



## Appendix C – Statutory Compliance Table

Statutory Reference	Consideration	Relevance	Section in EIS
<b>Environmental Planning and Assessment Act 1979</b>			
<b>Part 1 Preliminary</b>	<p>Section 1.3 Objects of the Act</p> <p>(a) <i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i></p>	<p><b>Complies</b></p> <p>The proposed development will result in social and economic benefits to the community through the provision of affordable housing, employment opportunities and services, which will activate the Help Street, Cambridge Lane and McIntosh Street frontages, as well as support economic and social growth within the Chatswood CBD.</p> <p>The EIS provides a detailed economic, environmental and social assessment to support the proposed development and its suitability for the site. Mitigation measures are provided (at <b>Appendix E</b>) to alleviate any potential environmental impacts, as well as the social and economic welfare of the community, during construction and operational phases of the development.</p>	<b>Section 5 and Section 6</b>
	<p>(b) <i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i></p>	<p><b>Complies</b></p> <p>An ESD Report (<b>Appendix W</b>) has been prepared to promote the principles of ecologically sustainable development within the proposal.</p>	<b>Section 6.15</b>
	<p>(c) <i>To promote the orderly and economic use and development of land,</i></p>	<p><b>Complies</b></p> <p>The proposal promotes orderly and economic use by providing a development which provides additional housing and employment opportunities within the Chatswood CBD.</p> <p>Furthermore, the site is suitable for shop top housing, including the affordable housing</p>	<b>Sections 2, 3 and 4</b>



Statutory Reference	Consideration	Relevance	Section in EIS
		bonuses as it enables the delivery of market and affordable housing on the site within close proximity to the Chatswood Transport Interchange and responds to the intent of the Chatswood CBD Strategy.	
	<i>(d) to promote the delivery and maintenance of affordable housing,</i>	<p><b>Complies</b></p> <p>The proposed development will deliver 32 affordable units, which will be managed by a Community Housing Provider under the Housing SEPP.</p>	<b>Sections 3 and 6.3</b>
	<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	<p><b>Complies</b></p> <p>A BDAR Waiver (<b>Appendix T</b>) has been issued for the proposal, confirming that the development is unlikely to have any significant impact on biodiversity values.</p>	<b>Section 6.7</b>
	<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	<p><b>Complies</b></p> <p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) (<b>Appendix AK</b>) and Statement of Heritage Impact (SOHI) (<b>Appendix AL</b>) have been prepared to assess the impacts of the proposal on built and cultural heritage.</p> <p>The HIS found that the proposed development would have an acceptable impact on the heritage significance of the heritage items in the vicinity and the nearby South Chatswood Heritage Conservation Area (HCA).</p> <p>The ACHAR found that proposed development to cause either direct or indirect harm to Aboriginal objects, as there are no known Aboriginal objects within the subject area.</p>	<b>Section 6.11 and Section 6.12</b>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p><i>(g) to promote good design and amenity of the built environment</i></p>	<p><b>Complies</b></p> <p>The Design Integrity Panel (DIP) has confirmed that the proposal has the potential to achieve design excellence.</p> <p>The proposed development has gone through various design excellence stages including a local design excellence competition undertaken in accordance with WLEP 2012 in late 2022.</p> <p>A Bridging Design Excellence Strategy (<b>BDES</b>) was developed, and one review session was held with the DIP on 18 February 2025. The Design Integrity Report prepared following these sessions is at <b>Appendix I</b> and confirms that the proposal closely aligns with the original competition scheme and has the potential to achieve design excellence.</p>	<p><b>Section 1.5 and 6.1</b></p>
	<p><i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i></p>	<p><b>Complies</b></p> <p>The proposed development will be constructed in accordance with the relevant provisions of the Building Code of Australia (BCA).</p>	<p><b>Sections 6.19 and 6.20</b></p>
	<p><i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i></p>	<p>N/A</p>	<p>-</p>
	<p><i>(j) to provide increased opportunity for community participation in environmental planning and assessment</i></p>	<p><b>Complies</b></p> <p>Community and stakeholder engagement has been undertaken during the preparation of the SSDA, as detailed in <b>Section 5</b> of the EIS and the Engagement Report at <b>Appendix AR</b>.</p> <p>Through the assessment period, there will be another opportunity for community and stakeholders to respond to the proposed development. The Applicant will respond to any concerns raised during the exhibition of</p>	<p><b>Section 5</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
		the SSDA.	
<b>Section 4.15 Evaluation</b>	Section 4.15(1) Matters for consideration (a)(i) The provisions of any environmental planning instrument. <ul style="list-style-type: none"> <li>• Commonwealth Environmental Protection and Biodiversity Act 1999 (<b>EPBC Act</b>)</li> <li>• Environmental Planning and Assessment Act 1979 (<b>EP&amp;A Act</b>)</li> <li>• Environmental Planning and Assessment Regulation 2021 (<b>EP&amp;A Regulation</b>)</li> <li>• Biodiversity Conservation Act 2016 (<b>BC Act</b>)</li> <li>• Water Management Act 2000 (<b>WM Act</b>)</li> <li>• State Environmental Planning Policy (Planning Systems) 2021 (<b>Planning Systems SEPP</b>)</li> <li>• State Environmental Planning Policy (Housing) 2021 (<b>Housing SEPP</b>)</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021 (<b>T&amp;I SEPP</b>)</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021 (<b>R&amp;H SEPP</b>)</li> <li>• State Environmental Planning Policy (Sustainable Buildings) 2022 (<b>Sustainable Buildings SEPP</b>)</li> <li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021 (<b>B&amp;C SEPP</b>)</li> <li>• Willoughby Local Environmental Plan 2012 (<b>WLEP 2012</b>)</li> <li>• Willoughby Development Control Plan 2023 (<b>WDCP 2023</b>)</li> </ul>	Consideration of the relevant instruments is discussed below.	
	(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved),	N/A.	-
	(a)(iii) Any development control plan	Consideration of the Willoughby DCP is discussed in this table below.	-
	(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	N/A.	-
	(a)(iv) The regulations	Consideration of the Regulations is provided at <b>Section 4.6</b> of the EIS.	<b>Section 4.6</b>
(a)(v) Repealed	-	-	



Statutory Reference	Consideration	Relevance	Section in EIS
	(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The proposal will not result in any unreasonable impacts to the natural or built environment or social and economic impacts to the locality as discussed in <b>Section 6</b> of the EIS.	<b>Section 6</b>
	(c) The suitability of the site for the development	The site is suitable for the proposed development as discussed in <b>Section 7.5</b> of the EIS.	<b>Section 7.5</b>
	(d) Any submissions made in accordance with this Act or the regulations	The applicant will address the submissions received during the exhibition period.	-
	(e) the public interest	The site is considered to be in the interest of the public as discussed in <b>Section 7.6</b> of the EIS.	<b>Section 7.6</b>
<b>Environmental Planning and Assessment Regulation 2021</b>			
<b>Division 5</b>	Division 5 of the Environmental Planning and Assessment Regulation 2021 which outlines the requirements for State significant development	<b>Complies</b> The EIS has been prepared to address the requirements of Division 5 of the <i>Environmental Planning and Assessment Regulations 2021</i> and relevant SEARs.	-
<b>Biodiversity Conservation Act 2016</b>			
<b>Section 7.14</b>	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister may (but is not required to) further consider under that Biodiversity Conservation Act 2016 the likely impact of the proposed development on biodiversity values.	<b>Complies</b> A BDAR Waiver for the proposed development was issued on 19 December 2024 ( <b>Appendix S</b> ).	<b>Section 6.7</b>
<b>State Environmental Planning Policy (Planning Systems) 2021</b>			
<b>Section 2.6 – Declaration of State significant development</b>	Section 2.6 states that <i>development is declared to be state significant development for the purposes of the Act if -</i>  (a) <i>The development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</i>	<b>Complies</b> The proposal located in the Eastern Harbour City has a residential component with an estimated development cost of more than \$75	<b>Executive Summary and Section 4.2</b>



