Where apartments have less than 50% of required storage located within the apartment, update the Design Verification Statement to accurately reflect any non-compliance and provide a justification.	Please refer to the Development Schedule which was already provided under the Proposal section of the Architectural Design Report ( <b>Appendix H</b> ). All apartments comply and all apartments have a storage cage that can also fit a bike.
DPHI-14	Part 4Q: confirm the number and percentage of adaptable apartments that achieve the Liveable Housing Guideline silver level.	Adaptable apartments all achieve Liveable Housing Guideline silver level. Refer to Architectural Design Report ( <b>Appendix H</b> ), which demonstrates adaptable apartments are provided under the Compliance Diagrams section.

### 3. Landscaping and Public Domain

DPHI-15	The Willoughby Development Control Plan 2012 (WDCP) sets out that deep solid planting is to be	The proponent does not support the inclusion of a condition akin to 49A of the draft conditions prepared for SNPP as part of DA-2023/172.
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	<p>provided within the 6m setback to Anderson Street and this should be unimpeded by buildings or structures below ground. The Department also notes the design competition winning scheme provided more deep soil zones along Anderson Street than what is proposed in the SSDA.</p> <p>The proposed reduction in deep soil zones is understood to be a result of the introduction of additional basement car parking. Noting our comments on car parking as set out in 4(a), the Department recommends that you consider removing the parking areas which encroach into the Anderson Street setback and provide additional deep soil more inline with the WDCP and competition winning scheme.</p>	<p>As the scheme is pursuing additional residential apartments and infill affordable housing, the size of waste storage holding areas has been required to increase. It is necessary to locate this waste storage in the front setback at level B1. Since this space will be used for waste storage, and is not proposed to deliver deep soil, basement levels B2-B8 propose car parking under the same 'footprint'. The parking spaces themselves over B2-B8 do not result in loss of deep soil area.</p> <p>In relation to deep soil, the subject site is the <u>only site</u> along Anderson Street which was mapped in a site specific DCP as having a 6m deep site setback to Anderson Street (all others are mapped for 3m). In discussions with Council post-competition and during the DA assessment it has been established that this was unintended and is at odds with the rest of the development sites along Anderson Street.</p> <p>Nevertheless, the proponent has designed to a 6m deep setback and has included ample deep soil area. Advice from the landscape architects (Turf) is that a depth of 1.2-1.5m is sufficient to deliver successful planting that meets the objectives and follows the design guidance of 3E-1 of the ADG.</p>
DPHI-16	<p>Clarify whether the areas marked as amenity outside of the level two three-bedroom duplexes are communal or private open space (drawing number DA2012).</p>	<p>Please refer to the Architectural Design Report (<b>Appendix H</b>) and drawing DA2601 in the Architectural Plans (<b>Appendix G</b>). These drawings show the communal open space areas located on Level 2 total 847.2m<sup>2</sup> (31.5% of site area), which is 6.5% in addition to the minimum 25% required.</p> <p>The amenity areas outside the two three-bedroom duplexes are private. The area in the Green Spine is communal.</p>
DPHI-17	<p>Provide a drawing (including title, reference number and date) specifically showing the proposed tree removal and retention that forms part of this application (and not already approved under previous approvals) to form part of the plans for determination. Provide confirmation if trees located outside the site are proposed for removal and if so, provide owners consent to remove the trees.</p>	<p>Trees located outside of the site boundary are not subject to removal. A condition can be imposed to this effect. The proponent is willing to replace any affected trees as required.</p>
DPHI-18	<p>Update the landscape plan to ensure all proposed trees are annotated with the proposed species name, including 250m<sup>2</sup> of indigenous, low water use planting in common area landscaping as per the BASIX certificate.</p>	<p>Tree species codes and names are identified on all planting plans in the Updated Landscape Plans. Refer to p15, 20 &amp; 27 of <b>Appendix M</b>.</p>

		<p>Turf have confirmed that the total native planting achieved is 324m<sup>2</sup>, comprising 214m<sup>2</sup> on the podium (level 2) and 110m<sup>2</sup> at ground level.</p> <p>The total indigenous planting proposed is in excess of the minimum requirement under the BASIX certification.</p>
DPHI-19	The arborist report indicates that six category A trees are proposed for removal. Clarify that six category A species with trees of the same maturity are proposed to be planted in order to compensate for the loss of amenity.	Six larger canopy trees are to be planted in the Anderson Street deep soil zone.
DPHI-20	Provide for advanced planting and increase the proposed tree pot size to greater than 300mm.	<p>Tree pot sizes are shown on p30 of the updated Landscape Design Report (<b>Appendix M</b>).</p> <p>It has been confirmed by Landscape Architect that all tree pot sizes are shown as 150L or greater.</p>
DPHI-21	Noting that much of the proposed tree and vegetation planting is on / above slab structure, provide landscaping plan(s) indicating the planting areas, their soil depth and volumes and the soil volume/depth relationship to proposed species and plant sizes to ensure ongoing viability of proposed landscaping.	The Landscape Design Report has been updated to include a Soil Depth Plan for Level 2 on p22 of the report ( <b>Appendix M</b> ).
DPHI-22	Clarify the responsibility and ongoing management of the landscaping on the level two podium and green spine.	The green spine landscaping will be managed and maintained by the Strata corporation and building management.

#### 4. Traffic and Transport

DPHI-23	<p>The proposal includes 256 residential car parking spaces, which is 103 spaces greater than the minimum parking rates for market and affordable housing provided in the Housing SEPP. The Department acknowledges that the Housing SEPP car parking rate is a minimum non- discretionary standard, which if complied with prevents the consent authority from requiring more onerous standards.</p> <p>In this case, the site is located within the Chatswood CBD (a highly accessible railway precinct) and within walking distance of various modes of high-frequency</p>	<p>The minimum car parking requirement is prescribed as a non-discretionary development standard under Section 19(2)(e) and (f) of the Housing SEPP, which if complied with, prevents the consent authority from requiring more onerous standards.</p> <p>Specifically, Section 4.15(2) of the EP&amp;A Act states that if a DA complies with the non-discretionary development standards in an EPI, the consent authority:</p> <p><i>(a) is not entitled to take those standards into further consideration in determining the development application, and</i></p>
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public transport. In addition, the WDCP includes restrained parking rates (as outlined in Council's submission) to decrease reliance on private car use, minimise traffic congestion and increase public transport use in this area.

Noting this context, the Department recommends you reduce the number of residential (market and affordable) car parking spaces to be no more than the Housing SEPP car parking rates. In addition, please

- i. confirm the location and number of motorcycle parking spaces.
- ii. confirm the location and number of bicycle parking spaces noting the EIS refers to two different figures - 28 or 150 spaces

*(b) must not refuse the application on the ground that the development does not comply with those standards, and*

*(c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.*

Given the parking standard provides a minimum rate, the proposed car parking provision beyond the minimum rates still meets the controls in Section 19(e) and (f) of the Housing SEPP.

The Proponent acknowledges Council's intent to encourage the use of public transport and reduce reliance of private vehicles. In this regard, it is expected that residents will be walking to access the local shops and services given the site's adjacent proximity to the CBD and the Rail Station and Metro.

Further, adequate car parking provision is required to cater to the travel needs of downsizers, aging owner-occupiers and young families as public transport does not meet all the travel needs of these residents, especially for destinations not well-served by public transport. It is also expected that the use of cars for recreational purposes will occur outside of peak periods and hence is unlikely to result in significant traffic generation.

As established in the Transport Impact Assessment (**TIA**) prepared by JMT Consulting at **Appendix S**, the expected traffic generation arising from the current proposal is considerably less than that envisaged at the time of the Planning Proposal submission and approval for the site. This confirms that the development will not result in any additional impacts on the surrounding road network compared with that contemplated at the time of the Planning Proposal.

**Motorcycle:** It is confirmed that 10 motorcycle spaces are provided. These are distributed across Basement Level 1 – 5. Due to a highly constrained basement the proponent utilised the DCP rate as a guideline and has sought to deliver as close as possible to DCP. It is considered that the proposed 10 motorcycle spaces are sufficient to meet the needs to future residents.

		<p><b>Bicycle:</b> It is confirmed that 150 bicycle spaces are provided in compliance with the requirements under the DCP. Bicycle parking for building staff and visitors are provided on Basement Level 2 and residents can utilise their individual storage areas for the purposes of bike parking – complying with Class 1 bike parking as noted in AS2890.3.</p>
DPHI-24	Respond to Council's engineering comments relating to car parking design/layout.	Council's comments have been responded to under item 9(c) in the table below.
DPHI-25	Provide further evidence (for example, traffic counts during varied weather conditions, traffic generated from surrounding roads including Pacific Highway and Help Street, construction vehicle impacts including off street parking from the construction worker influx) to demonstrate that the surrounding local streets would not be largely impacted and would operate at appropriate levels of service.	<p>Traffic counts during peak periods were undertaken on key local roads such as Anderson Street and Day Street in February 2024 (outside of any school and public holiday periods). This methodology complies with that recommended in the <i>TfNSW Guide to Transport Impact Assessment</i> document.</p> <p>Traffic modelling was undertaken for the local roads surrounding the site and is detailed in the TIA at <b>Appendix S</b>. This modelling considered the following scenarios:</p> <ul style="list-style-type: none"> <li>• Existing conditions</li> <li>• Future conditions without the development</li> <li>• Future conditions with the development. A higher rate of traffic generation, taking into consideration the proposed level of car parking, was accounted for in this scenario.</li> </ul> <p>The outcomes of the analysis are presented in the TIA and demonstrated the local roads around the site will continue to operate at a strong <u>Level of Service A</u> following the introduction of the proposal and allowing for background traffic growth on the surrounding road network of 2% per annum over a 10-year period. This confirms the surrounding local streets would not be impacted by the proposal and would retain an appropriate level of service.</p> <p>It is noted that Transport for NSW in their submission on the proposal did not raise any concerns with respect to traffic impacts arising from the proposal.</p> <p>A Construction Traffic Management Plan has been prepared by CJP Consulting Engineers at <b>Appendix BB</b> to outline the traffic management</p>

		principles and procedures that should be implemented during the excavation and construction works.
<b>5. Noise</b>		
DPHI-26	<p>The Noise and Vibration Impact Assessment Report (Appendix AC) Chapter 4.1.3 states monitoring was conducted on Thursday 17th July 2024 (noting this day was a Wednesday). Confirm the day the short-term measurements were undertaken.</p> <p>It is noted that the NSW school holidays were from 8 July to 19 July 2024. Traffic noise monitoring during school holidays is not considered representative as traffic flow during such periods are atypical, resulting in lower noise impacts.</p> <p>Update the noise assessment to address monitoring conducted outside of typical periods of traffic to ensure that it is representative of potential impacts.</p>	<p>An updated Noise and Vibration Impact Assessment Report (NVIAR) has been prepared by Renzo Tonin (<b>Appendix AC</b>), addressing the issues raised.</p> <p>Section 4.1.3 of the NVIAR has been updated confirming short-term measurements were taken on Thursday 1st July 2024 and again on additional measurements recorded on Wednesday 9<sup>th</sup> April 2025.</p> <p>Additional monitoring has been undertaken on 9<sup>th</sup> April 2025, outside of school holiday periods.</p> <p>Section 4.2.3 has been added to the NVIAR to address the cumulative traffic and rail noise impacts at higher levels.</p>
DPHI-27	<p>All noise monitoring appears to have been done at ground level. It is not clear if this is representative of actual noise impacts. For example, the rail line is in a cutting with solid barriers in this location, therefore there is likely to be more shielding at ground level than at higher levels. Update the noise assessment to ensure that it is representative of potential impacts.</p>	<p>Renzo Tonin have provided an addendum to their updated Noise and Vibration Impact Assessment Report at <b>Appendix AC</b> to further address this matter.</p> <p>The typical height at which noise surveys are conducted is 1.5m above ground level and the response is predicated on the assumption that this is the matter being queried.</p> <p>Renzo Tonin have confirmed that monitoring was undertaken overlooking the rail line with direct line of sight and monitoring undertaken at ground level on Pacific Highway used for modelling at higher level with no intervening structures. This has been addressed in sections 4.1.1. and 4.1.3 of the updated NVIAR.</p> <p>Rail noise measurements - Noise levels were recorded at ground level but were undertaken closer to the noise source, and with no intervening structures. This allowed for data (without shielding) to be used in the detailed modelling to the building at future high levels (given there is no shielding at the elevated levels). Noise measurements of the rail corridor</p>