Statutory Reference	Consideration	Relevance	Section in EIS						
<p><b>Schedule 1, Section 26A</b></p>	<p><i>(b) The development is specified in Schedule 1 or 2</i></p> <p>Section 26A of Schedule 1 states:  <b>26A In-fill affordable housing</b>  <i>(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i>  <i>(a) the part of the development that is residential development has an estimated development cost of—</i>  <i>(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than \$75 million, or Note— The Act, Schedule 9 sets out the local government areas in each city in the Six Cities Region.</i>  <i>(ii) for development on other land—more than \$30 million, and</i>  <i>(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.</i></p>	<p>million and does not involve development that is prohibited under an EPI.</p> <p>Therefore, the proposal constitutes SSD.</p>							
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>									
<p><b>Section 2.100 Impact of rail noise or vibration on non-rail development</b></p>	<p>Before determining a DA for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.</p> <p>If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <p><i>(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,</i></p> <p><i>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i></p>	<p><b>Complies</b></p> <p>Noise and Vibration Impact Assessment (<b>NVIA</b>) has been prepared by PWNA at <b>Appendix Z</b>. The Assessment concludes that appropriate mitigation measures can be applied to ensure that rail noise does not impact the residents.</p>	<p><b>Section 6.10</b></p>						
<p><b>Schedule 3 Traffic Generating Development</b></p>	<p>The relevant referral thresholds are as follows:</p> <table border="1" data-bbox="387 1145 1205 1374"> <thead> <tr> <th data-bbox="387 1145 757 1230">Purpose of Development</th> <th data-bbox="757 1145 1205 1230">Size or Capacity—Site with Access to a Road (Generally)</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 1230 757 1278">Residential accommodation</td> <td data-bbox="757 1230 1205 1278">300 or more dwellings</td> </tr> <tr> <td data-bbox="387 1278 757 1374">Commercial premises (other than premises specified elsewhere in this table)</td> <td data-bbox="757 1278 1205 1374">10,000m<sup>2</sup> in gross floor area</td> </tr> </tbody> </table>	Purpose of Development	Size or Capacity—Site with Access to a Road (Generally)	Residential accommodation	300 or more dwellings	Commercial premises (other than premises specified elsewhere in this table)	10,000m <sup>2</sup> in gross floor area	<p><b>Complies</b></p> <p>The proposed development does not constitute traffic generating development as the proposed development contains 160 apartments and the GFA for the commercial premises is less 10,000m<sup>2</sup>, therefore a referral to TfNSW is not required in this regard.</p>	<p>-</p>
Purpose of Development	Size or Capacity—Site with Access to a Road (Generally)								
Residential accommodation	300 or more dwellings								
Commercial premises (other than premises specified elsewhere in this table)	10,000m <sup>2</sup> in gross floor area								



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	<p>Food and drink premises (other than take away food and drink premises with drive-through facilities) Car parking for 200 or more motor vehicles</p> <p>A public authority, or person acting on behalf of a public authority, must not approve traffic-generating development without written notice of the intention to carry out the development to Transport for NSW (TfNSW) in relation to the development, and taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.</p>		
<b>State Environmental Planning Policy (Resilience and Hazards) 2021</b>			
<b>Chapter 4 Remediation of Land</b>	<p>Clause 4.6(1) Contamination and remediation to be considered in determining development application</p> <p>(1) <i>A consent authority must not consent to the carrying out of any development on land unless—</i></p> <p>(a) <i>it has considered whether the land is contaminated, and</i></p> <p>(b) <i>if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i></p> <p>(c) <i>if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i></p>	<p><b>Complies</b></p> <p>A Preliminary Site Investigation (<b>Appendix AG</b>) identified a moderate potential for contamination at the site and deems the site to be suitable for the proposed development subject to the implementation of mitigation measures.</p> <p>It is noted that a DSI is <i>not</i> required.</p>	<b>Section 6.13</b>
<b>State Environmental Planning Policy (Sustainable Buildings) 2021</b>			
<b>Chapter 2 Standards for residential development - BASIX</b>	<p><b>2.1 Standards for BASIX development and BASIX optional development</b></p> <p>(5) <i>Development consent must not be granted to development to which the standards specified in Schedule 1 or 2 apply unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.</i></p>	<p><b>Complies</b></p> <p>The ESD Report and BASIX Certificate confirm that the requirements for mid to high rise residential buildings under the Sustainable Buildings SEPP are met.</p>	<b>Section 6.15</b>
<b>State Environmental Planning Policy (Housing) 2021</b>			
<b>Chapter 2 Affordable Housing</b>			
<b>15C Development to which this division applies</b>	<p>(1) <i>This division applies to development that includes residential development if—</i></p> <p>(a) <i>the development is permitted with consent under Chapter 3, Part 4, Chapter 5 or another environmental planning instrument</i></p>	<p><b>Complies</b></p> <p>The site is zoned MU1 Mixed Use which permits shop top housing.</p>	<b>Section 1.2, 1.3</b>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>(b) the affordable housing component is at least 10%</p> <p>(c) all or part of the development is carried out—</p> <p>(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or</p> <p>(ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone</p> <p>(2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division</p>	<p>The proposal has a total GFA of 17,583.7m<sup>2</sup>. An affordable housing component of 14% of total GFA (2,470m<sup>2</sup>).</p> <p>The site is located on land within the Six Cities region in an accessible area, as it is located approximately 750m for Chatswood Station (Train and Metro lines).</p>	
<p><b>16 Affordable housing requirements for additional floor space ratio</b></p>	<p>(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</p>	<p><b>Complies</b></p> <p>As the proposed development provides an affordable housing component of at least 14% of total GFA, it is eligible for an additional floor space ratio of up to 28%.</p> <p>The applicable FSR under WLEP 2012 is 6:1. With the application of the 30% additional FSR, the maximum FSR permitted by the Housing SEPP is 7.68:1 (equivalent to 17,583.7m<sup>2</sup>).</p> <p>The proposed development has a total GFA of 17,583.7m<sup>2</sup> and therefore complies with the maximum FSR for the site under the Housing SEPP.</p>	<p><b>Section 1.3</b></p>
	<p>(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</p> $\text{affordable housing component} = \frac{\text{additional floor space ratio}}{\text{(as a percentage)}} + 2$	<p><b>Complies</b></p> <p>Based on the calculation, 28% (additional FSR) divided by 2 = 14% affordable housing. At least 14% of affordable housing is provided in the proposed development.</p>	<p><b>Section 3.4.1</b></p>
	<p>(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</p>	<p><b>Complies</b></p> <p>The proposed development is for shop top housing. The proposed development is eligible for an additional 28% above the maximum building height under the WLEP 2012 – being 90m.</p>	<p><b>Section 3.4.1</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
<b>19 Non-discretionary development standards – the Act, s4.15</b>		The proposal provides a maximum height of 115.2m (RL 208.45).	
	<i>(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—</i>  <i>(a) a minimum site area of 450m<sup>2</sup>,</i>	<b>Complies</b>  The area of the site is 2,290m <sup>2</sup> .	<b>Section 1.3</b>
	<i>(b) a minimum landscaped area that is the lesser of—</i> <i>(i) 35m<sup>2</sup> per dwelling, or</i> <i>(ii) 30% of the site area,</i>	<b>Non-compliant</b>  Overall, the proposed development will provide 549.6m <sup>2</sup> of soft landscaping, which equates to 24% of the total site area.  Excluding the built areas, such as the podium and rooftop, from the landscaped area calculation, approximately 10% of the landscaped area is provided.  Although this does not meet the 30% specified, noting this is a non-discretionary standard, the proposed landscaping on the site exceeds the 20% requirement outlined in the Site-Specific DCP (SSDCP) and the Apartment Design Guide (ADG) and is therefore considered appropriate for the site.	<b>Section 6.8</b>
	<i>(c) a deep soil zone on at least 15% of the site area, where—</i> <i>(i) each deep soil zone has minimum dimensions of 3m, and</i> <i>(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i>	<b>Not applicable</b>  See subsection 19(3) below.	-
	<i>(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter</i>		-
	<i>(e) the following number of parking spaces for dwellings used for affordable housing—</i> <i>(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,</i> <i>(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,</i> <i>(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,</i>	<b>Complies</b>  The proposed development has provided car parking for the affordable housing dwellings in accordance with this section.	<b>Section 6.9.1</b>
	<i>(f) the following number of parking spaces for dwellings not used for affordable housing—</i> <i>(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,</i> <i>(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,</i> <i>(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</i>	<b>Complies</b>  The proposed development has provided car parking for the non-affordable housing dwellings in accordance with this section.	<b>Section 6.9.1</b>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,</p>	<p><b>Complies</b></p> <p>As demonstrated in the Design Report (<b>Appendix G</b>), the proposed development meets the minimum internal areas stipulated in the Apartment Design Guide (ADG).</p>	-
	<p>(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.</p>	<p>Chapter 4 does apply to this development. On this basis, subsection 2(c) and (d) do not apply.</p>	-
20 Design Requirements	<p>(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.</p>	<p>Not applicable.</p>	-
	<p>(2) Subsection (1) does not apply to development to which Chapter 4 applies.</p>	<p>Chapter 4 does apply to this development. On this basis, subsection (1) does not apply.</p>	
	<p>(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—</p> <p>(a) the desirable elements of the character of the local area,</p> <p>(b) for precincts undergoing transition—the desired future character of the precinct.</p>	<p><b>Complies</b></p> <p>The proposal is consistent with the desired future character of the CBD as envisaged in the Chatswood CBD Strategy in that it would deliver a high density shop top housing development in the eastern edge of the CBD, capitalising the site's proximity to the Chatswood Transport Interchange and connectivity to the surrounding key employment hubs such as North Sydney, St Leonards, Macquarie Park and Sydney CBD.</p>	<b>Section 2</b>



Statutory Reference	Consideration	Relevance	Section in EIS
<p><b>21 Must be used for affordable housing for at least 15 years</b></p>	<p><i>Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—</i></p> <p><i>(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i></p> <p><i>(b) the affordable housing component will be managed by a registered community housing provider.</i></p>	<p><b>Complies</b></p> <p>The development proposes 14% of floor space as affordable housing for a period of 15 years.</p> <p>A registered community housing provider will manage the affordable housing component of the development for 15 years (after issue of Occupation Certificate) (refer <b>Appendix AT</b>).</p>	<p><b>Section 1.3 and 3.4.1</b></p>

#### Chapter 4 Design of Residential Development

<p><b>147 Determination of development applications and modification applications for residential apartment development</b></p>	<p><i>(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</i></p> <p><i>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</i></p> <p><i>(b) the Apartment Design Guide,</i></p> <p><i>(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</i></p>	<p>The proposal is subject to Chapter 4 of the Housing SEPP.</p>	<p><b>Section 4.5</b></p>
<p><b>148 Non-discretionary development standards for residential apartment development – the Act, s 4.15</b></p>	<p><i>(2) The following are non-discretionary development standards—</i></p> <p><i>(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</i></p> <p><i>(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,</i></p> <p><i>(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.</i></p>	<p><b>Complies</b></p> <p>Car parking has been provided in accordance with Chapter 2.</p> <p>The internal area and ceiling heights are consistent with the ADG (at <b>Appendix G</b>).</p>	<p><b>Section 3.9.2</b></p>