		<p>were undertaken directly above the rail cutting with no intervening structures.</p> <p>Road traffic noise measurements - Noise measurements were taken along the footpath on the Pacific Highway, with no intervening structures, and noise levels were taken at the curb of Anderson Street with no intervening structures.</p> <p>Evidence of these measurements is provided in Section 4.1 of the acoustic report. The photos below show the exact locations of the attended rail noise measurements.</p> <p>By using noise data gathered from unobstructed/unshielded measurements of the noise sources, the data was then suitable for use in noise modelling to predict façade noise levels at all levels of the proposed development.</p>
DPHI-28	Appendix AC refers to Appendix D which should include details of location and survey periods. Please provide updated information.	<p>Appendix D and logging data has been included in the updated NVIAR.</p> <p>This item refers to new noise monitoring at a high level, which was not undertaken (as it was not possible as there was no access to an elevated position to install a noise logger). All monitoring was undertaken at ground level, with a clear line of site to the relevant noise source (rail/road)</p>
DPHI-29	Development near Rail Corridors and Busy Roads - Interim Guideline (Department of Planning, December 2008) requires a minimum of 20 passer bys to be measured. Clarify that this has been undertaken and provide confirmation.	Renzo Tonin confirmed 24 rail movements were measured. This has been addressed in sections 4.1.1. and 4.1.4 of the updated NVIAR.
DPHI-30	Appendix AC recommends that the doors and windows facing external road would have to be closed to maintain internal acoustic amenity. Demonstrate how natural cross ventilation of the relevant apartments would be maintained if the doors and windows are required to be enclosed at all times. Alternative ventilation methods may include fixed and acoustically attenuated louvres adjacent to the windows or similar other design solutions. Supplementary advice is required to determine	<p>Renzo Tonin confirm the rooms in question have a ventilation opening that is not impacted by road/rail noise. Turner have further confirmed that the development complies with cross-ventilation regardless of these rooms.</p> <p>An alternative ventilation system (mechanically provided fresh air) will be provided for rooms where noise levels will exceed 45dB(A)Leq(9hr) in the bedrooms identified on the northern façade. This is consistent with the ventilation requirements of Development Near Rail Corridors and Busy Roads.</p>

	if the cross-ventilation requirements of the north facing bedrooms on the northern tower will be satisfied given the proposed enclosure recommendation.	An alternative has been provided in section 5.1.2 of the updated NVIAR.
DPHI-31	According to the State Environmental Planning Policy (Transport and Infrastructure) 2021 (the Infrastructure SEPP), an acoustic impact assessment of the Pacific Highway is required. Update the noise assessment to include the Pacific Highway as well as the rail line and Anderson Street. The proposal is around 115-120m from the Pacific Highway and the upper storeys of the proposal will have a direct line of sight to the highway.	The measurements and cumulative impacts have been addressed in section 4.1.1 to 4.1.3 of the updated NVIAR. Pacific Highway has been contemplated in the assessment.
DPHI-32	Appendix B.1.1 of Appendix AC incorrectly states that the Infrastructure SEPP applies to roads with annual average daily traffic (AADT) of 40,000 vehicles. The Infrastructure SEPP applies for roads with 20,000 AADT vehicles. Amend Appendix B.1.1 to reference the correct figures.	This has been amended in the updated NVIAR.
DPHI-33	Strengthen the operational noise mitigation measures set out in Appendix E for the pool area and terraces. Explore additional measures additional physical noise attenuation measures or express strata by-laws to mitigate the noise impacts arising from the pool area.	This has been amended in the updated NVIAR. Refer to updates under section 6.2.4 of the update NVIAR.

## 6. Voluntary Planning Agreement

DPHI-34	Clarify the status of the existing VPA and any implications for this current application.	The existing VPA has been executed and partially fulfilled as payment of \$2,404,999.50 has been received by Council. It is confirmed that the next VPA payment is due at Construction Certificate stage.
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## 7. Council Concerns

DPHI-35	Provide a response to Council's concerns about the setbacks to O'Brien Street and Western Laneway, providing justification to the departure from the controls set within the WDCP.	Refer to comments under item WCC-8 below.
DPHI-36	Address Council's stormwater management comments making amendments and providing additional information as required.	Refer to comments under item WCC-25 below.

DPHI-37	Address Council's flooding comments making amendments and providing additional information	Refer to EIS, the site is not flood affected. Note these comments from Council are identical to flood comments received in relation to the SSDA at 57-61 Archer Street (SSDA-72891212). As such, we believe it is an error in Council's submission.
DPHI-38	Address Council's physical and operational waste management requirements. Ensure that the proposal has been designed to allow for the size and manoeuvrability of Council's waste vehicle (10.5m length and 4.5m clearance).	<p>The design makes suitable provision to accommodate Council's waste vehicle by:</p> <ul style="list-style-type: none"> <li>• Providing a 12.5m long loading bay that can accommodate the manoeuvring (front in and front out) of Council's 10.5m long truck,</li> <li>• Providing 4.5m height clearance along the path of travel to, and directly above, the loading bay, and</li> </ul> <p>Not being reliant on a mechanical solution (e.g. turntable) to facilitate on-site waste collection. Council's waste collection vehicle has the ability to manoeuvre appropriately within the site and enter and exit in a forward direction.</p>

#### 8. Updated Architectural Plans/Documentation

DPHI-39	Drawing number DA2019 sets out the odd levels of the development between 9-23 while DA2020 sets out the even levels of the development between 10-24. The internal staircases leading up to the upper levels on DA2020 for apartments 2301, 2304, 2305 and 2308 are missing, please provide plans which show this detail.	The internal staircases have been included in drawing DA2020 in the revised Architectural Plans ( <b>Appendix G</b> ).
DPHI-40	Provide the architectural plans for levels 28-29.	Please refer to DA2038 in the revised Architectural Plans ( <b>Appendix G</b> ).
DPHI-41	Provide a material schedule (including title, reference number and date) to form part of the plans for determination.	This has been included as DA8100 of the revised Architectural Plans ( <b>Appendix G</b> ).
DPHI-42	Provide plans(s) (including title, reference number and date) incorporating the schedules of accommodation to form part of the plans for determination.	This has been included as DA9100 of the Architectural Plans ( <b>Appendix G</b> ).

#### 9. Other Matters

DPHI-43	Engage with GANSW to arrange a Design Integrity Panel prior to lodgement of the submission report in	In accordance with the Bridging Design Excellence Strategy ( <b>BDES</b> ), on 16 July 2025 a quorum of the DIP was reconvened to review amendments
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	accordance with the endorsed Bridging Design Excellence Strategy.	to the architectural drawings that have been undertaken since the DIP's last review in November 2024. At the conclusion of the meeting a written endorsement of the project was received from a quorum of the DIP at <b>Appendix BC</b> and <b>Appendix BD</b> .
DPHI-44	As the site is a strata title lot, provide consent from the owner's corporation with the Common Seal.	Owners Consent with the owner's corporation with the Common Seal has been provided for each site at <b>Appendix AZ</b> .
DPHI-45	Discuss implications of the proposal on existing easements. Where changes to any easements are required, provide consent from the easement beneficiary for such changes.	Changes to easements are within the site and do not affect properties beyond the boundaries. One of the buildings set to be demolished on the site is the easement beneficiary.
DPHI-46	The EIS sets out the demolition of four existing buildings and removal of 17 trees. However, section 6.9.1 of the EIS expressly states that these trees have been removed under DA- 2023/219. Clarify what works have been undertaken or will be undertaken under DA-2023/219.	Demolition and tree removal works will be undertaken in accordance with the Early Works DA (DA-2023/219) and are no longer proposed as part of this SSDA. Therefore, tree removal and demolition works have been removed from the proposal description (refer to the updated EIS)
DPHI-47	Section 3.11 of the EIS states that the proposal includes two stages - stage 1 (demolition and site preparation) and stage 2 (main works). Clarify where Stage 1 is referring to works under the existing consent (DA-2023/219) or this application.	Stage 1 works (demolition and site preparation) will be undertaken under the Early Works DA (DA-2023/219). This has been clarified under Section 3.11 of the updated EIS.
DPHI-48	Provide evidence from the Community Housing Provider supporting the location of the proposed affordable housing and affordable housing dwelling mix.	A letter from Bridge Housing has been provided at <b>Appendix AW</b> . This letter confirms the CHP support the location and mix affordable housing proposed.
DPHI-49	Confirm that the recommendations set out in the Reflectivity Study (Appendix Z) have been incorporated into the proposed design.	Turner have confirmed that the recommendations of the Reflectivity Study have been incorporated into the proposal. Please refer to DA2200 and DA2201 in the Architectural Plans ( <b>Appendix G</b> ) for the added annotation confirming this.
DPHI-50	Provide a comparison of the proposal with the design proposed under DA-2023/172 (the Local DA), clearly identifying what elements of the proposal have been	Below is a response to the key reasons for refusal from DA-2023/172. <b>Clause 4.6</b>

amended following the Local DA refusal. Provide a response to each reason for refusal for the Local DA.

The reason for refusal of DA-2023/172 relates primarily to excess car parking. The DA was supported by a request to vary Clause 4.4 (FSR) of the WLEP 2012. An FSR control of 6:1 applies to the site while the DA sought an FSR of 6.375:1, which is a variation of 6.25%. This variation arose purely from excess car parking spaces within the basement which were required (by definition) to be included in the GFA total. The excess car parking did not result in any material change to the bulk and scale of the development, nor any change to traffic generation arising from the development.

This SSDA does not seek a variation to Clause 4.4 of the WLEP 2012 as car parking has been provided in accordance with the applicable rates in the Housing SEPP 2021.

As detailed above, the minimum car parking requirement is a non-discretionary standard under Section 19(2)(e) and (f) of the Housing SEPP. If met, consent authorities cannot impose more stringent parking requirements, refuse a DA on parking grounds, or apply more onerous conditions, as outlined in Section 4.15(2) of the EP&A Act.

The proposal complies with the minimum standards and provides additional parking to accommodate the needs of downsizers, aging residents, and young families—groups for whom public transport may not fully meet travel needs. Given the site's proximity to the CBD, rail station, and metro, walking and public transport use are also expected to be high.

The Transport Impact Assessment confirms that traffic generation from the proposal is significantly lower than what was anticipated in the Planning Proposal, indicating no additional traffic impacts.

#### **Setbacks and Street Wall Heights**

Council raised concerns as part of DA-2023/172 setback and street wall requirements of the SSDCP were not applied. The proposed setbacks are largely compliant, except for minor non-compliances along O'Brien Street and the Western Laneway at the podium level. Despite these minor variations, the proposal exhibits design excellence and is consistent with the desired future character of the Chatswood CBD, as anticipated in the Chatswood CBD Strategy. Further, it maintains privacy for surrounding

		residents by adhering to the minimum building separation requirements under the ADG.
DPHI-51	Confirm the number of operational jobs.	The proposed development will generate 228 operational jobs (refer to updated EDC Report at <b>Appendix AW</b> ).

## 4.2 Willoughby City Council

**Table 4** sets out a response to each issue raised within the **Willoughby City Council** submission dated 6 March 2025.

**Table 4: Willoughby City Council Submission & Responses**

ITEM REFERENCE	SUMMARY OF ISSUE RAISED	RESPONSE
<b>1. Engagement prior to SSDA Lodgement</b>		
WCC-1	This exhibition represents the first comprehensive review opportunity for council.	<p>Noted, as mentioned within Chapter 5 of the EIS, the applicant met with Council in accordance with <i>Undertaking Engagement Guidelines for State Significant Projects</i>.</p> <p>The purpose of the mandatory public exhibition of the subject SSDA has provided Council with the opportunity to consider all aspects of the proposal and provide their comments.</p>
<b>2. Consistency with the Housing SEPP</b>		
WCC-2	<p>Having regard to the In-fill Affordable Housing Practice Note, it is noted that in-fill affordable housing bonuses do not override any LEP height control.</p> <p>Council seeks for the proposal on this site to have appropriate regard to the location on the boundary of the Chatswood CBD, opposite the low density residential North Chatswood Conservation Area. The impact on adjoining land (and the other side of Anderson Street) is considered excessive, taking into account the building's height, scale</p>	<p>While we acknowledge that the In-fill Affordable Housing Practice Note states that in-fill affordable housing bonuses do not override the requirements of Environmental Planning Instruments (EPIs), the proposed development has been designed with careful consideration of its impact on the surrounding area. The additional tower height results in a more slender form, helping to balance the scale of the larger towers and the surrounding context.</p> <p>The built form aligns with the desired future character of the Chatswood CBD, which envisions 'slender tower forms' within the MU1 Mixed Use zone at the CBD's periphery.</p>

and bulk. Particular regard is drawn to the expectations of the CBD Strategy and WDCP.

The Practice Note provides the following guidance:

*When applying in-fill affordable housing bonuses, applicants and consent authorities should adopt a flexible design approach, considering:*

- *The Government's policy intent to increase affordable housing through the in-fill affordable housing provisions of the Housing SEPP.*
- *The development's impact on the site's amenity and that of adjoining land, taking into account building height, scale, and bulk.*

In response, this proposal maximises the allowable 30% uplift and, in return, providing 18.5% in-fill affordable housing—exceeding the Housing SEPP's minimum requirement by 3.5%. By doing so, the proposal supports the Government's objective of increasing affordable housing while appropriately managing its impact on the surrounding area.

The development's impact on site and adjoining land amenity is detailed in Section 6 of the EIS. In summary:

- **Overshadowing:** The proposed building envelope would cast shadows over the South Chatswood Conservation Area between 2 pm and 3 pm during mid-winter. However, direct impact on dwellings in the conservation area would be limited to one hour (at 3 pm) within the 9 am to 3 pm period, remaining compliant with WLEP 2012.
- **Building Separation:** The proposal maintains the building separation distances from the competition-winning scheme, which align with the design criteria in Objective 3F-1 of the Apartment Design Guide (ADG).
- **Setbacks:** The proposed setbacks are largely compliant, except for minor non-compliances along O'Brien Street and the Western Laneway at the podium level. Despite these variations, the proposal maintains privacy for surrounding residents by adhering to the minimum building separation requirements under the ADG. Additionally, these setbacks were deemed consistent with the Design Excellence provisions during the Design Competition.

- **Heritage:** The proposed development will have a negligible impact on the North Chatswood Heritage Conservation Area and nearby heritage items, as its design considers the heritage context. Existing high-rise buildings in the Chatswood CBD already surround the site, ensuring the new development does not compromise heritage significance. By dividing the building into two slender forms, the proposal balances the scale of CBD towers and the finer-grain heritage areas. As a result, no direct impact on non-Aboriginal cultural heritage is expected, and no mitigation measures are required.
- **Visual Impact:** Whilst visible from private views, the skilful design incorporates measures to reduce view impact on nearby residential properties and view sharing is achieved. View loss associated with the proposal ranges from just moderate, to negligible and that the proposed development is largely compatible with its context and will not impact on the current views of the Chatswood CBD skyline from public spaces such as Beauchamp Park.