#### Willoughby Local Environmental Plan 2012

<p><b>Clause 2.1 Land use zones</b></p>	<p>The site is zoned MU1 Mixed Use.</p>	<p>Noted.</p>	<p>-</p>
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Statutory Reference	Consideration	Relevance	Section in EIS
<b>Zone objectives – MU1 Mixed Use</b>	<ul style="list-style-type: none"> <li>To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</li> </ul>	<p><b>Complies</b></p> <p>The proposal will contribute to the diversity of businesses within the Chatswood CBD and generate employment opportunities. Retail and commercial spaces will be provided across the ground, first and second floors.</p>	<p><b>Section 2</b></p>
	<ul style="list-style-type: none"> <li>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</li> </ul>	<p><b>Complies</b></p> <p>The proposal will provide diverse and active street frontages. The design includes high quality activation through ground level retail tenancies and urban connections, as well as a through site link.</p>	<p><b>Section 6.1</b></p>
	<ul style="list-style-type: none"> <li>To allow for city living on the edges of the city centre of Chatswood, which encourages public transport use, shopping and the use of businesses and recreational services that contribute to the vitality of the city, without undermining its commercial role.</li> </ul>	<p><b>Complies</b></p> <p>The proposed shop-top housing allows for city living on the edge of the Chatswood City Centre and is within proximity to the Chatswood Train Station, as well as Sydney Metro.</p> <p>Its proximity to the Chatswood shopping precinct, as well as the proposed ground floor retail offering, contributes the vitality of Chatswood City.</p>	<p><b>Section 2</b></p>
<b>Clause 4.3 – Height of Buildings</b>	<p>The site is subject to a maximum building height of 90m</p>	<p><b>Complies</b></p> <p>The proposed development is seeking the 28% uplift in height under Clause 18 of the Housing SEPP. Refer to discussion above under the Section titled State Environmental Planning Policy (Housing) 2021 above.</p>	<p><b>Section 1.3, 3.4.1, 6.2</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
<p><b>Clause 4.4 – Floor Space Ratio</b></p>	<p>The site is subject to a maximum Floor Space Ratio (FSR) of 6:1</p>	<p><b>Complies</b></p> <p>The proposed development is seeking the 28% uplift in height under Clause 18 of the Housing SEPP. Refer to discussion above under the Section titled State Environmental Planning Policy (Housing) 2021 above.</p>	<p><b>Section 1.3, 3.4.1, 6.2</b></p>
<p><b>Clause 5.10 – Heritage Conservation</b></p>	<p><i>Development consent is required for any of the following—</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p>	<p>The site does not contain an item of heritage significance nor is it located within an HCA.</p>	<p><b>Section 6.12</b></p>
<p><b>Clause 5.21 – Flood Planning</b></p>	<p>Development consent must not be granted unless the consent authority is satisfied the development will satisfy the relevant flooding provisions.</p> <p><i>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</i></p> <p><i>(a) is compatible with the flood function and behaviour on the land, and</i></p> <p><i>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</i></p> <p><i>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</i></p> <p><i>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</i></p> <p><i>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</i></p> <p><i>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</i></p> <p><i>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</i></p> <p><i>(b) the intended design and scale of buildings resulting from the development,</i></p> <p><i>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</i></p> <p><i>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</i></p>	<p>Flooding has been assessed as part of the Integrated Water Management Plan (IWMP) at <b>Appendix AE</b>.</p> <p>The site is not classified as flood-prone land according to the Scotts Creek Flood Study (2008) and is not subject to flood planning controls. While impacted by overland flooding, modelling of pre- and post-development conditions confirms no negative effects on existing flooding levels, flow velocities, or flood hazard. The proposed stormwater network ensures no increase in outflows, and the OSD tank improves downstream conditions.</p>	<p><b>Section 6.16</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
<p><b>Clause 6.1 – Acid Sulfate Soils</b></p>	<p>Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</p>	<p><b>Complies</b></p> <p>The subject site is identified as containing Class 5 Acid Sulfate Soils.</p> <p>The acid sulfate soils have been assessed under the Geotechnical Interpretation Report (<b>Appendix AA</b>). This report found it is not anticipated that potential acid sulfate soils will impact development on the site.</p>	<p><b>Section 6.14.1</b></p>
<p><b>Clause 6.2 – Earthworks</b></p>	<p>Development consent is required for earthworks.</p> <p><i>(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</i></p> <ul style="list-style-type: none"> <li><i>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i></li> <li><i>(b) the effect of the development on the likely future use or redevelopment of the land,</i></li> <li><i>(c) the quality of the fill or the soil to be excavated, or both,</i></li> <li><i>(d) the effect of the development on the existing and likely amenity of adjoining properties,</i></li> <li><i>(e) the source of any fill material and the destination of any excavated material,</i></li> <li><i>(f) the likelihood of disturbing relics,</i></li> <li><i>(g) the proximity to, and potential for adverse impacts on, any watercourse, drinking water catchment or environmentally sensitive area,</i></li> <li><i>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></li> </ul>	<p><b>Complies</b></p> <p>Earthworks to accommodate the basement car parking are proposed as part of this SSDA.</p> <p>A Geotechnical Interpretation Report is provided (<b>Appendix AA</b>), which provides recommendations to be addressed during the design and construction phases of the project to mitigate any detrimental impact on drainage patterns and soil stability.</p>	<p><b>Section 6.14.1</b></p>
<p><b>Clause 6.3 – Urban Heat</b></p>	<p><i>1) The objective of this clause is to ensure new development incorporates effective design and ongoing operation to—</i></p> <ul style="list-style-type: none"> <li><i>(a) reduce and remove urban heating from the environment, and</i></li> <li><i>(b) protect community health and wellbeing.</i></li> </ul> <p><i>(2) In deciding whether to grant development consent to development for the purposes of commercial premises, industries or residential accommodation, the consent authority must consider whether—</i></p> <ul style="list-style-type: none"> <li><i>(a) the facade and roof of the proposed building and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including private open space and the public domain, and</i></li> </ul>	<p><b>Complies</b></p> <p>The development incorporates design elements to reduce urban heating from the environment, such as:</p> <ul style="list-style-type: none"> <li>• Integrating landscaping to maintain cooler urban spaces.</li> <li>• Inclusion of awnings and eaves at street level to provide shelter from the sun.</li> </ul>	<p><b>Section 6.15</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>(b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and</p> <p>(c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and</p> <p>(d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and</p> <p>(e) the development accommodates sufficient tree canopy, open space and deep soil zones to achieve urban cooling benefits, and</p> <p>(f) the building is designed to achieve high passive thermal performance.</p> <p>(3) In this clause— deep soil zone—</p> <p>(a) means the soft landscaped part of a site area used for growing trees, plants and grasses that—</p> <p>(i) is unimpeded by buildings or structures above and below ground, and</p> <p>(ii) provides opportunities for groundwater infiltration and canopy trees, and</p> <p>(b) does not include basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.</p> <p>(c) solar heat means radiant heat contained in the full spectrum of sunlight.</p>	<ul style="list-style-type: none"> <li>Orientation of buildings to maximise airflow and natural ventilation.</li> </ul> <p>Further design strategies proposed to mitigate urban heat are included in the ESD Report at <b>Appendix W</b>.</p>	
<p><b>Clause 6.7 – Active Street Frontages</b></p>	<p>All premises on the ground floor of the building facing the street are to apply active street frontages.</p> <p>Despite the above subclause, an active street frontage is not required for any part of a building that is used for any of the following—</p> <p>(a) entrances and lobbies (including as part of mixed-use development),</p> <p>(b) access for fire services,</p> <p>(c) vehicular access.</p> <p>In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of commercial premises.</p>	<p><b>Complies</b></p> <p>The proposed development will provide high quality active street frontages. The proposal includes expansive and flexible commercial tenancies, which present to Help Street, Cambridge Lane and McIntosh Street, as well as the pedestrian connections within the site.</p>	<p><b>Section 6.1</b></p>
<p><b>Clause 6.8 – Affordable Housing</b></p>	<p>Development consent must not be granted to the erection of residential accommodation on land identified as “Area 2” on the Special Provisions Area Map unless the consent authority has taken the following into consideration—</p> <p>(a) the Willoughby Affordable Housing Principles,</p> <p>(b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,</p>	<p><b>Complies</b></p> <p>The applicant intends to satisfy the required affordable housing contribution via monetary contribution paid to Council in reference to Clause 6.8.</p> <p>Ongoing discussions are being held between the applicant and Council in relation to the</p>	<p><b>Section 6.3</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p><i>(c) whether one of the affordable housing conditions should be imposed on the consent for the purpose of providing affordable housing in accordance with the Willoughby Affordable Housing Principles</i></p> <p>The affordable housing conditions include 4% of the gross floor space of the residential component of the development is to be used for affordable housing purposes, monetary contribution that is of equivalent value, or a mix of both.</p>	<p>detailed calculations of the monetary contribution payable.</p>	
<p><b>Clause 6.15 Sun Access</b></p>	<p><b>(1) Development consent must not be granted to development on land in Zone E2 Commercial Centre or Zone MU1 Mixed Use that results in additional overshadowing on the following land at mid-winter between midday and 2pm—</b></p> <p><b>(a) Chatswood Garden of Remembrance,</b>  <b>(b) Chatswood Tennis Club and Croquet Club,</b>  <b>(c) Victoria Avenue and Concourse Open Space.</b></p> <p>(2) Development consent must not be granted to development that results in additional overshadowing on Chatswood Oval at mid-winter between 11am and 2pm.</p> <p>(3) Development consent must not be granted to development that results in a dwelling on land in the South Chatswood Conservation Area receiving less than 3 hours of direct sunlight between 9am and 3pm at mid-winter.</p> <p>(4) Development consent must not be granted to development that results in additional overshadowing on the tree canopy of the Angophora costata tree identified as Schedule 5, Part 1, item I237 at mid-winter between midday and 2pm.</p>	<p><b>Complies</b></p> <p>The site is north of Victoria Avenue and Concourse Open Space (Area 5). Shadow diagrams show that the proposed SSD will result in a minor increase in overshadowing to the approved DA on the Victoria Avenue and Concourse Open Space and will not result in overshadowing on the area at mid-winter between midday and 2pm.</p> <p>EMBECE incorporated a tapered design for the upper penthouse levels to reduce overshadowing on Victoria Avenue. Without this tapering, the impact would have been greater than if the tower structure continued as one solid form to the maximum height plane. As a result, the overshadowing is considered minor and reasonable, with effective measures in place to minimize its effect.</p>	<p><b>Section 6.5.1</b></p>
<p><b>Clause 6.16 - Minimum lot sizes for commercial and mixed-use development in Chatswood CBD</b></p>	<p>(1) This clause applies to land identified as “Area 8” on the Special Provisions Area Map.</p> <p>...</p> <p>(3) The minimum lot size for development for the purposes of mixed-use development on land to which this clause applies in Zone MU1 Mixed Use is 1,200m<sup>2</sup>.</p>	<p><b>Complies</b></p> <p>The site area of the proposed development is 2,290m<sup>2</sup>.</p>	<p><b>Section 3.2</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
<b>Clause 6.23 – Design Excellence</b>	<i>(3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</i>	<b>Complies</b> As confirmed in the Design Integrity Report at <b>Appendix I</b> and Design Competition Exemption Waiver at <b>Appendix J</b> the proposal achieves design excellence.	<b>Section 6.1</b>
<b>Clause 6.25 – Shop top housing in Zone MU1</b>	<i>Development consent for the purposes of shop top housing on land in Zone MU1 Mixed Use must not be granted unless the consent authority is satisfied at least 17% of the gross floor area of the building will be used for non-residential purposes.</i>	<b>Complies</b> 2,345.4m <sup>2</sup> of GFA, which equates to 17% of the LEP GFA building, will be used for non-residential purposes.  This equates to 13.3% of the proposed IAH uplift scheme. A Clause 4.6 Variation Request at <b>Appendix AP</b> has been prepared to support the variation.	<b>Section 3.4.1</b>
<b>Schedule 1 Additional Permitted Uses – Clause 27 Use of certain land in Chatswood CBD</b>	<i>Development for the purposes of residential flat buildings is permitted with development consent if—</i> <i>(a) the ground floor is used for non-residential purposes only, and</i> <i>(b) at least 17% of the gross floor area of the building will be used for non-residential purposes.</i>	<b>Partially non-compliant</b> The ground floor and first floor of the proposed shop top housing is used for non-residential purposes only. 13.3% of the building's GFA, not 17%, will be used for non-residential purposes.  A Clause 4.6 Variation Request at <b>Appendix AP</b> has been prepared to support the variation	<b>Section 6.2.2</b>

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**Part B Residential Development**

4.4 Further controls for residential flat buildings, and the residential components of shop top housing and mixed-use developments

4.4.1 Site coverage	The site coverage for residential flat buildings should not exceed:  a) 30% of the site area for three storey building b) 28% of the site area for four storey building c) 26% of the site area for five storey building	N/A – shop-top housing proposed.	-
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Statutory Reference	Consideration	Relevance	Section in EIS
	d) 24% of the site area for six storey building e) 22% of the site area for seven storey building f) 20% of the site area for a building with eight or more storeys		
4.4.2 Building height	Refer to LEP.	-	<b>Section 6.2.1</b>
4.4.3 Floor space ratio	Refer to LEP.	-	<b>Section 6.2.2</b>
4.4.4 Setbacks	Not applicable to residential development in MU1 zone. See 6.1 below.	N/A	<b>Section 6.2.3</b>
4.4.5 Open space	To achieve these outcomes, the controls below apply to residential accommodation of three or more storeys and four or more dwellings: <ul style="list-style-type: none"> <li>a) Soft landscaped area/deep soil zones and tree planting</li> </ul> The site should: <ol style="list-style-type: none"> <li>1. comprise at least 35% of soft landscaped areas and deep soil zones at ground level (excluding planter boxes)</li> <li>2. provide deep soil zones primarily in the front setback areas and around the perimeter of the site.</li> <li>3. include species with a wide tree canopy which can cover hard stand areas to reduce the impacts of heat island effects.</li> <li>4. include new trees within deep soil zones that are semi mature when planted to be compatible with any existing predominant street trees.</li> </ol>	<b>Complies, on merit</b> The proposed development provides: <ul style="list-style-type: none"> <li>• The site provides sufficient soft and deep soil landscaping on the ground level, consistent with the approved DA.</li> <li>• Deep soil zones are provided within the front setback to Cambridge Lane, as detailed in the Landscape Plan at <b>Appendix L</b>). This deep soil area connects with Council's adjoining deep soil.</li> <li>• Tree species with a wide tree canopy are proposed to be included throughout the site, noting a tree canopy cover of 24% is estimated for the proposed development, as shown in the Landscape Plan at <b>Appendix L</b>.</li> </ul>	<b>Section 6.8.2</b>

## Part D Commercial Development

### 6 Shop-top housing and mixed-use developments



Statutory Reference	Consideration	Relevance	Section in EIS
6.2 Landscaping	<ul style="list-style-type: none"> <li>a. A 3m wide deep soil zone must be provided along the rear boundary adjoining residential zoned land.</li> <li>b. The deep soil zones must be landscaped with trees that when mature, reach a minimum height of 15m and a minimum 3m wide tree canopy.</li> <li>c. A planter box with a minimum internal width of 1m must be provided along the edge of a balcony or terrace on the first-floor level that faces low or medium density zoned land.</li> <li>d. a planter box with a minimum internal width of 400mm must be provided along the edge of a balcony or terrace on all other floors facing low or medium density zoned land (other than the street frontage)</li> <li>e. all planter boxes must not exceed 1m in height, have a minimum soil depth of 600mm, and be landscaped with dense screen planting.</li> <li>f. a minimum of 20% of any podium and a minimum 20% of any rooftop open space must be landscaped.</li> <li>g. details of the type and height of shrubs and trees within the deep soil zones, planter boxes, podium and/or rooftop open space must be shown on the landscaped plans</li> </ul>	<p><b>Complies, on merit</b></p> <ul style="list-style-type: none"> <li>• The site does not adjoin residentially zoned land, therefore a landscape buffer is not required.</li> <li>• Refer to Landscape Plan D at <b>Appendix L</b> for detail of tree species.</li> <li>• Planter boxes will be of a sufficient width.</li> <li>• Refer to landscape details for planter box dimensions and soil depth.</li> <li>• There is landscaping provided on the top of the podium. This equates to 3.4% of the total soft landscaping on the site. It is noted that the site contains 24% of soft landscaping which exceeds the 20% requirement under the SSDCP.</li> </ul>	<b>Section 6.8</b>
6.3 Car parking and access	<ul style="list-style-type: none"> <li>a. access to the residential car parking area must be separated from the commercial car parking and loading areas.</li> <li>b. shared car spaces may be provided for residential visitors and customers if unimpeded access is available at all times.</li> <li>c. vehicle movements for loading and unloading must be separated from all car parking areas.</li> </ul>	<p><b>Complies</b></p> <p>Access to all parking and loading is from Help Street.</p>	<b>Section 6.9</b>
6.4 Building mass and bulk	<ul style="list-style-type: none"> <li>a. buildings over 11m should have a defined podium level</li> </ul>	<p><b>Complies</b></p> <p>The proposed development incorporates a two-storey podium which is clearly defined from the tower form.</p>	<b>Section 6.4</b>
6.5 Signage	<ul style="list-style-type: none"> <li>a. signs are restricted to shop fronts, awnings and under awning signs,</li> <li>b. any signs must consider the visual impact on residential occupants, particularly in terms of illumination and light spill</li> </ul>	<p>Signage is not proposed as part of this SSD.</p>	<b>N/A</b>