### 3. Site location on edge of Chatswood CBD

WCC-3

Redevelopment on this site should have appropriate regard to the location of 44-52 Anderson Street within the Chatswood CBD. The location of this site on the edge of the Chatswood CBD, opposite the residential low density North Chatswood Conservation Area to the east, and the publicly accessible pathway and landscaped area to the west, requires an appropriately sensitive redevelopment response.

The proposed height is consistent and compliant with the height allowances provided for within the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site.

As noted above, the proposed development is expected to have a negligible impact on the North Chatswood Heritage Conservation Area and nearby heritage items, particularly in terms of setting and views. Given the presence of existing high-rise buildings in the Chatswood CBD, which already surround the site without affecting heritage significance, the new development has been thoughtfully designed to respect its heritage context.

The proposed development has been designed to integrate into the use of the western laneway. This is addressed by providing an activated podium which connects the laneway to Anderson Street via a through-site link. Landscaping has been proposed to further enhance the connection

		between the built form the western laneway through the planting of trees and small shrubs and grasses.
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#### 4. Recent site history

WCC-4	<p>Regard should be made to the Planning Proposal on 44-52 Anderson Street that was supported by Council in June 2022 and made and notified on the NSW legislation website on 29 July 2022, and the accompanying site-specific development control plan now incorporated into WDCP (Part L: Place Based Plans, Section 13.1.10).</p> <p>Following on from DA-2023/219 for early works (approved) and DA-2023/172 for construction of a 26 storey mixed use development (refused by the Sydney North Planning Panel on 20 September 2024), the subject SSDA is a new application on this site (SEARs requested 2 September 2024). However, there are points in the previous Refusal of Development Application DA-2023/172 that should be noted in the assessment of the SSDA, with particular regard to the proposal not being in the public interest in its current form.</p>	<p>The reason for refusal relates primarily to excess car parking. The DA was supported by a request to vary Clause 4.4 (FSR) of the WLEP 2012. An FSR control of 6:1 applies to the site while the DA sought an FSR of 6.375:1, which is a breach of 6.25%. This variation arose purely from excess car parking spaces within the basement which were required (by definition) to be included in the GFA total. The excess car parking did not result in any material change to the bulk and scale of the development, nor any change to traffic generation arising from the development.</p> <p>This SSDA does not seek a variation to Clause 4.4 of the WLEP 2012 as car parking has been provided in accordance with the applicable rates in the Housing SEPP 2021.</p> <p>The proposed development should be assessed on its merits, in light of the inclusion of affordable housing.</p>
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#### 5. Design Excellence

WCC-5	<p>Noting the role of the design excellence process, Council officers request that appropriate regard be given by the consent authority (DPHI) to the issues raised in this submission. The Design Excellence Competition Report states that the proposal has the potential to achieve design excellence. However, the design excellence process does not comprise of a fulsome assessment against the planning controls and does not presuppose that the application warrants approval.</p> <ul style="list-style-type: none"> <li>The Bridging Design Excellence Strategy and exemption granted by GANSW on 8 November 2024 confirmed that a new competitive design process is not required for the SSDA. Notwithstanding this,</li> </ul>	<p>The scheme has undergone an extensive design excellence process, including a design excellence competition, and subsequently a GANSW endorsed Design Excellence Bridging Strategy which resulted in a change to the Architect team and reconvening the design competition jurors as the Design Integrity Panel (DIP). The DIP has reviewed the proposed development and confirmed that the project maintains the essence of the winning design competition scheme by Make, and further, it maintains the potential to achieve design excellence.</p> <p>As the DIP are not the consent authority, they do not have the authority to determine absolutely that the objectives of Clause 6.23 (Design Excellence) of the Willoughby LEP have been achieved. The DIP is therefore only able to determine if a development has potential to achieve design excellence.</p>
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<p>further design resolution is required to meet WLEP 2012 Clause 6.23 Design Excellence, in particular noting that no further review was undertaken.</p> <ul style="list-style-type: none"> <li>• It is also Council’s understanding that there is a significant discrepancy in the extent of deep soil planting between the Design Excellence awarded scheme and the SSDA submitted. Deep soil planting to Anderson Street is discussed further below in Section 6. Amendments required for development to be in the public interest, e) Ground level setbacks and public domain embellishment.</li> <li>• Subsequent to the design excellence competition, a comprehensive assessment has been undertaken having regard to the CBD Strategy, WLEP and WDCP, covering issues including height on the CBD boundary, non-residential floor space, car parking rates, ground level setbacks and public domain embellishment, podium street wall heights, tower setbacks, access for service vehicles to basement level, as well as other open space, engineering and waste matters. Amendments are requested as discussed in this submission, as well as the provision of additional information.</li> </ul>	<p>Throughout the entire design excellence process, Council has been an invited observer.</p> <p>We can confirm that the same extent of deep soil area has been carried through from the winning scheme to local DA and subsequent SSDA.</p> <p>The proposal still maintains the potential to achieve design excellence, in accordance with the DIP report submitted at <b>Appendix I</b>.</p> <p>The remaining requests are addressed in the responses below.</p>
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**6. Amendment required for development to be in the public interest**

<p>WCC-6</p>	<p><b>a) Height on boundary CBD</b></p> <p>A height of 117 and 110m for the two towers was not anticipated for this location and represents a departure from recent DPHI direction (approximately 5 years ago during 10 consideration of the CBD Strategy), where the height on this section of Anderson Street was supported at 90m (from 12m, resulting in a 750% increase).</p> <p>In accordance with the In-fill Affordable Housing Practice Note, December 2023 (p.13): The full extent of the in-fill</p>	<p>The proposed height is consistent and compliant with the additional height provided for within Chapter 2 of the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site.</p> <p>As noted previously, in response to the In-fill Affordable Housing Practice Note, this proposal maximises the allowable 30% uplift and, in return, provides 18.5% in-fill affordable housing—exceeding the Housing SEPP’s minimum requirement by 3.5%. By doing so, the proposal supports the</p>
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	<p>affordable housing bonuses may not be achieved on all sites, due to site constraints and local impacts. The in-fill affordable housing bonuses should not be treated as an entitlement. A nuanced approach to the Housing SEPP 30% bonus uplift is sought, with the proposed additional 27m height in this location considered inappropriate based on bulk and scale impacts on the CBD boundary to the adjacent low density residential conservation area and undermines recent strategic planning and community faith in the NSW planning system.</p> <p>Unlike other centres, the heights in this location have recently been substantially increased (30 June 2023), indeed maximised. Council does not support any further increase in height above the existing height controls.</p>	<p>Government's objective of increasing affordable housing while appropriately managing its impact on the surrounding area.</p> <p>The development's impact on site and adjoining land amenity is detailed in Section 6 of the EIS.</p> <p>According to the CBD Strategy, the subject site was not designated as part of the CBD extension or identified as a transitional site in terms of building height. This suggests that there are no specific planning controls or strategic guidelines requiring a gradual reduction in height at this location. As a result, the proposed building height is deemed appropriate with regard to the uplift allowed under the Housing SEPP, as it aligns with the broader urban design objectives and character of the surrounding area.</p> <p>Additionally, the proposal has been carefully designed to minimise impacts on the adjacent residential properties in the North Chatswood heritage Conservation Area (HCA) to the east. As illustrated in the Shadow Diagrams submitted, the additional shadow cast as a result of the height uplift, is minimal, noting that the towers have been designed to minimise the time of the existing residential properties being in shadow by providing a slender tower form and generous setback from Anderson Street.</p>
WCC-7	<p><b>b) Non-residential floor space</b></p> <p>In Council's view it is considered that consistency with the WLEP 2012 Clause 6.25, 17% non-residential minimum floor space requirement, is entirely achievable noting that Council planning controls are accepting of non-residential land uses within a tower form. The 17% requirement and the desired mix is based on the floor space provided on a site. The SSDA is requested to be amended to comply with this standard requirement.</p>	<p>A revised Clause 4.6 Variation Request is provided at <b>Appendix F</b>.</p> <p>The proposal provides a total of 2,741m<sup>2</sup> of non-residential floor space and presents a 23% variation to the minimum 17% requirement of non-residential floor space.</p> <p>As identified in the Clause 4.6 Variation Request submitted, this is a technical numerical non-compliance solely due to the provision of additional housing (in-fill affordable and market). The proposal meets the quantum of non-residential floor space anticipated in the Chatswood CBD Strategy, which is 17% of 5:1 FSR under WLEP 2012.</p> <p>Importantly, the non-residential floor space was originally proposed to be 1:1 and provided in the podium levels of a development that achieved a total maximum FSR of 6:1. This was later modified in the Planning Proposal process to 17% of the total GFA to accommodate sites that may have or achieve a lower maximum FSR control due to site constraints.</p>

		<p>At Page 33, the Chatswood CBD Strategy states that the objective of the recommended 1:1 minimum non-residential floor space standard (later converted to 17%) is as follows:</p> <p><i>The objective of this Key Element is to achieve a <b>satisfactory level of commercial</b> in the B4 Mixed Use* zone to deliver a reasonable amount of <b>employment floor space</b>, typically to be <b>within the podium</b> levels of a development. This will be moderated depending on the overall FSR.</i></p> <p><i>(our emphasis)</i></p> <p>Strict compliance with the numerical standard would require additional non-residential floor space in the tower, which would result in conflicts with the privacy of the communal open space for the residents and lead to a reduction in the quantum of housing. Alternatively, additional podium levels would be required to accommodate the additional non-residential floor space which would undermine the human scale of the current podium form and impact on the visual relationship with the adjacent heritage item and the low density residential properties in the HCA.</p> <p>The proposed quantum of non-residential floor space is therefore appropriate for the site as it protects the commercial role of the E2 Commercial Centre zoned land. The proposed non-residential floor space includes a diverse range of uses, including retail, food and drink premises and a wellness facility, consistent with the objectives of the MU1 Mixed Use zone.</p> <p>Further justification on the contravention of the standard is provided in the Clause 4.6 Variation Request.</p>
WCC-8	<p><b>c) Car parking rates</b></p> <p>Council seeks an approach to car parking in the Chatswood CBD consistent with the significant and highly successful investment in Metro, rather than the approach that applies across NSW and outside metropolitan Sydney railway / transport precincts.</p> <p>It is requested that in considering this SSDA, emphasis be placed on the applicable planning document providing the lowest rate for car parking in the Chatswood CBD railway precinct (which would be the WDCP, Part F 'Transport and</p>	<p>The minimum car parking requirement is prescribed as a non-discretionary development standard under Section 19(2)(e) and (f) of the Housing SEPP, which if complied with, prevents the consent authority from requiring more onerous standards.</p> <p>Specifically, Section 4.15(2) of the EP&amp;A Act states that if a DA complies with the non-discretionary development standards in an EPI, the consent authority:</p> <p><i>(a) is not entitled to take those standards into further consideration in determining the development application, and</i></p>

	<p>Parking Management'). Strategic planning and traffic modelling for the Chatswood CBD relies on the enforcement of low parking rates to ensure modal shift and to maximise state government investment in the Chatswood Metro and other transport infrastructure.</p> <p>The SSDA exceeds Council's car parking requirement by approximately 218 car spaces (based on Council's maximum rate), noting that this does not yet include non-residential spaces. The SSDA is requested to be amended to have car parking consistent with WDCP car parking rates.</p>	<p><i>(b) must not refuse the application on the ground that the development does not comply with those standards, and</i></p> <p><i>(c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.</i></p> <p>Given the parking standard provides a minimum rate, the proposed car parking provision beyond the minimum rates still meets the controls in Section 19(e) and (f) of the Housing SEPP.</p> <p>The Proponent acknowledges Council's intent to encourage the use of public transport and reduce reliance of private vehicles. In this regard, it is expected that residents will be walking to access the local shops and services given the site's adjacent proximity to the CBD and the Rail Station and Metro.</p> <p>Further, adequate car parking provision is required to cater to the travel needs of downsizers, aging owner-occupiers and young families as public transport does not meet all the travel needs of these residents, especially for destinations not well-served by public transport. It is also expected that the use of cars for recreational purposes will occur outside of peak periods and hence is unlikely to result in significant traffic generation.</p> <p>As established in the Transport Impact Assessment (<b>TIA</b>) prepared by JMT Consulting at <b>Appendix S</b>, the expected traffic generation arising from the current proposal is considerably less than that envisaged at the time of the Planning Proposal submission and approval for the site. This confirms that the development will not result in any additional impacts on the surrounding road network compared with that contemplated at the time of the Planning Proposal.</p>
WCC-9	<p><b>d) Proponent's response to built form, massing, setbacks and street wall heights</b></p> <p>The above does not adequately explain why the proposed scheme is a better outcome when compared with the site-specific development control plan being part of WDCP (WDCP, Part L, Section 13.1.10).</p>	<p>The response to the built form massing, setbacks and street wall heights are detailed in Section 6.2.3 of the EIS.</p> <p>The proposed setbacks and street wall heights, although not entirely compliant with the SSDCP, provide the best response to site conditions whilst maintaining the amenity of the site and surrounding area. The</p>

The potential for design excellence in regards the proposal, and the process undertaken to date, has been discussed in the Design Excellence section above. Any assertion of the proposed scheme achieving design excellence is from the proponent only and not from the Design Excellence Competition Report or GANSW exemption. Importantly, there has not been consideration of the merits of compliance or non-compliance with Council controls. This is addressed below in e), f) and g).

It is the view of Council that a more compliant scheme can remain consistent with the expectations of the Design Excellence Panel.

majority of setbacks have been designed to align with the SSDCP with the exception of O'Brien Street and the western laneway.