Statutory Reference	Consideration	Relevance	Section in EIS
<b>Part F Transport and Parking Management</b>			
4 Car parking and driveway access			
4.1 Car parking	<p>These controls apply to all car parking and access arrangements:</p> <ol style="list-style-type: none"> <li>the layout of car parking spaces must comply with AS/NZS 2890.1 and AS/NZS 2890.6</li> <li>column locations must comply with AS/NZS 2890.1 (columns shall not be located within circulation aisles)</li> <li>the headroom for an accessible (disabled) car space must comply with the requirements of AS 2890.</li> <li>car parking space accessed from a rear lane must provide a minimum setback of 1m with a 1m splay to the rear boundary</li> <li>except for assigned residential parking spaces, the length of any blind aisle shall not exceed the width of six 90° parking spaces plus 1m</li> <li>one way aisles/access handles may only be used for areas where there is no general public access, there are less than 6 parking spaces and where appropriate measures are provided to allow vehicles to pass within the site</li> <li>ventilation must be provided under the relevant standards for basement car parking areas</li> <li>for developments with vehicular access from a main road frontage (Pacific Highway, Eastern Valley Way, Strathallan Avenue, Willoughby Road, Penshurst Street and Boundary Street) vehicles must be able to turn around within the site to ensure they can enter and leave the site in a forward direction.</li> </ol>	<p><b>Complies</b></p> <p>The proposal has been designed to comply with the relevant Australian Standards. Refer to Traffic Impact Assessment (TIA) at <b>Appendix T</b>.</p>	<p><b>Section 6.9</b></p>
4.2 Vehicle crossing/driveways	<p>A new vehicle crossing is required if the proposal involves a change to the vehicle access arrangements or the number or location of car parking spaces and the existing vehicle crossing has any of these features:</p> <ol style="list-style-type: none"> <li>is in a dilapidated condition with multiple cracks</li> <li>is a trip hazard to pedestrians along the footpath alignment</li> <li>there is evidence of significant damage from scraping on the road/laneway</li> <li>is incomplete or has been constructed with non-approved materials</li> <li>the crossing is unsafe due to its alignment with the proposed driveway or car parking space(s)</li> <li>is in an unsafe location and there is a better alternative location for a new driveway</li> <li>is proposed to be replaced as part of the development application</li> </ol> <p>This requirement for a new crossing does not apply to proposed structures such as pergolas or open carports over an existing hard stand area.</p>	<p><b>Complies</b></p> <p>A new vehicle crossing is proposed. A separate vehicle crossing permit will be obtained prior to construction.</p> <p>The proposed driveways have been designed in accordance with the relevant Australian Standards.</p> <p>Street trees have been retained where possible, noting replacement species will be provided where tree removal is proposed.</p>	<p><b>Section 6.9</b></p> <p><b>Section 6.10</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>Before construction, the applicant must obtain a separate vehicle crossing permit (construction of crossover on council property) from Willoughby City Council.</p> <p>A new driveway crossing must comply with these controls:</p> <p>h. the location, siting and grades of driveways, and driveway width must be in line with Australian Standard AS/NZS 2890.1</p> <p>h. crossings must be separated from each other at the kerb and must be a minimum of 600mm from the side boundary for residential properties and 1.2m for other developments</p> <p>i. the distance between adjacent crossings must be less than 1.5m or greater than 6m to deter vehicles from attempting to park between driveways</p> <p>j. driveways must not be located closer than:</p> <p>k. 2m from a street tree or 1.5m from any other tree or as otherwise directed by Willoughby City Council</p> <p>l. 1m from a power pole</p> <p>m. 1m from a council stormwater pit</p> <p>n. if there is parking onsite for more than 6 vehicles, the driveway width must be sufficient to allow two vehicles to pass within the site</p> <p>o. sight distance requirements at the property boundary must be provided in line with AS/NZS 2890.1</p> <p>p. for single dwellings, only one crossing is permitted per property to improve streetscape, maximise on-street parking and reduce the number of conflict points between vehicles and pedestrians</p> <p>q. dual occupancy developments may be permitted to have two vehicle crossings, providing the overall width of the two crossings does not exceed 30% of the property frontage</p> <p>r. to maximise pedestrian safety, vehicles are to be at 900 to the boundary when leaving the site (where parking spaces are not in-line with the vehicle crossing, swept path diagrams are to show this requirement)</p> <p>Note:</p> <ul style="list-style-type: none"> <li>Willoughby City Council does not generally support the removal of street trees to construct a new crossing. Approval to remove a tree will only be granted in exceptional circumstances.</li> </ul>		
4.4 Mechanical car parking systems and	Willoughby City Council does not generally support mechanical car parking systems or turntables, and under no circumstances will they be allowed for accessible or visitor car parking.	<b>Complies</b>	<b>N/A</b>



Statutory Reference	Consideration	Relevance	Section in EIS
turntables	<p>An applicant must show there is no other reasonable car parking arrangement available. They must ensure that safety, emergency and noise issues relating to the ongoing operation of a mechanical car parking system and/or turntable have been addressed to Willoughby City Council's satisfaction.</p> <p>Mechanical systems and turntables must satisfy all of these requirements:</p> <ol style="list-style-type: none"> <li>the site is constrained by existing conditions.</li> <li>They are only used to access spaces assigned to a particular dwelling/unit/tenant/business.</li> <li>there is adequate standing space within the site for vehicles waiting to use the system.</li> </ol>	Mechanical car parking systems are not proposed as part of this development.	
<b>Part 5 Major Development</b>			
5.2 Off-street loading/unloading facilities	<p>All new major commercial, retail and industrial developments, and developments that involve substantial redevelopment with a floor area in excess of 500m<sup>2</sup> for commercial/retail developments and 1,000m<sup>2</sup> for industrial developments, must make adequate provision for off-street loading and unloading facilities.</p> <p>A loading/unloading bay/dock for these types of developments must comply with these controls:</p> <ol style="list-style-type: none"> <li>loading bay dimensions must conform with AS 2890.2</li> <li>onsite turning areas must be provided to ensure service and delivery vehicles can enter and leave the site in a forward direction (the swept path design templates shown in AS 2890.2 must be used to determine the layout of service areas)</li> <li>the minimum headroom must be in line with AS 2890.2</li> <li>adequate provision must be made for garbage compactor units.</li> <li>internal waste collection areas must have a headroom clearance of at least 6.6m</li> <li>splays must be provided to the loading bay areas and at the driveway to ensure adequate sight distances for pedestrians.</li> </ol> <p>For other existing or smaller commercial, retail and industrial developments, including change of use, the size and number of loading bays/docks will depend on the type, size and scale of the proposed development.</p> <p>This includes the frequency of deliveries, size and bulk of goods, size of trucks, availability of on-street loading zones; and intended use of the commercial, retail or industrial premises. As a minimum, provision should be made for a small rigid vehicle to access the site.</p>	<p><b>Complies</b></p> <p>The proposal includes 2,345.4m<sup>2</sup> of non-residential floor space and includes off street loading and unloading facilities via Help Street.</p> <p>Refer to TIA at <b>Appendix T</b> for more detail.</p>	<b>Section 6.9</b>
5.3 Visitor car parking	<p>The visitor car parking rates in Chatswood CBD, St Leonards precinct and the Artarmon railway precinct are maximum rates. Visitor car parking spaces outside these areas, including major public transport routes, are target rates.</p> <p>All visitor car parking spaces must be grouped together, sign posted and provided in a convenient and readily accessible location.</p>	<p><b>Complies</b></p> <p>The additional car spaces above the minimum required for residents will be used as visitor car spaces.</p>	<b>Section 6.9</b>



Statutory Reference	Consideration	Relevance	Section in EIS
<p>5.4 Accessible car parking for people with disability</p>	<p>All new developments and significant alterations and additions to major developments must, as a minimum, provide accessible car parking spaces for people with disability in line with Section D3.5 of the Building Code of Australia under the National Construction Code.</p> <p>For Class 2 buildings that contain two or more sole occupancy units, the required number of accessible spaces is calculated on the number of adaptable units required for that development. See Part B, Section 4.2.8 of Willoughby DCP to determine the number of adaptable units required for medium and high-density housing.</p> <p>The National Construction Code identifies the class of building for different types of development. A guide to the building classifications is in Attachment 4.</p> <p>Table 5 at the end of this part details the required number of accessible car parking spaces.</p> <p>Accessible spaces must be clearly marked and provided in a communal car parking area. These spaces are not to be allocated to any individual unit or tenant.</p> <p>There must be a continuous accessible path of travel from all accessible parking spaces to the entrance of the premises. In basement car parking areas, lifts must provide access to all levels.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• If no parking is proposed, the minimum number of accessible spaces should be provided in line with Table 1.</li> <li>• Accessible car parking spaces must comply with the design requirements of AS/NZS 2890.6.</li> <li>• Where the total number of accessible spaces is not a whole number, the number of spaces required is to be rounded up.</li> <li>• The required number of accessible car spaces for unspecified developments will be assessed on the individual merits of the proposal, with regard to the nature and scale of the proposed development.</li> <li>• Where practicable, accessible car parking spaces should be provided for all developments, including a change of use.</li> </ul>	<p><b>Complies</b></p> <p>The development proposes 32 accessible car parking spaces, which are located within a communal parking area.</p>	<p><b>Section 6.9</b></p>
<p>5.6 Electric vehicle charging</p>	<p>Demand for public electric vehicle (EV) charging stations is set to increase. Willoughby City Council is committed to extending this infrastructure as suitable locations are identified. It is also necessary to make provision for electric vehicle charging on private properties. This means all new major developments or significant alterations and additions to major developments will be required to deliver the capacity for all parking spaces to have EV charging.</p> <ol style="list-style-type: none"> <li>1. The following controls apply to new residential flat buildings, multi dwelling housing, shop top housing and mixed use developments:</li> </ol>	<p><b>Complies</b></p> <p>Some car parking bays are capable of accommodating charging stations as per Council requirements.</p>	<p><b>Section 6.9</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>a. All garages and car spaces allocated to an individual residential apartment must make provision for:</p> <ul style="list-style-type: none"> <li>• Level 2: single or 3-phase electric vehicle supply equipment with a power range of 7kW-22kW, as defined by NSW electric and Hybrid Vehicle Plan (Future Transport 2056) from Transport for NSW, which provides faster, more secure charging.</li> </ul> <p>b. All communal car parking areas within a new major residential development must make provision for:</p> <ul style="list-style-type: none"> <li>• A minimum 5A per phase electrical capacity must be provided per space e.g.:               <ul style="list-style-type: none"> <li>○ If there are 4-9 spaces per level, provide one dedicated 63A three-phase EV charging switchboard per level</li> <li>○ if there are 10-19 spaces per level, provide one dedicated 100A three-phase EV charging switchboard per level.</li> <li>○ If there are 20-39 spaces per level, provide one dedicated 200A three-phase EV charging switchboard per level.</li> <li>○ If there are 40-80 spaces per level, provide one dedicated 400A three-phase EV charging switchboard per level</li> </ul> </li> </ul> <p>In addition:</p> <ul style="list-style-type: none"> <li>• Switchboards shall be dedicated and centrally located to facilitate simple connection of EV charging.</li> <li>• Common areas should provide Level 2 cabling to each space, or where this is not possible, at least the provision of cable trays sufficient to accommodate electric circuitry between each car space and the dedicated EV charging switchboard</li> </ul> <p>2. The following controls apply to all new commercial, industrial and other major developments</p> <p>a. All communal car parking areas for new commercial, industrial and all other major developments must make provision for:</p> <ul style="list-style-type: none"> <li>• A minimum 5A per phase electrical capacity must be provided per space e.g.:               <ul style="list-style-type: none"> <li>○ If there are 4-9 spaces per level, provide one dedicated 63A three-phase EV charging switchboard per level</li> <li>○ If there are 10-19 spaces per level, provide one dedicated 100A three-phase EV charging switchboard per level</li> <li>○ If there are 20-39 spaces per level, provide one dedicated 200A three-phase EV charging switchboard per level</li> </ul> </li> </ul>		



Statutory Reference	Consideration	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>○ If there are 40-80 spaces per level, provide one dedicated 400A three-phase EV charging switchboard per level</li> </ul> <p>NOTE:</p> <ul style="list-style-type: none"> <li>● Switchboards shall be dedicated and centrally located to facilitate simple connection of EV charging.</li> <li>● Individual industrial units, commercial/retail premises and other non-specified major developments are encouraged to provide EV charging points to facilitate the growing demand for electric vehicles.</li> <li>● 'Other' major developments include, but not limited to: boarding houses; child care centres; gymnasiums; specialised retail premises (bulky goods stores), etc.</li> </ul> <p>EV charging may be required for 'significant' alterations and additions to major non-residential developments. Alterations and additions are generally regarded as 'significant' if the proposal will result in more than a 10% increase in the 'gross floor area'. The requirement for the provision of EV charging will have regard to the nature and extent of the proposal, and practicality of retrofitting the electrical capacity for the building.</p>		