### **O'Brien Street Setback**

The proposed nil podium setback to O'Brien Street represents a minor non-compliance with the 1.15m setback required by the SSDCP but allows for a wider through-site link, improving urban design outcomes. This does not impact the 12m building separation from 54 Anderson Street, which aligns with Part 3F of the ADG, ensuring privacy and minimizing overlooking.

Above the podium, balconies comply with the 4.5m setback from the street wall. While the northern setback is reduced, landscaping is incorporated elsewhere, including a 6m deep soil setback along Anderson Street. The 1.15m setback would not provide meaningful deep soil planting.

The minor setback reduction optimizes the ground floor layout for commercial uses, enhances the through-site link, and contributes to a safe and active frontage along O'Brien Street.

### **Western Laneway Setback**

The podium and tower setbacks along the western laneway include some minor non-compliances. At ground level, the 1.5m setback to the grid structure (1.8m to the glass line) slightly departs from the 2m DCP requirement but maintains a 12m building separation from 1 Day Street, in line with Part 3F of the ADG, ensuring privacy and reducing overlooking. The publicly accessible laneway is not impacted.

The tower setback is mostly compliant, except for the north-west corner, which does not meet the 7.6m minimum setback. However, the 12m separation from 1 Day Street is maintained, and louvred screening on the north-west balcony minimizes privacy impacts.

The overall design aligns with the site-specific DCP objectives, as developed through the design excellence competition. The proposal achieves:

- Consistency with Chatswood CBD's envisioned streetscape
- Adequate ground-level setbacks to enhance the public realm

		<ul style="list-style-type: none"> <li>• Substantial deep soil landscaping along Anderson Street</li> <li>• Slender tower forms for better urban integration</li> <li>• Minimized adverse wind impacts</li> </ul> <p>Despite minor setbacks, the design provides a reasonable alternative solution, ensuring strong urban and environmental outcomes.</p> <p><b>Street wall heights</b></p> <p>The proposed 2-storey street wall heights are fully compliant with the DCP and align with the future desired streetscape outlined in the Chatswood CBD Strategy. The design meets the DCP objective at Part L [13.1.10] and is consistent with the Performance Criteria for street wall heights, ensuring consistency with the envisioned street wall heights for Chatswood CBD.</p> <p>The design features well-articulated podium and tower forms that integrate with surrounding developments and includes a 6m deep soil buffer along Anderson Street, improving the public realm and visual amenity. It promotes view-sharing, privacy, and reduces massing impacts. The layout enhances the through-site link, pedestrian experience, and active frontage, while the building footprint allows for significant public domain improvements. Despite minor non-compliance, the design aligns with DCP objectives and demonstrates design excellence.</p>
WCC-10	<p><b>e) Ground level setbacks and public domain embellishment</b></p> <p>The SSDA is requested to be amended to show:</p> <ul style="list-style-type: none"> <li>• Confirmation of the ground level areas to be subject to public rights of way,</li> <li>• No basement intrusion into the Anderson Street 4m setback (noting that 2m of the 6m total is proposed as paved),</li> </ul> <p>The 2m setback on the western boundary landscaped and integrated with the adjacent public domain and the restoration of the expected setback to O'Brien Street as per the WDCP.</p>	<p>Bridgestone confirm that the ground level areas will be subject to public rights of way.</p> <p>The basement intrusion into the former deep soil area only impacts part of the 6m Anderson Street setback comprising an area of 150m<sup>2</sup>. Whilst in plan form the intrusion predominantly provides car parking spaces, the need to utilise this space has arisen from the need to ensure all the required services, mechanical systems, parking, end of trip facilities and loading areas can be accommodated in the basement.</p> <p>The basement's position within the setback allows for optimal use of space without significantly impacting the above-ground form or function of the building, noting this area will still feature substantial soft landscaping.</p> <p>The intrusion into the setback does not affect the streetscape or contribute to any significant visual massing, noting there is significant landscaping</p>

		<p>across the site. As such, it does not negatively impact the public realm or surrounding properties.</p>
<p>WCC-11</p>	<p><b>f) Podium street walls</b></p> <p>The WDCP, Part L, Section 13.1.10 requirement is 7m or two storeys. This was established having regard to the location of the site on the CBD boundary, adjacent the low density residential North Chatswood Conservation Area.</p> <p>The control did not mean 7m or two storeys <u>of any height</u>.</p> <p>The Council expectation, and desired outcome, is further expressed in 4.3.4, a, dot point 4:</p> <p style="text-align: center;"><i>Street wall heights lower than the maximum are encouraged at the interface with low density residential conservation areas.</i></p> <p>In addition, WDCP, Part L, Section 13.1.10, 4. Setbacks and Street Frontage Heights states in regards the western (rear publicly accessible pathway and landscape area) boundary:</p> <p style="text-align: center;"><i>Minimum 2m setback at Ground Level, with additional stepped 2m setback at Podium Level</i></p> <p>There has been no stepping from the ground level to first level of the western facing podium, which presents to the publicly accessible pathway and landscaped area to the west.</p> <p>In Council's view, the podium street wall height is not appropriate for the location, having particular regard to the low density residential North Chatswood Conservation Area to the east and the publicly accessible pathway and landscaped area to the west.</p> <p>Podium street wall heights are sought that have greater sympathy to the location, having particular regard to the low density residential North Chatswood Conservation Area to the east and the publicly accessible pathway and</p>	<p>As previously noted, the proposed 2-storey street wall heights are generally compliant with the intent of the DCP and align with the future desired streetscape outlined in the Chatswood CBD Strategy.</p> <p>Although there is no stepping from the ground level, the design features well-articulated podium and includes a 6m deep soil buffer along Anderson Street, improving the public realm and visual amenity. The layout enhances the through-site link, pedestrian experience, and active frontage, while the building footprint allows for significant public domain improvements and is of an appropriate scale for the 33-storey built form proposed.</p> <p>According to the CBD Strategy, the subject site was not designated as part of the CBD extension or identified as a transitional site in terms of building height. This suggests that there are no specific planning controls or strategic guidelines requiring a gradual reduction in height at this location. As a result, the proposed street wall heights are deemed appropriate with regard to the uplift allowed under the Housing SEPP, and interface with the North Chatswood Conservation Area to the east.</p> <p>Despite the minor discrepancy with Council's desired outcome, the design aligns with DCP objectives and demonstrates design excellence.</p>

	landscaped area to the west. An appropriate response is outlined in the site specific WDCP.	
WCC-12	<p><b>g) Tower setbacks</b></p> <p>Having regard to the sensitive site location, tower setbacks should be provided consistent with the site specific DCP to ensure a slender tower form.</p>	<p>The tower setbacks are generally compliant except for a partial non-compliance for the tower form along the western boundary.</p> <p>There is a partial non-compliance demonstrated with the tower setback. The majority of the tower presents a setback distance that is greater than the 7.6m setback minimum, with the exclusion of the north-west corner which is non-compliant with the minimum setback distance. This design still ensures a minimum 12m separation from the existing development at 1 Day Street and the balcony on the north-west corner features louvred screening along the sides to further minimise impacts on visual privacy.</p>

## 7. Affordable Housing

WCC-13	It is Council's preference that built affordable housing units be provided to Council in perpetuity. The SSDA should satisfactorily address s 7.32 (3) (a) of the Environmental Planning and Assessment Act 1979 and s 15 of the SEPP (Housing) 2021, and s 7.32 (1) and (3) (c) of the Environmental Planning and Assessment Act 1979, in regards the affordable housing proposed (both in regards WLEP 2012 and the SEPP). This information should be submitted as part of this SSDA.	<p>The proponent intends to satisfy a 4% affordable housing contribution by way of monetary contribution to Council, and in accordance with Cl.6.8 of the Willoughby LEP.</p> <p>Separately, the proponent has included 15% provision of affordable housing in accordance with Chapter 2 of the Housing SEPP. This will be managed for a 15yr period by an appropriate registered housing provider.</p>
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## 8. Infrastructure

WCC-14	This site was rezoned with an associated voluntary planning agreement put in place to ensure that the local infrastructure required to support the future residents of the site can be adequately serviced. It is critical that this approval retains the agreed infrastructure contributions under the voluntary planning agreement.	<p>The SSDA approval makes use of planning controls that were gazetted in accordance with PP-2021-3476 As such, the proposed development will remain subject to the exiting VPA.</p> <p>The existing VPA has been executed and partially fulfilled as payment of \$2,404,999.50 has been received by Council. It is confirmed that the next VPA payment is due at Construction Certificate stage.</p>
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## 9. Requested further amendments or further information

**a) Anderson Street Public Domain**

WCC-15	<p>Any work external to the site shall be undertaken in accordance with the current Anderson St Public Domain Plan, and in liaison with Willoughby City Council’s Traffic and Transport Manager, Urban Design Specialist, Open Space and Engineering sections.</p> <p>Redevelopment in Anderson Street is required to work with the Council objective of creating a bike lane on the western side of Anderson Street, leading in and out of the Chatswood CBD.</p>	<p>The proponent has been consulting closely with Council’s Urban Designer to understand plans for Anderson Street.</p> <p>The proposed development has been designed in alignment with the desired outcome for the Anderson Street Public domain by providing a 6m deep landscaped setback. The bike lane can also be accommodated within the existing road reserve and to the western side of Anderson Street.</p>
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**(b) Open space comments**

WCC-16	<p><b>Deep soil to Anderson Street</b></p> <p>Only 58% of the 6m setback frontage to Anderson Street has deep soil, with the rest impeded by basement parking below.</p>	<p>Refer to the response under item 3(a) of DPHIs Key Issues Letter above.</p>
WCC-17	<p>The landscape plan indicates 1.2m–1.5m soil depth over the basement, contradicting architectural plans that show less than 350mm.</p>	<p>The slab above the carpark sits at approximately RL 102300, while the adjacent street level—where the basement protrudes—ranges from RL 103500 to RL 104000. This results in a soil depth of between 1.2m and 1.5m being achievable in various sections, consistent with the landscape plan.</p>
WCC-18	<p>A minimum of 600mm soil depth is required for landscape area calculations, making the soil depth over the basement insufficient for planting.</p>	<p>This 1.2m and 1.5m is achievable above the basement intrusion, noting the rest of the site features deep soil with nothing under.</p>
WCC-19	<p><b>Canopy tree planting</b></p> <ul style="list-style-type: none"> <li>- Larger canopy trees are preferred with layered understorey trees in deep soil to provide suitable screening and softening in consideration of the heritage conservation area opposite on Anderson Street.</li> <li>- The following is provided to inform amendments: <ul style="list-style-type: none"> <li>o Tree Selection: Opt for larger canopy trees that can reach at least 15m-20m in height with a 16m</li> </ul> </li> </ul>	<p>Six larger canopy trees will be planted in the Anderson Street deep soil area. These trees can reach at least 15m-20m in height with a 16m spread. Understorey planting will be provided as demonstrated <b>Appendix M</b>.</p>

	<p>spread to ensure adequate coverage and visual softening.</p> <ul style="list-style-type: none"> <li>○ Understorey Planting: Incorporate small to medium-sized trees and shrubs to create a layered effect, enhancing both aesthetic and ecological value.</li> <li>○ Deep Soil Zone: Ensure that the entire landscape frontage includes deep soil planting to support the growth and health of the proposed vegetation.</li> <li>○ Screening &amp; Softening: The goal is to effectively buffer the development from the heritage conservation area across Anderson Street, improving integration with the surrounding environment.</li> </ul>	
WCC-20	<p><b>O'Brien street setback</b></p> <p>No setback is provided; a 1.15m setback is required in the site specific DCP controls. A setback of 1.15m would allow for inclusion of some planting to provide greening to the streetscape level to improve the amenity and appearance of the pedestrian environment.</p>	<p>As previously noted, the proposed nil podium setback to O'Brien Street represents a minor non-compliance with the 1.15m setback required by the SSDCP but allows for a wider through-site link, improving urban design outcomes. This does not impact the 12m building separation from 54 Anderson Street, which aligns with Part 3F of the ADG, ensuring privacy and minimizing overlooking.</p> <p>Above the podium, balconies comply with the 4.5m setback from the street wall. While the northern setback is reduced, landscaping is incorporated elsewhere, including a 6m deep soil setback along Anderson Street. The 1.15m setback would not provide meaningful deep soil planting.</p> <p>The minor setback reduction optimises the ground floor layout for commercial uses, enhances the through-site link, and contributes to a safe and active frontage along O'Brien Street.</p>
WCC-21	<p><b>Setback along western boundary</b></p> <ul style="list-style-type: none"> <li>- A 2m wide publicly accessible setback is required along the western boundary, adjacent the publicly accessible pathway and landscape area on 1 Day Street. This space on 44-52 Anderson Street is to function as a</li> </ul>	<p>The western laneway is privately owned by 1 Day Street which is burdened by a public right of way. The fence is outside of the site area and not owned by the applicant. The applicant has endeavoured to design the ground floor landscape to connect into the laneway space to create high quality public domain. As such, the applicant would support the removal of the fence; however, given the fence is not owned by the applicant we cannot support the inclusion of any condition that would require its removal.</p>

	<p>landscape embellishment to the existing public domain on 1 Day Street.</p> <ul style="list-style-type: none"> <li>- The following is provided to inform amendments: <ul style="list-style-type: none"> <li>o There is an existing lapped and capped timber boundary fence that creates a solid screen. Removal of the fence will be required to allow at least a visual connection with the adjoining landscaping and pathway. The plans do not note removal of the boundary fence – this should be noted on plan and conditioned in any approval.</li> <li>o A full 2m setback is required without encroachments on the western boundary. Measuring from the plans appear to show a 1.9m setback, with pillars and some elements encroaching on the setback reducing it some areas to 1.5m; (noting this is measured from the plans, and a dimension was not shown for the setback). Dimensions consistent with the site specific DCP are required on plan.</li> </ul> </li> </ul> <p>The plans currently show no landscape embellishments within the 2m setback to the western boundary which are expected. Landscape embellishments may include planting and minimal bench seating (secondary to planting). The embellishments must consider the existing landscaping on the neighbouring to integrate the spaces to the public benefit.</p>	<p>As noted previously, the podium setback along the western laneway involves a minor non-compliance. At the ground level, the 1.5m setback to the grid structure (with the glass line setback at 1.8m) slightly departs from the 2m setback requirement in the DCP. It is noted that the setback varies between a distance of 1.5m and 1.8m, which is only minimised by the need to provide articulation on the façade for both design and efficiency purposes.</p> <p>Despite this minor variation, the publicly accessible laneway remains unaffected by the setback reduction, noting the use of this laneway is not dependent on the provision of the full 2m setback. The proposed setback still ensures that the design contributes positively to the public domain by maintaining open, accessible spaces for pedestrians and enhancing the walkability of the area.</p> <p>Moreover, this separation also aligns with the Chatswood CBD Strategy, which emphasises creating developments that maintain privacy and amenity for surrounding buildings, particularly in more established areas where there is already significant built form.</p> <p>The opportunity for landscaped embellishment to the western boundary is limited due to the extent of the site, and the private ownership of the western laneway. Opportunities to deliver landscaping have been maximised whilst respecting the interface with the existing private laneway and balancing the needs for clear-width access to the site.</p>
WCC-22	<p><b>Existing tree removal and replacement</b></p> <ul style="list-style-type: none"> <li>- Trees on adjoining site (1 Day Street) are indicated for removal, and were not approved under demolition DA. They are on a neighbouring property and no consent from the property owner has been given <ul style="list-style-type: none"> <li>o Tree 25 – group of Syzygium sp, makes up a hedge along the boundary.</li> <li>o Tree 1 - a Magnolia grandiflora near the corner of the two sites on O'Brien Street.</li> </ul> </li> </ul>	<p>Confirming Tree 1 and Tree 25 are not subject to removal under this SSDA. This has been updated in the revised Demolition Plan in the Architectural package.</p>

	<ul style="list-style-type: none"> <li>- The landscape plans indicate 102 replacement trees: <ul style="list-style-type: none"> <li>o 32 are palm trees; which are generally considered to be not suitable as canopy replacement trees.</li> <li>o 1 Frangipani; listed in WDCP Part G as an undesirable species and therefore not suitable as a replacement tree.</li> <li>o WDCP Part G Vegetation Management requires trees approved for removal to be replaced at a rate of 3:1</li> </ul> </li> </ul>	<p>In regard to the 3:1 replacement requirement under WDCP Part G, the total number of compliant replacement trees is achieved even with the exclusion of palms and the frangipani from the count.</p> <p>The intention is to retain the frangipani, noting that it represents only one tree within the broader planting schedule of 103 trees. If the consent authority considers the frangipani unsuitable for the site, we request that a condition of consent requiring its replacement with a native species is applied.</p>
WCC-23	<ul style="list-style-type: none"> <li>- Street trees: <ul style="list-style-type: none"> <li>o Two of the street trees in O'Brien Street (T2 &amp; T3) are dead or significantly damaged and should be replaced.</li> <li>o Street tree species specified by Streetscape team: <ul style="list-style-type: none"> <li>▪ Anderson Street frontage: 5 x 200L Fraxinus 'Raywoodi'</li> <li>▪ O'Brien Street frontage: 3 x 200L Pyrus callieriana</li> <li>▪ The existing trees on Day Street are to be retained and protected</li> </ul> </li> </ul> </li> </ul>	<p>Trees on Day Street are not subject to removal.</p> <p>Street tree selection will be made in accordance with Council's request, as follows:</p> <ul style="list-style-type: none"> <li>• Anderson Street frontage: 5 x 200L Fraxinus 'Raywoodi'</li> <li>• O'Brien Street frontage: 3 x 200L Pyrus callieriana</li> </ul>
WCC-24	<p><b>BASIX landscape requirements</b></p> <ul style="list-style-type: none"> <li>- The BASIX certificate shows a requirement for 250m<sup>2</sup> of indigenous, low water use planting in common area landscape. The area of landscaping to comply with this requirement is not indicated on the plans</li> <li>- The 250m<sup>2</sup> is to be clearly indicated on the landscape plans.</li> </ul>	<p>The planting schedule in the Landscape Design Report at <b>Appendix M</b> identifies the proportion of native species proposed, which, although not easily illustrated on the plan due to the integration of native and exotic species, ensures it is in exceedance of the required 250m<sup>2</sup> of native planting area.</p>

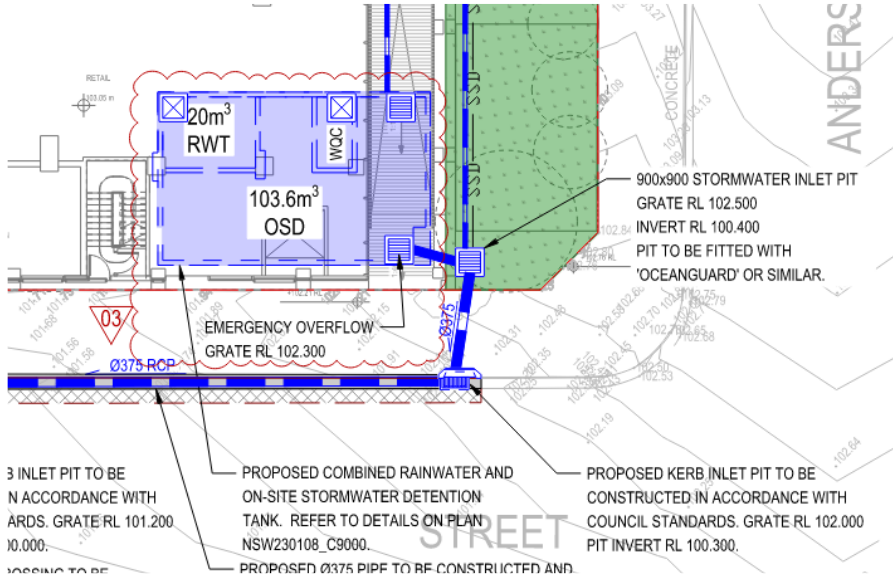
### c) Engineering Comments

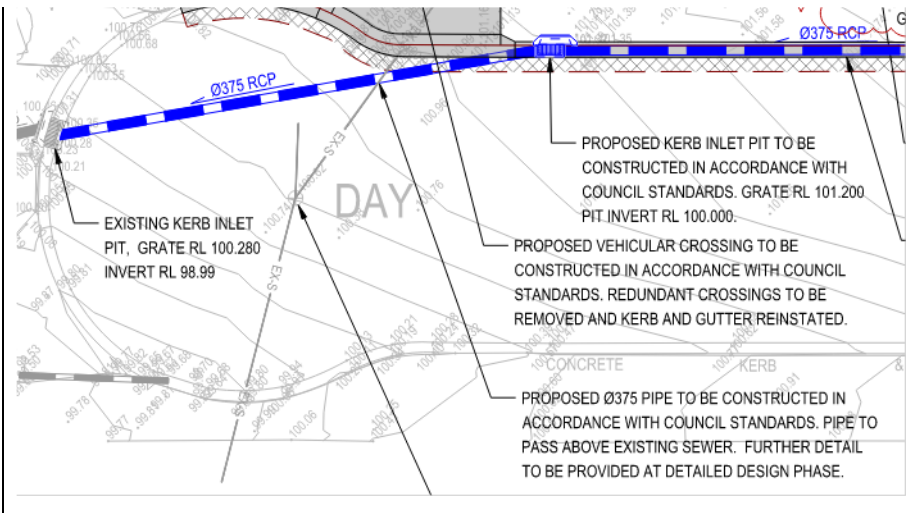
WCC-25	<p><b>Traffic and further parking issues</b></p> <p>The swept paths for the loading bay and access to the loading bay detail that access is for an MRV. This size</p>	<p>All swept paths for the loading bay have been conducted using a 10.5m long vehicle – consistent with the size of Council's waste collection truck. The design includes a 2m zone at the rear of the vehicle to allow for</p>
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	vehicle is smaller than Council's 10.5m waste vehicle. As Council needs to be able to collect waste from residential units, the loading bay and access to it must be designed to cater for Council's 10.5m waste vehicle, with 4.5m headroom.	loading / unloading of goods – in accordance with Council's requirements. The design provides for 4.5m height clearance in the loading area.
WCC-26	The plans and Traffic Report do not address vehicle/pedestrian conflict in the shared loading bay zone, which is unsuitable for service vehicle manoeuvring, especially reversing.	The loading bay area is not shared with pedestrians and is intended for the sole use of service vehicles. Pedestrians exiting the lifts at basement 1 level will not be required to cross the loading bays to access the car park at this level. The loading bays will be clearly line-marked and signposted to communicate to building occupants that this is for the use of vehicles only.
WCC-27	All accessible and adaptable parking must comply with AS 2890.6, not AS 4299	As noted in the Transport Impact Assessment provided at <b>Appendix S</b> , the accessible parking has been designed to comply with AS 2890.6.
WCC-28	The shared zone between spaces 15 & 16, 53 & 54, 89 & 90, and 124 & 125 is unclear; if intended as a shared space, it is non-compliant due to column locations, which need relocation for compliance.	The zone noted by Council is not a shared space supporting accessible car parking. All accessible car parking, including locations of columns and other structures, has been designed to comply with AS2890.6
WCC-29	Visitor parking is not detailed in the plans; all spaces appear to be Class 1 long-term parking, but visitor spaces must comply with Class 2 Medium Term parking per AS/NZS 2890.1.	Visitor parking is provided on basement levels 1 and 2 and is noted on the architectural plans. All visitor parking bays are 2.5m wide and comply with the requirements of AS2890.1
WCC-30	Sight triangles (2.0 x 2.5m) at the main vehicle exit must remain clear of walls and landscaping over 1.2m to ensure pedestrian visibility.	Noted – the sight triangle provided comply with the requirements of AS2890.1.
WCC-31	<b>Flooding</b> The flood report indicates the development increases flood levels on adjacent properties by up to 300mm, exceeding the 10mm maximum allowed under Section 5.2.1 of the Willoughby LEP. The proposed development needs to demonstrate that any increase in flood level on surrounding	Refer to the EIS and page 18 of Council's Assessment Report to the SNPP, the site is not flood affected. Note these comments from Council are identical to flood comments received in relation to the SSDA at 57-61 Archer Street (SSDA-72891212). As such, we believe it is an error in Council's submission.

	properties and the road reserve is less than 10mm in the 1%AEP storm event.
WCC-32	The partial mitigation measures proposed by the development includes a piped solution. The flood report has not detailed if this pipe solution includes a blockage factor as required by Council's Technical Standard 2, so we are unable to assess if the mitigation is less than proposed if blockage is taken into account.
WCC-33	The basement is not adequately protected from flooding; passive flood protection measures (e.g., driveway crest, walls) are required to meet the 1%AEP + 500mm or PMF level, but the proposed mechanical flood barrier is not acceptable, and compliance with the Technical Standard has not been demonstrated
WCC-34	We have not been able to confirm if the floor levels proposed for the development comply with the Flood Planning Levels for the site, including provision of the appropriate freeboard. The development needs to confirm that a minimum of 500mm freeboard is provided between the 1%AEP flood level and the ground floor level at all locations around the building. Details are to be provided to clearly show the 1%AEP flood level and PMF level at various locations around the site, along with the proposed floor levels in the building adjacent to the flood areas.
WCC-35	It is not clear if any areas of the building are elevated above the flood zones. If so, details are to be provided to confirm that the underside of the structure is a minimum of 300mm above the 1%AEP flood level and the blockage factor used for the area in the flood analysis.

	<p><b>Stormwater Management</b></p> <p>Council's requirements for on-site stormwater detention require that the system limits flows from the site to the permitted site discharge (PSD) in the 1%AEP storm event. To ensure that the system operates as designed and downstream water levels do not impact the operation of the outlet, the outlet level for the OSD tank must be above the downstream 1%AEP water level. The plans submitted do not demonstrate that this have been achieved. From review of the information, Tank 1 is located within the flood zone, so does not comply with this requirement. To demonstrate that the tank is above the downstream 1%AEP water level, long-sections are to be provided from the connection point to the Council system to each OSD tank. The sections are to include a hydraulic grade line (HGL) analysis to clearly demonstrate that the outlet from the tank is above the downstream water level. The adopted water level at the connection point to the Council system shall be the 1%AEP water level at the point, as determined by the Flood Study.</p>	<p>As noted above, refer to the EIS and page 18 of Council's Assessment Report to the SNPP, the site is not flood affected. Therefore, the OSD tank outlet is not affected by flooding.</p> <p>Note these comments relating to stormwater management are not relevant to the site and we believe it is an error in Council's submission.</p> <p>Nonetheless, we have provided comments in response to each stormwater issue for completeness.</p>
WCC-36	<p>Tank 2 includes an internal overflow weir. This is not permitted by Council's Technical Standard 1, as it does not alert the property that the tank is mis performing until failure, requires maintenance, and also does not allow a controlled overflow in the event that the downstream piped is blocked. Overflow from the tank must be via the side or roof of the tank and to ground and not to an enclosed space.</p>	<p>This item refers to a Tank 2. This site does not have two OSD tanks only one. We are under the assumption is has been mistakenly raised by Council.</p> <p>The tank is equipped with an internal overflow system; however, in emergency situations, excess water can also overflow through the grated access lid, flowing down the ramp located outside the building.</p> <p>Intrax have added an extra section through the tank on plan C9000 to detail this (<b>Appendix AI</b>).</p>
WCC-37	<p>Tank 2 has a sealed cover over the outlet, which will impact maintenance. The access point over the outlet must be a grate, for ease of access and to allow inspection of the tank without lifting the grate / cover.</p>	<p>This comment states that the tank has a sealed lid over the outlet pipe. Intrax have confirmed this is not correct, the tank lids over the OSD portion of the tank are grated. This ensures that you can see if the outlet pipe is blocked, and the second grate ensures the tank is always aerated to prevent any gases accumulating within the tank.</p>

		<p>Intrax have added a leader to the Civil Drawings (<b>Appendix AI</b>) to note this grate (refer to image below).</p>  <p>20m<sup>3</sup> RWT 103.6m<sup>3</sup> OSD EMERGENCY OVERFLOW GRATE RL 102.300 Ø375 RCP 900x900 STORMWATER INLET PIT GRATE RL 102.500 INVERT RL 100.400 PIT TO BE FITTED WITH 'OCEANGUARD' OR SIMILAR. 3 INLET PIT TO BE IN ACCORDANCE WITH STANDARDS. GRATE RL 101.200 PROPOSED COMBINED RAINWATER AND ON-SITE STORMWATER DETENTION TANK. REFER TO DETAILS ON PLAN NSW230108_C9000. PROPOSED Ø375 PIPE TO BE CONSTRUCTED AND PROPOSED KERB INLET PIT TO BE CONSTRUCTED IN ACCORDANCE WITH COUNCIL STANDARDS. GRATE RL 102.000 PIT INVERT RL 100.300.</p>
<p>WCC-38</p>	<p>Water quality section of stormwater report refers to Tweed Council requirements. The applicant needs to confirm that the modelling was undertaken in accordance with Willoughby Council requirements.</p>	<p>This comment states that the water quality section of the stormwater report makes reference to Tweed Head Council. We believe this comment was made in error by Council, as there is no reference to Tweed Head Council in the stormwater report.</p>
<p>WCC-39</p>	<p>The proposed pipe upgrades in local roads do not comply with Council's requirements. Any new Council pipe is to be a minimum of Class 4 RCP or FRC. If the cover is less than 600mm, the pipe must be concrete encased. Precast pits are not permitted for Council infrastructure.</p>	<p>This comment states that the pipes shown on the stormwater plans within Council's roads are not to Council standards of being a Class 4 RCP or FRC. Intrax have confirmed this is also incorrect, all pipes within the council road reserve are shown as reinforced concrete pipes (RCP) (refer to image below).</p> <p>Class 4 is the lowest class of RCP pipes, so Intrax believe council have missed seeing the RCP reference on the civil plans submitted with the SSDA.</p>

		 <p>EXISTING KERB INLET PIT, GRATE RL 100.280 INVERT RL 98.99</p> <p>PROPOSED KERB INLET PIT TO BE CONSTRUCTED IN ACCORDANCE WITH COUNCIL STANDARDS. GRATE RL 101.200 PIT INVERT RL 100.000.</p> <p>PROPOSED VEHICULAR CROSSING TO BE CONSTRUCTED IN ACCORDANCE WITH COUNCIL STANDARDS. REDUNDANT CROSSINGS TO BE REMOVED AND KERB AND GUTTER REINSTATED.</p> <p>PROPOSED Ø375 PIPE TO BE CONSTRUCTED IN ACCORDANCE WITH COUNCIL STANDARDS. PIPE TO PASS ABOVE EXISTING SEWER. FURTHER DETAIL TO BE PROVIDED AT DETAILED DESIGN PHASE.</p>
WCC-40	<p><b>Residential waste collection</b></p> <p>The development should meet Option 1 for high-rise RFBs (NSROC 2018, Section 5.3, p46)</p>	<p>The "Option 1" referenced in the comment relates to providing a single waste chute with separate recycling bins on each level. However, the proposal includes dual chutes—one for general waste and one for recycling—which is likely to result in better operational outcomes by reducing the manual handling of recyclables, particularly in a development of this scale.</p> <p>It is also noted that Table 14 (page 48) of the same document permits the use of recycling chutes, provided that two separate chutes (i.e., dual chutes) are installed.</p>
WCC-41	<p><b>HRV collection trucks for residential waste</b></p> <p>The OWMP (Rev N, Appendix: A.1) and architectural plan (DA2009, Revision 6) indicates the loading area for MRV and SRV only. The Council requirement in the WDCP 2023 is for an HRV for residential waste collection (an SRV or MRV can be used for commercial waste).</p> <ul style="list-style-type: none"> <li>- WDCP 2023 states clearly that a Council HRV specification is required. Council does not support private collection of residential waste.</li> </ul>	<p>The development is not proposing private waste collection.</p> <p>The Architect has confirmed that the parking space is 12.5m and that the basement has a 4.5m height clearance.</p> <p>A separate bin holding room is provided for each waste stream. To service the bins, a Council collection vehicle will enter the site from Day St and park in the loading bay adjacent to the Residential Bin Holding Room. The waste collection staff will collect the bins from the Residential Bin Holding Room via a collect and return arrangement.</p>

	<ul style="list-style-type: none"> <li>- WDCP 2023 requires at least a 12.5m parking space (parking for Council's 10.5m truck and 2m rear clearance of the truck for servicing bins and bulky waste safely). There should a 4.5m height clearance and at least 0.5m side clearance either side if the vehicle for exit and entry.</li> <li>- The residential bin storage areas for collection, for both bins and bulky waste, should be located within 2m of the parking space rear clearance.</li> </ul>	
WCC-42	<p><b>Waste storage area conditions (residential and commercial)</b></p> <ul style="list-style-type: none"> <li>- There is insufficient detail in the OWMP and architectural plans to show compliance with the waste storage area condition requirements from Table 8 Bin Storage Area – Communal (NSROC, 2018, Section 3.10.4). This includes, but is not limited to: <ul style="list-style-type: none"> <li>o Size of the bin room(s);</li> <li>o Door clearance of 2.5m;</li> <li>o Aisle spaces of 1.5m; and</li> <li>o Hot and cold taps indicated on the architectural plans.</li> </ul> </li> </ul>	The Architectural Plans have been updated at <b>Appendix G</b> to include each item listed.
WCC-43	<p><b>Bin carting routes</b></p> <p>Detail is required regarding the equipment (e.g., bin tugs) for caretakers or building managers to transport bins between the chute rooms and bin storage areas.</p>	Details pertaining to the required equipment for bin carting is included as an appendix to the updated Operational Waste Management Plan at <b>Appendix AN</b> .
WCC-44	<p><b>Commercial waste generation benchmarks and generation</b></p> <p>The OWMP (Revision N, Table 5) sums the total generated commercial recycling incorrectly as 5,714L / week and presumably consequently the total recycling bins required is shown as 2 x 1,100L collected 3 times per week. It should be at least 3 x 1,100L collected 3 times per week. Ideally</p>	The recycling waste collection has been updated to reflect the requested 3 x 1,100L collected 3 times per week. Refer to Section 6.2 of the updated Operational Waste Management Plan at <b>Appendix AN</b> .

	more recycling would be considered to improve the recovery rate of commercial waste. A positive response to commercial organics and other materials would be considered favourably.	
WCC-45	<p><b>Waste and recycling cupboard for each residential level</b></p> <p>The waste chute hoppers should be located in a waste cupboard, which also has space for additional bin(s). This is required in the WDCP 2023 and serves to assist in the case of a bin for cardboard recycling that cannot be placed down the chute (which is a large 44 portion of Council's recycling), backup for the recycling chute and to future proof the development in the case of food organics collection.</p>	Waste chutes are provided on each residential floor adjacent to the southern lift core. Refer to the updated Architectural Plans at <b>Appendix G</b> .
WCC-46	<p>Operational waste management plan section 13</p> <p>Review the contacts in the Operational Waste Management Plan - Section 13 (Rev N, p. 25). Suez Environmental no longer exists – taken over by Veolia. Documentation should be updated.</p>	This has been updated as requested. Refer to Section 13 of the updated Operational Waste Management Plan at <b>Appendix AN</b> .
WCC-47	<p><b>Construction and Demolition Waste Management Plan</b></p> <p>Based on review of the Demolition and Construction WMP (29/10/2024, v2 Final), please confirm:</p> <p>Overall demolition waste recovery rate, seeking at least 80% recovery with evidence of the methods of calculation for review e.g. an excavation plan for excavation waste.</p>	<p>Demolition is no longer proposed but construction waste will be carried out in accordance with the plan.</p> <p>An updated Construction Waste Management Plan at <b>Appendix AM</b>.</p>
WCC-48	Current facility details (i.e. current name options) that operate for the lawful receipt and disposal or processing of each material proposed.	This is addressed under Section 8.4 of the updated Construction Waste Management Plan at <b>Appendix AM</b> .
WCC-49	Construction waste volume and recovery rate as well as the demolition waste details above, seeking at least 80% recovery.	Demolition is no longer proposed but construction waste will be carried out in accordance with the plan.

WCC-50	Location of waste facilities onsite during demolition and construction.	This is addressed under Section 8.4 of the updated Construction Waste Management Plan at <b>Appendix AM</b> .
WCC-51	Asbestos and hazardous materials survey with any applicable clearance certificate.	Refer to the Hazardous Materials Survey lodged as <b>Appendix AP</b> .

### 4.3 Public Agencies

**Table 7** sets out a response to each issue raised within submissions received by **public agencies**.

**Table 5: Public Agency Submission & Responses**

ITEM REFERENCE	SUMMARY OF ISSUE RAISED	RESPONSE
<b>Ausgrid</b>		
AG-1	<p>Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric &amp; Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.</p> <p>Ausgrid has reviewed “Appendix AS IDMSP” and advise the proponent must discuss disconnection of existing infrastructure and any new connections and load requirements to the site directly with Ausgrid and submit a connection application to Ausgrid as soon as practicable.</p> <p>We encourage the proponent to continue to discuss their requirements directly with Ausgrid as needed.</p>	<p>Noted.</p> <p>Bridgestone will keep Ausgrid informed throughout the course of the project in alignment with the recommendations in their submission.</p>
<b>Sydney Trains</b>		
ST-1	We have reviewed the proposal and advise that in order to protect rail land, assets, operations, and to ensure a safe and	Noted.

reliable rail service, it is requested that the Department consider imposing the conditions as listed in Attachment A [of the submission]. It is requested that these conditions remain as worded and are not amended without consultation with TfNSW (as Rail Authority).

Where additional information is provided, including as part of any Response to Submissions or where any amendments are made to the proposal, we request notification from the Department in the event these changes may impact the outcome of this letter.

**TfNSW**

TN-1	TfNSW has reviewed the material and advises that the proposed development will have a negligible impact on the surrounding state road network. As such, TfNSW has no objections to the submitted application.	Noted.
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**Heritage NSW**

HN-1	<p>The Aboriginal Cultural Heritage Assessment Report (ACHAR) outlines that no Aboriginal objects or areas of archaeological potential were identified within the study area and that no Aboriginal cultural heritage values will be impacted by the proposal.</p> <p>Recommended draft conditions for Aboriginal cultural heritage included in Attachment A.</p>	Noted.
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**Department of Climate Change, Energy, the Environment and Water**

DCCEEW-1	<p>NSW DCCEEW Water Group has reviewed the EIS and has recommendations regarding water take and licencing.</p> <p>Recommended conditions included in Attachment A.</p>	Noted.
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**Sydney Water**

SW-1	<p>Servicing requirements for this development are detailed within the Notice of Anticipated Requirements issued pursuant to Sydney Water Section 73 case number 210030 (CN210030) on</p>	Noted.
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1 March 2025. Requirements may extend to any further Notices of Requirements which may be issued under this case or any future cases as a part of the Section 73 application process.

**Water and Wastewater Servicing**

- Our preliminary assessment indicates that there should be capacity in the water and wastewater systems for the proposed development.
- Amplifications, adjustments, deviations and/or minor extensions may be required.
- Detailed requirements have been provided under the Notice of Anticipated Requirements for CN210030.

Further details of the conditions can be found in Attachment 1.

## 4.4 Public Submissions

Table 8 sets out a response to each issue raised within the **general public** submissions.

**Table 6: General Public Submissions & Responses**

CATEGORY	ISSUE	RESPONSE
HEIGHT AND OVERSHADOWING	The proposed structure is far too tall for the area, overshadowing the residential areas to its north, south and east and intruding into the whole area with a domineering presence. It would tower over the homes and backyards in our area affording little, if any, privacy to residents.	The proposed height is consistent and compliant with the height allowances provided for within the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site.
	The NSW Government should be taking a holistic view to development along Anderson Street. The relatively new building at 28 Anderson St should be the benchmark for the height of new buildings. If anything, building heights going north should be reducing as they intrude into the residential area to the east and overshadow the apartments at 1 Day Street.	This proposal maximises the allowable 30% uplift and, in return, provides 18.5% in-fill affordable housing—exceeding the Housing SEPP’s minimum requirement by 3.5%. By doing so, the proposal supports the Government’s objective of increasing affordable housing while appropriately managing its impact on the surrounding area.

		<p>Although this results in an increased height, the development's impact on site and adjoining land amenity is detailed in Section 6 of the EIS.</p> <p>The sites to the immediate north and south of the subject site are also subject to development under the infill affordable housing provisions, so the proposed development presents a consistent approach to future development along Anderson Street.</p>
	A 33-storey building will dramatically alter the streetscape and have a significant visual impact.	Whilst visible from private views, the skilful design incorporates measures to reduce view impact on nearby residential properties and view sharing is achieved. View loss associated with the proposal ranges from just moderate, to negligible and that the proposed development is largely compatible with its context and will not impact on the current views of the Chatswood CBD skyline from public spaces such as Beauchamp Park.
	Overshadows the neighbouring areas such as Violet and Tulip Streets, rendering loss of privacy and solar access.	The proposed development does not overshadow Violet or Tulip Street during mid-winter as demonstrated in the Shadow Diagrams at <b>Appendix G</b> .
<b>WIND IMPACTS</b>	Tall buildings can create or exacerbate wind tunnel effects, leading to increased wind speeds at ground level - can make pedestrian areas uncomfortable and potentially dangerous.	A Detailed Wind Study has been undertaken confirming that appropriate mitigation measures can be implemented to ensure wind effect is managed appropriately. These measures have been integrated into the design of the built form and landscaping.
<b>ADG COMPLIANCE</b>	Insufficient information on compliance with Objective 3D of the ADG - will also affect communal gardens.	Communal open space equivalent to 32% of the site area is provided, at Level 2 of the building, to cater for more varied passive and active recreational activities, satisfying the minimum design criteria of 25% under Objective 3D-1.
	Insufficient information on compliance with Objective 4A of the Apartment Design Guide, which requires buildings be provided with solar access in accordance with the following design criteria.	76% of apartments achieve more than two hours of solar access in midwinter, exceeding the minimum 70% requirement in accordance with Objective 4A-1.

<b>CONSTRUCTION IMPACTS</b>	Concerns regarding potential impacts on air quality and increased noise pollution due to construction activities.	Construction impacts will be managed by the Construction Noise and Vibration Plan provided at <b>Appendix AC</b> of the lodgement package.
	Construction noise during the development phase will further disrupt the area, affecting both residents and local businesses.	
	Vibrations from construction activities could potentially damage the foundations of nearby buildings, posing a risk to structural integrity.	
	Dust during demolition may increase rates of residents from B2E, Altura, Epica and users of Pacific Place due to necessary cleaning of the building's exterior, pool, outdoor areas and balconies.	
<b>NOISE IMPACTS</b>	The influx of residents, commercial activities, and increased traffic will generate continuous noise throughout the day and night.	Noise impacts have been assessed under a Noise and Vibration Impact Assessment at <b>Appendix AC</b> . A series of mitigation measures have been recommended to implement into the design to minimise noise impacts for the surrounding area.
	Increased ambient noise levels will reduce the overall quality of life, making Chatswood a less desirable place to live and work.	
	The additional noise and disruptions will also affect the learning environment, reducing the overall quality of education for students.	
<b>CONGESTION AND CAPACITY</b>	The increased business activities surrounding the proposed development block will negatively impact the nearby school environment.	The proposed development is wholly consistent with relevant State and local strategic plans, complying with the applicable provisions of WLEP 2012 and WDCP 2023. It contributes to much-needed housing supply, supporting the NSW Government's Housing Accord targets and addressing local housing needs. The development includes commercial and retail spaces within the podium levels, providing services to the community and creating potential job opportunities for the LGA. A comprehensive assessment in Section 6 of the EIS confirms that there will be no adverse environmental
	Higher road and foot traffic pose safety risks for school children, making it more dangerous for them to commute to and from school.	
	The mixed-use element would bring an unwanted and unnecessary commercialisation to the area – Chatswood	

<p>CBD has adequate commercial facilities to service the needs of the community.</p>	<p>impacts on nearby land uses, with appropriate mitigation measures where necessary.</p>	
<p>It would increase the population and density significantly within the local area.</p>	<p>Overall, the site will facilitate the orderly and economic use and development of the land.</p>	
<p>Additional population will add to the pressure on parks and recreational facilities and hamper access to shopping and other amenities.</p>		
<p>Additional population will add to the dumping of rubbish on nature strips, shopping trolleys being abandoned and the illegal parking of cars on local streets and in back lanes such as Nichols and Zinnia.</p>		
<p>Rather than concentrating development in already congested areas like Chatswood, the NSW government should focus on developing nearby suburbs like Roseville and Lindfield. These areas have better capacity for growth and offer opportunities for more sustainable and less disruptive development.</p>		
<p>The increased population density could exceed the capacity of local infrastructure, including:</p> <ul style="list-style-type: none"> <li>- Public transport (buses and trains already under strain)</li> <li>- Sewerage and drainage systems</li> <li>- Water supply and waste management services</li> <li>- Schools, medical facilities, and childcare centres</li> </ul>		
<p><b>TRAFFIC AND PARKING</b></p>	<p>It would create more traffic and congestion in Ashley, Anderson and Archer streets and further impede the flow of traffic on to the Pacific Highway from Ashley Street.</p>	<p>The proposed development will generate significantly less traffic than initially anticipated in the Planning Proposal, ensuring no additional impact on the surrounding road network. By 2036, Anderson Street is expected to operate at 39%–71% of its capacity, with the Chatswood CBD strategy not identifying any detrimental effects on the road network. Further analysis of the Anderson Street and Day Street intersection predicts only 10 additional vehicle trips</p>
	<p>The traffic Impact Assessment does not accurately determine the impact of traffic from the development on the local road network on Anderson Street and Albert and</p>	

<p>Victoria Avenue and, ignorant of the flawed nature of that report and of the true status of traffic congestion in Chatswood.</p>	<p>in the AM peak and 16 in the PM peak, with the intersection maintaining a Level of Service A. As a result, no traffic mitigation measures are necessary, and the proposal's road network impact is considered acceptable.</p> <p>Additionally, Transport for NSW (TfNSW) has confirmed that the development will have a negligible impact on the road network, exemplifying that a further review of Pacific Highway from Ashley Street is not warranted in this instance.</p>
<p>The proposed development lacks parking, which will lead to spill over in nearby streets, making it harder for residents and visitors to park.</p>	<p>The proposed parking exceeds the minimum required under the Housing SEPP.</p>
<p>The proposal provides 256 car spaces for 123 units, when the WDCP provides a maximum of 0.5 car spaces per unit and 1 visitor space per 7 units, equalling to approx. 79 spaces. This is four times the DCP provision, and being 400m from Chatswood transport Interchange, is not necessary.</p> <ul style="list-style-type: none"> <li>○ Concerns of residents renting out car spaces – increase traffic and used as source of income.</li> <li>○ Is inconsistent with the Strategic Visions of TfNSW's Future Transport Strategy 2022: (Page No. 14-15): C2.1, C4.5, P1.2,P1.4, P2.5, P3.2, P4.2, E2.1, E2.2.</li> </ul>	<p>The proposed development aims to deliver infill affordable housing, making it subject to the non-discretionary standards outlined in Clause 19 of the Housing SEPP, including parking requirements. These standards establish <b>minimum</b> benchmarks that must be met.</p> <p>In accordance with the Infill Affordable Housing Planning Circular, non-discretionary development standards prevent consent authorities from:</p> <ul style="list-style-type: none"> <li>• <i>taking the non-discretionary development standard into further consideration in determining the DA;</i></li> <li>• <i>refusing the DA on the grounds that the development does not comply with those standards;</i></li> <li>• <i>imposing a condition of consent that has the same, or substantially the same, effect as the standard but is more onerous than the standard.</i></li> </ul> <p>Since the proposed parking provision meets the minimum requirement under the Housing SEPP, no further assessment of this aspect is necessary, and DPHI cannot refuse the application based on this standard.</p> <p>Additionally, Transport for NSW (TfNSW) has confirmed that the development will have a negligible impact on the road network,</p>

		further supporting the adequacy of the proposed parking arrangements.
	The provision of 1 bike parking space per unit is substantially inadequate, when there are 114 2 or more-bedroom apartments that will most likely have 2 or more people occupying and would require bike parking.	The proposed development provided 150 bicycle spaces which is compliant with the minimum under the DCP.
	Clarity around the requirements under the Willoughby City Council's guidelines for provision of electric vehicles and assurance that this development complies - unclear why only one electric vehicle space has been allocated in the EIS p2.	The proposed development will be capable of providing EV charging spaces to facilitate future provision of one EV charging point per apartment.  It is noted that the building will be fitted with the infrastructure to provide EV charging in the future.
<b>CLIMATE AND ENVIRONMENTAL IMPACTS</b>	Urban heat island effect: The high-density construction could increase heat retention, impacting local microclimate.	The proposed landscaping and tree planting has been maximised on the site to minimise impact on the urban heat island. A total of 44% (1,182m <sup>2</sup> ) of the site area features soft landscaping, comprising the Ground Floor and Level 2 Podium softscape, as well as the green spine. Further, the proposed development will provide 102 new trees across the site, accounting for a canopy cover of 21.61%.
	Tree removal and biodiversity loss: If the project requires removal of mature trees or green spaces, it may lead to habitat destruction for local wildlife.	The removed trees will be replaced with 102 new trees. Section 7.9 of the BC Act requires preparation of a Biodiversity Development Assessment Report (BDAR) for SSDAs that are assessed under Part 4 of the EP&A Act. However, section 7.9(2) of the BC Act 2016 allows for exemption from the requirement where the development is not likely to have any significant impact on biodiversity values.  The proposed development is located within in an urban area and will not result in any significant impact on biodiversity values. As such, a BDAR waiver request was prepared by Stantec and was granted on 8 November 2024 a copy of the BDAR Waiver is provided at <b>Appendix N</b> .
	Stormwater runoff: Large impervious surfaces could increase flood risk in the area.	A deep soil area of 188.5m <sup>2</sup> is provided along the Anderson Street frontage, equating to 7% of the developable site area and compliant with ADG. This deep soil area will collect water and covers a large portion of the frontage that would otherwise be paved.

**LEP AND DCP  
CONTROLS**

The 33-storey height is inconsistent with the surrounding urban fabric and may exceed the local planning controls, such as height and floor space ratio (FSR) limits, leading to overdevelopment of the site.

The sites to the immediate north and south of the subject site are also subject to development under the infill affordable housing provisions, so the proposed development presents a consistent approach to future development along Anderson Street.

The proposed height is consistent and compliant with the height allowances provided for within the Housing SEPP. Under the Housing SEPP, a maximum of 30% height uplift is permitted, which is equivalent to a maximum of 117m for the site. The same approach applies for the FSR which with the 30% uplift is permitted at 7.8:1.

The impacts of the proposed development have been carefully considered in Section 6 of the EIS.

Concerns on the impact of the non-compliant setbacks. Specifically:

- The non-compliant ground level setback on O'Brien Street removes approximately one-third of the public footpath width that would be available with a DCP-compliant setback.
- The non-compliant setback on "Western Laneway" will significantly impact residents of the 1 Day Street apartments and is likely to turn that public laneway into a dark, uninviting space.
- If non-compliant setbacks are approved for this project, it sets a precedent for the four other surrounding projects.

The proposed setbacks and street wall heights, although not entirely compliant with the SSDCP, provide the best response to site conditions whilst maintaining the amenity of the site and surrounding area. The majority of setbacks have been designed to align with the SSDCP with the exception of O'Brien Street and the western laneway.

**O'Brien Street Setback**

The proposed nil podium setback to O'Brien Street represents a minor non-compliance with the 1.15m setback required by the SSDCP but allows for a wider through-site link, improving urban design outcomes. This does not impact the 12m building separation from 54 Anderson Street, which aligns with Part 3F of the ADG, ensuring privacy and minimizing overlooking.

Above the podium, balconies comply with the 4.5m setback from the street wall. While the northern setback is reduced, landscaping is incorporated elsewhere, including a 6m deep soil setback along Anderson Street. The 1.15m setback would not provide meaningful deep soil planting.

	<p>The minor setback reduction optimizes the ground floor layout for commercial uses, enhances the through-site link, and contributes to a safe and active frontage along O'Brien Street.</p> <p><b>Western Laneway Setback</b></p> <p>The podium and tower setbacks along the western laneway include some minor non-compliances. At ground level, the 1.5m setback to the grid structure (1.8m to the glass line) slightly departs from the 2m DCP requirement but maintains a 12m building separation from 1 Day Street, in line with Part 3F of the ADG, ensuring privacy and reducing overlooking. The publicly accessible laneway is not impacted.</p> <p>The tower setback is mostly compliant, except for the north-west corner, which does not meet the 7.6m minimum setback. However, the 12m separation from 1 Day Street is maintained, and louvred screening on the north-west balcony minimizes privacy impacts.</p> <p>The overall design aligns with the site-specific DCP objectives, as developed through the design excellence competition. The proposal achieves:</p> <ul style="list-style-type: none"> <li>• Consistency with Chatswood CBD's envisioned streetscape</li> <li>• Adequate ground-level setbacks to enhance the public realm</li> <li>• Substantial deep soil landscaping along Anderson Street</li> <li>• Slender tower forms for better urban integration</li> <li>• Minimized adverse wind impacts</li> </ul> <p>Despite minor setbacks, the design provides a reasonable alternative solution, ensuring strong urban and environmental outcomes.</p>
The buildings at 117m height is higher than the 90m control.	The additional building height is compliant with the 30% uplift permitted under Part 2, Division 1 of the Housing SEPP.

<p><b>NATURE OF DEVELOPMENT</b></p>	<p>The concentration of affordable housing should be integrated thoughtfully across various developments rather than clustered in a single high-rise building. A disproportionate increase in population without adequate community facilities and support services will create additional pressure on local resources, potentially leading to socio-economic imbalance in the area.</p>	<p>Affordable housing will be dispersed between level 4 and 8 of the tower form. Residents of the affordable housing will have the same access to the communal facilities as those in the market housing.</p>
	<p>The government must be fair with their approval by also taking into consideration the negative impact on new developments to existing residents.</p>	<p>The proposed development's impact on the site and adjoining land amenity is detailed in Section 6 of the EIS.</p>
	<p>The scale and design may be out of character with the existing streetscape and detract from the area's heritage or aesthetic appeal.</p>	<p>The bulk and scale are compliant with the permitted height and FSR under the Housing SEPP. Additionally, the proposed development is generally consistent with the setbacks required.</p> <p>With regard to visual impact a View and Visual Impact Assessment (VVIA) has been prepared by Ethos Urban at Appendix R. The VVIA found that the proposal will integrate well with the broader Chatswood CBD and the high-rise apartments to the west. As a mixed-use high-rise development in an area of similar structures, it is compatible with the character of Chatswood CBD. Design measures, such as the façade treatment and setbacks of the upper tower, reduce its visual impact and enhance compatibility with the adjacent medium to low-density development and the heritage conservation area.</p> <p>The proposed development will have a negligible impact on the North Chatswood Heritage Conservation Area and nearby heritage items, as its design considers the heritage context. Existing high-rise buildings in the Chatswood CBD already surround the site, ensuring the new development does not compromise heritage significance. By dividing the building into two slender forms, the proposal balances the scale of CBD towers and the finer-grain heritage areas.</p>
	<p>While 36 units are designated as affordable housing, it is unclear if this meets genuine long-term affordability standards or if affordability will lapse after a set period. The</p>	<p>In accordance with Clause 21 of the Housing SEPP, the development proposes 18.5% of floor space as affordable housing to be managed by a CHP for a period of 15 years.</p>

	benefits to the broader community (e.g., improved public spaces, parks, or community facilities) appear limited.	A letter has been provided by a registered community housing provider at <b>Appendix AW</b> that will manage the affordable housing component of the development for 15 years (after issue of Occupation Certificate).
<b>PRIVACY AND AMENITY</b>	It will impact quality of life by losing existing views, privacy, and sunlight.	<b>View Loss</b> View loss associated with the proposal ranges from just moderate, to negligible and that the proposed development is largely compatible with its context and will not impact on the current views of the Chatswood CBD skyline from public spaces such as Beauchamp Park.
	Apartment buildings like Altura and Epica will have their water views impacted due to large size and bulk.	<b>Privacy</b> The proposal retains the building separation distances in the competition winning scheme, which are consistent with the design criteria in Objective 3F-1 of the ADG. On this basis, privacy will be maintained amongst nearby developments.
	The proposed high-rise development will negatively impact property values in the surrounding area due to loss of views, privacy, and increased congestion.	<b>Overshadowing</b> The proposed building envelope would cast shadows over the South Chatswood Conservation Area between 2 pm and 3 pm during mid-winter. However, direct impact on dwellings in the conservation area would be limited to one hour (at 3 pm) within the 9 am to 3 pm period, remaining compliant with WLEP 2012.  In mid-winter, more than half of the east façade of the proposed development would receive direct sunlight by 11:30 am, with full exposure by 11:45 am.  1 Day Street and 9 Railway Street, built around 2005 before the ADG (2015), were not designed with current solar access guidelines. 1 Day Street's north-south orientation means that any development exceeding 6-8 storeys on the subject site would create additional overshadowing. However, restricting development to this height would contradict the Chatswood CBD strategy and long-term planning goals established in 2020.

		<p>While ADG's Objective 4A-1 is a guideline, full compliance with the 2-hour solar access requirement is not feasible due to site constraints. The proposed development meets the WLEP height controls and the Housing SEPP 30% height bonus. The taller tower is positioned south to minimize overshadowing, while the north tower is 6m lower than the height limit and has a 4.5m setback to reduce impact on 1 Day Street.</p> <p><b>Traffic Impact</b></p> <p>The proposed development will generate less traffic than initially expected, with no additional impact on the surrounding road network. By 2036, Anderson Street will operate within capacity, and further analysis shows minimal additional vehicle trips at key intersections. Transport for NSW has confirmed the development's negligible impact. No traffic mitigation measures are required.</p>
<p><b>CLARIFICATION AND SSDA ISSUES</b></p>	<p>No demolition management plan has been submitted with the SSDA which details how impacts from the demolition and construction phase of the development will be mitigated.</p>	<p>Demolition works will be undertaken under the approved early works DA (DA-2023/219).</p>
	<p>It is requested that a construction environmental management plan (CEMP) address the following:</p> <ul style="list-style-type: none"> <li>○ How traffic will be managed with trucks entering/existing the development site;</li> <li>○ Where construction workers will park;</li> <li>○ How trucks will navigate entry and exit into the site without damaging the kerb and footway; Subject Site Pacific Place Community Association Open Space Epica B2E Altura Milestone (AUST) Pty Limited Page</li> <li>○ How dust will be mitigated to reduce the impact on adjoining developments including B2E which is situated 13m from the subject site and Pacific Place communal open space</li> <li>○ Community consultation prior to any construction works outlining the project and timetable and direct contact person;</li> </ul>	<p>A Construction Traffic Management Plan (<b>CTMP</b>) has been prepared by JMT Consulting at <b>Appendix S</b>. A Construction Noise and Vibration Impact Assessment (<b>NVIA</b>) has been undertaken by Renzo Tonin and Associates at <b>Appendix AC</b> of the lodgement package. These reports address the identified concerns.</p> <p>Appropriate mitigation measures will be input to ensure minimal impact on the surrounding area during construction.</p>

	<ul style="list-style-type: none"> <li>○ Readily available contact person for complaints handling procedures to address and respond to issues during demolition and construction</li> <li>○ Rectification of any building or property defects to the Pacific Place Community Association created as a result of the demolition and construction works</li> <li>○ How remediation will occur on site.</li> </ul>	
	<p>Environmental Impact Statement – No assessment of the cumulative impacts of the Local Development Application under assessment or determined in the Chatswood CBD.</p>	<p>The local DA is contemplated under Section 1.5.3 of the EIS. The approved consent (DA-2023/219) is for site preparation only and does not permit bulk excavation. This should not contribute to a cumulative impact in conjunction with this SSDA.</p>
	<p>Pedestrian Wind Environment Statement prepared by Windtech Consultants dated 29 October 2024 – No assessment of the impact of the proposed development on adjoining residential properties and open space areas including Pacific Place;</p>	<p>Extensive wind modelling has been undertaken in accordance with the SEARs requirements. An updated Pedestrian Wind Environment Study has been prepared by Windtech and was submitted to DPHI. The results of the study indicate that wind conditions for the majority of trafficable outdoor locations within and around the development will be suitable for their intended uses. Where winds are stronger, suggested treatments have been provided.</p>
	<p>Shadow Diagrams, prepared by Make Architects and Turner Studio dated 26 September 2024 – No analysis of the impact on adjoining residential apartments and the communal open space areas;</p>	<p>The Shadow Diagrams submitted have considered all the necessary times in the day during mid-winter, finding that the shadow impact is acceptable.</p>
	<p>Transport Impact Assessment prepared by JMT Consulting dated 23 October 2024 – No surveys or up to date data collected;</p>	<p>Traffic counts were conducted in February 2024 during peak periods on key local roads, following TfNSW guidelines. Traffic modelling, detailed in the Transport Impact Assessment (Appendix S), assessed existing conditions, future conditions without the development, and future conditions with the development (including higher traffic generation based on proposed car parking levels).</p> <p>The modelling confirmed that local roads will continue operating at Level of Service A, even with 2% annual traffic growth over 10 years, indicating the proposal will not negatively impact surrounding streets. Transport for NSW raised no concerns regarding traffic impacts.</p>

A Construction Traffic Management Plan (CTMP) will be prepared before works begin, outlining strategies to manage construction-related traffic, including promoting public transport use, designated equipment drop-off areas, and ensuring workers use public off-street parking rather than residential streets.

## 5 Updated Project Justification

This Report has responded to each of the issues raised in the government agencies and public submissions received regarding the proposed shop-top housing development at the site.

There is no change to the evaluation of the proposal's statutory or strategic merit, as a result of the RTS.

### 5.1 Suitability of the site

The site is considered highly suitable for the proposed development and the development is suitable for the site for the following reasons outlined in the EIS:

- The proposal is consistent with the MU1 Mixed Use zone objectives, is permitted with consent and satisfactorily addresses the relevant provisions in the WLEP 2012 and WDCP 2023.
- The proposed development will benefit from being co-located within proximity to other new mixed-use developments, supporting the economic and social growth and activity in the Chatswood CBD, aligning with the key strategic vision.
- The proposed development will optimise use of an underutilised site and align with strategic objectives to support the Willoughby LGA and NSW with a continued transition towards providing high-quality market and affordable housing, that has minimal environmental impact on the surrounding area.
- The bulk and scale of the proposed development is compatible and consistent with its existing and future context. There are no significant environmental constraints that would limit the project from being developed at the site.
- The site is accessible and serviced by transport, with connections to the Pacific Highway and Fullers Road to the west and the M2 further south, providing wider connectivity to the LGA and regional context. The site is located approximately 600m walking distance from the Chatswood Transport Interchange, which provides rail, metro and bus connections. In 2024, the Sydney Metro City & Southwest line will open and connect Chatswood Station to Crows Nest, North Sydney, Barangaroo and Martin Place.

### 5.2 Public interest

The proposal will deliver significant public benefits to the community. The proposal is in the public interest that it:

- is wholly consistent with relevant State and local strategic plans, most particularly the Chatswood CBD Strategy which has been endorsed by the council and the Department of Planning, Housing and Infrastructure;
- predominantly complies with the relevant State and local planning controls including the relevant provisions in the WLEP 2012 and WDCP 2023;
- delivers much needed housing supply that will contribute towards the NSW Government's housing targets under the Housing Accord and that is suited to the housing needs of in this part of Sydney;
- has been comprehensively assessed as outlined in the EIS, which demonstrates that the development will not have any adverse environmental impacts on nearby land uses and sensitive receivers are minimised, and where required, managed through appropriate mitigation measures;
- will not only deliver vital housing – including infill affordable housing - but also commercial/retail uses that will serve the residents and the broader community, and create new local job opportunities for the LGA.



- will facilitate the orderly and economic use and development of the land.



# Appendices

# Appendix BE – Submissions Register



**Table 7: Submissions Register**

<b>GROUP</b>	<b>NAME</b>	<b>MATTER</b>	<b>SECTION WHERE ISSUES ADDRESSED</b>
Public authorities	DPHI	Built form	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendices G and H</b>
		Residential amenity	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendices G and H</b>
		Landscaping and public domain	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendix M</b>
		Traffic and transport	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendix S</b>
		Noise	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendix AC</b>
		VPA	<b>Section 4 Table 3</b> of this RTS Report
		Council Concerns	<b>Section 4 Table 3</b> of this RTS Report
		Updated Architectural Plans/Documentation	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendices G and H</b>
Willoughby City Council		Engagement prior to SSDA Lodgement	<b>Section 4 Table 4</b> of this RTS Report
		Consistency with Housing SEPP	<b>Section 4 Table 4</b> of this RTS Report
		Site location on edge of Chatswood CBD	<b>Section 4 Table 4</b> of this RTS Report
		Recent site history	<b>Section 4 Table 4</b> of this RTS Report
		Design excellence	<b>Section 4 Table 4</b> of this RTS Report and <b>Appendix I</b>
		Bulk and scale	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendices G and H</b>
		Non-residential floor space	<b>Section 4 Table 4</b> of this RTS Report and <b>Appendix F</b>
		Car parking and traffic	<b>Section 4 Table 4</b> of this RTS Report and <b>Appendix S</b>
		Ground level and tower setbacks	<b>Section 4 Table 3</b> of this RTS Report and <b>Appendices G and H</b>
		Affordable housing	<b>Section 4 Table 4</b> of this RTS Report
		Infrastructure	<b>Section 4 Table 4</b> of this RTS Report
		Deep soil and public domain	<b>Section 4 Table 4</b> of this RTS Report and <b>Appendix M</b>

	Tree removal and planting		<b>Section 4 Table 4</b> of this RTS Report and <b>Appendix M</b>
	Flooding and stormwater management		<b>Section 4 Table 4</b> of this RTS Report
	Waste management		<b>Section 4 Table 4</b> of this RTS Report and <b>Appendices AM and AN</b>
	Ausgrid	N/A	N/A – no actions required
	Sydney Trains	N/A	N/A – no actions required
	TfNSW	N/A	N/A – no actions required
	Heritage NSW	N/A	N/A – no actions required
	DCCEEW	N/A	N/A – no actions required
	Sydney Water	N/A	N/A – no actions required
Public	Milestone (AUST) Pty Ltd	Object	<b>Section 4 Table 6</b> of this RTS Report
	Andrew Nelson	Comment	<b>Section 4 Table 6</b> of this RTS Report
	Brice Lis	Object	<b>Section 4 Table 6</b> of this RTS Report
	Anthony McLean	Object	<b>Section 4 Table 6</b> of this RTS Report
	Aiden Brennan	Support	N/A – no actions required
	Name withheld	Object	<b>Section 4 Table 6</b> of this RTS Report

# Appendix BF – Updated Mitigation Measures

An update to the lodged mitigation measures table at **Appendix D** has largely not been necessitated because of the nature of the agency submissions and comments received. On this basis, the proposal continues to rely on the mitigation measures at **Appendix D**, with the exception of an additional mitigation measure requested by DPHI.

The proposed additional mitigation measures are outlined in **Table 8** below.

**TABLE 8 UPDATED MITIGATION MEASURES**

ITEM	POTENTIAL IMPACT	APPROACH	RESIDUAL IMPACT
Built form and urban design	It has been requested by DPHI that this be subject to public rights of way.	Bridgestone confirm that the ground level areas would be granted as right of way to Council.	Negligible built form and urban design impact.