**6 Alternative and sustainable transport strategies**

<p>Alternative and sustainable transport strategies</p>	<p>Willoughby City Council encourages alternative and sustainable transport strategies to reduce the use and reliance on motor vehicles as the principal mode of transport.</p> <p>Alternative transport strategies can be achieved by including a 'travel demand management plan' (also known as a 'green travel plan') in the business operation.</p> <p>This plan has details on how to modify travel decisions to and from a business premises so that more desirable modes of transport are used and to reduce the adverse impacts of car travel. Examples include use of bicycles, carpooling, mini-bus pick-up/drop off, public transport services and provision of car share spaces.</p> <p>Strategies in a travel demand management plan may include:</p> <ol style="list-style-type: none"> <li>a. provide information to staff on public transport options available</li> <li>b. provide staff with a discount or subsidy on public transport costs</li> <li>c. provide a bus to pick up and drop off staff to the nearest railway station or bus interchange</li> <li>d. provide staff with cycling allowances, loans and/or insurance</li> <li>e. provide secure bicycle storage and shower and change room facilities</li> <li>f. introduce a staff car sharing scheme for fleet vehicles</li> <li>g. use private transport services or public transport for work related journeys</li> </ol>	<p><b>Complies</b></p> <p>A Green Travel Plan is submitted with this SSDA and provided at <b>Appendix U</b>.</p>	<p><b>Section 6.9</b></p>
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Statutory Reference	Consideration	Relevance	Section in EIS														
	<p>h. create a carpool scheme to and from work and provide priority parking for staff who carpool with 2 or more passengers Subject to a written agreement and conditions of consent to implement a travel demand management plan, Willoughby City Council may reduce the required number of car parking spaces for a development.</p>																
<b>7 Laneway Widening</b>																	
Laneway widening	<p>Increased urban development often requires the local road network to be upgraded to cope with additional traffic and improve access and traffic circulation. Willoughby City Council has identified a number of laneways that need to be widened to accommodate future commercial and residential developments. Affected properties must dedicate a portion of land when redevelopment occurs.</p> <p>The affected properties are identified in Attachment 5.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Redevelopment of many properties has already resulted in the dedication of land for future lane widening purposes.</li> <li>• Additional road works may be required to mitigate associated traffic impacts arising from a proposed development.</li> <li>• The 'gross floor area' or 'floor space ratio' is calculated on the existing site area (before any dedication of land).</li> </ul>	The site is not affected by laneway widening.	<b>N/A</b>														
<b>Table 1 Car Parking Rates</b>	<p><b>Table 1 Car parking rates</b></p> <table border="1" data-bbox="387 975 1261 1246"> <thead> <tr> <th data-bbox="387 975 524 1054">Land use category</th> <th data-bbox="524 975 649 1054">Development type</th> <th data-bbox="649 975 777 1054">Chatswood CBD and St Leonards precinct (maximum rates)</th> <th data-bbox="777 975 902 1054">Artarmon railway precinct (maximum rates)</th> <th data-bbox="902 975 1028 1054">Chatswood CBD and St Leonards precinct (minimum rates)</th> <th data-bbox="1028 975 1153 1054">Artarmon railway precinct (minimum rates)</th> <th data-bbox="1153 975 1261 1054">All other areas, including major public transport route (target rates)</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 1054 524 1246">Residential</td> <td data-bbox="524 1054 649 1246">e. multi dwelling housing, residential flat buildings and attached dwellings with more than 2 storeys and 4 or more dwellings</td> <td data-bbox="649 1054 777 1246">0.5 space per studio and 1, 2, 3 or more bedroom units; 1 visitor space per 7 dwellings</td> <td data-bbox="777 1054 902 1246">0.5 space per studio and 1 and 2 bedroom units; 1 space per 3+ units; 1 visitor space per 7 dwellings</td> <td data-bbox="902 1054 1028 1246"> <ul style="list-style-type: none"> <li>• 0.1 spaces per studio/ 1- bedroom flat</li> <li>• 0.2 spaces per studio/ 2- bedroom flat</li> <li>• 0.25 spaces per studio/ 3+ bedroom flat</li> </ul> </td> <td data-bbox="1028 1054 1153 1246"> <ul style="list-style-type: none"> <li>• 0.1 spaces per studio/ 1- bedroom flat</li> <li>• 0.2 spaces per studio/ 2- bedroom flat</li> <li>• 0.25 spaces per studio/ 3+ bedroom flat</li> </ul> </td> <td data-bbox="1153 1054 1261 1246">0.5 space per studio and 1 bedroom unit; 1 space per 2 and 3 or more bedroom units; 1 visitor space per 7 dwellings</td> </tr> </tbody> </table>	Land use category	Development type	Chatswood CBD and St Leonards precinct (maximum rates)	Artarmon railway precinct (maximum rates)	Chatswood CBD and St Leonards precinct (minimum rates)	Artarmon railway precinct (minimum rates)	All other areas, including major public transport route (target rates)	Residential	e. multi dwelling housing, residential flat buildings and attached dwellings with more than 2 storeys and 4 or more dwellings	0.5 space per studio and 1, 2, 3 or more bedroom units; 1 visitor space per 7 dwellings	0.5 space per studio and 1 and 2 bedroom units; 1 space per 3+ units; 1 visitor space per 7 dwellings	<ul style="list-style-type: none"> <li>• 0.1 spaces per studio/ 1- bedroom flat</li> <li>• 0.2 spaces per studio/ 2- bedroom flat</li> <li>• 0.25 spaces per studio/ 3+ bedroom flat</li> </ul>	<ul style="list-style-type: none"> <li>• 0.1 spaces per studio/ 1- bedroom flat</li> <li>• 0.2 spaces per studio/ 2- bedroom flat</li> <li>• 0.25 spaces per studio/ 3+ bedroom flat</li> </ul>	0.5 space per studio and 1 bedroom unit; 1 space per 2 and 3 or more bedroom units; 1 visitor space per 7 dwellings	<p><b>Complies</b></p> <p>The proposed development will comply with the minimum parking rates under Chapter 2 Division 1 of the Housing SEPP. The WDCP parking rates have been used to guide the provision of parking for retail and commercial purposes.</p> <p>The proposed non-residential carparking provision is consistent with the WDCP carparking rates.</p>	<b>Section 6.9.1</b>
Land use category	Development type	Chatswood CBD and St Leonards precinct (maximum rates)	Artarmon railway precinct (maximum rates)	Chatswood CBD and St Leonards precinct (minimum rates)	Artarmon railway precinct (minimum rates)	All other areas, including major public transport route (target rates)											
Residential	e. multi dwelling housing, residential flat buildings and attached dwellings with more than 2 storeys and 4 or more dwellings	0.5 space per studio and 1, 2, 3 or more bedroom units; 1 visitor space per 7 dwellings	0.5 space per studio and 1 and 2 bedroom units; 1 space per 3+ units; 1 visitor space per 7 dwellings	<ul style="list-style-type: none"> <li>• 0.1 spaces per studio/ 1- bedroom flat</li> <li>• 0.2 spaces per studio/ 2- bedroom flat</li> <li>• 0.25 spaces per studio/ 3+ bedroom flat</li> </ul>	<ul style="list-style-type: none"> <li>• 0.1 spaces per studio/ 1- bedroom flat</li> <li>• 0.2 spaces per studio/ 2- bedroom flat</li> <li>• 0.25 spaces per studio/ 3+ bedroom flat</li> </ul>	0.5 space per studio and 1 bedroom unit; 1 space per 2 and 3 or more bedroom units; 1 visitor space per 7 dwellings											



Statutory Reference	Consideration						Relevance	Section in EIS
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<b>Residential</b>	f. dwellings in shop top housing and mixed-use developments (further car parking for the commercial component is to be provided in line with the requirements for commercial and retail premises)	0.5 space per studio and 1, 2, 3 or more bedroom units; 1 visitor space per 7 dwellings	0.5 space per studio and 1 and 2 bedroom units; 1 space per 3+ units; 1 visitor space per 7 dwellings	<ul style="list-style-type: none"> <li>0.1 spaces per studio/ 1- bedroom flat</li> <li>0.2 spaces per studio/ 2- bedroom flat</li> <li>0.25 spaces per studio/ 3+ bedroom flat</li> </ul>	<ul style="list-style-type: none"> <li>0.1 spaces per studio/ 1- bedroom flat</li> <li>0.2 spaces per studio/ 2- bedroom flat</li> <li>0.25 spaces per studio/ 3+ bedroom flat</li> </ul>	0.5 space per studio and 1 bedroom unit; 1 space per 2 and 3 or more bedroom units; 1 visitor space per 7 dwellings	
<b>Office/business/retail</b>	i. office and business premises	1 space/400m <sup>2</sup>	1 space/75m <sup>2</sup>	1 space per 670 m <sup>2</sup>	1 space per 100 m <sup>2</sup>	1 space/60m <sup>2</sup>	
<b>Office/business/retail</b>	j. retail premises (excluding supermarkets)	1 space/70m <sup>2</sup>	1 space/50m <sup>2</sup>	1 space per 200 m <sup>2</sup>	1 space per 145 m <sup>2</sup>	1 space/33m <sup>2</sup>	
<b>Food and beverage</b>	u. food and drinks premises (includes restaurant, café and take away food and drinks premises)	1 space/50m <sup>2</sup>	1 space/50m <sup>2</sup>	1 space per 145 m <sup>2</sup>	1 space per 145 m <sup>2</sup>	1 space/33m <sup>2</sup>	
<b>Food and beverage</b>	v. pubs	1 space/50m <sup>2</sup>	1 space/50m <sup>2</sup>	1 space per 145 m <sup>2</sup>	1 space per 145 m <sup>2</sup>	1 space/33m <sup>2</sup>	

**Notes:**

- If a specific land use is not included in this table, the car parking requirements will be assessed on the merits of the application. A parking and traffic impact assessment report may be needed with the application to determine the number of car spaces required.

**Table 2 Motorcycle parking rates**

Zone type and usage	Chatswood CBD, St Leonards precinct and Artarmon railway precinct	All other areas, including major public transport routes
<b>Business zones</b>	1 space per 20 car parking spaces; 1 visitor space per 10 motorcycle spaces	1 space per 30 car parking spaces; 1 visitor space per 15 motorcycle spaces
<b>Industrial zones</b>	1 space per 20 car parking spaces; 1 visitor space per 10 motorcycle spaces	1 space per 30 car parking spaces; 1 visitor space per 15 motorcycle spaces
<b>Residential zones and the residential components of shop top and mixed-use developments</b>	1 space per 20 car parking spaces; 1 visitor space per 10 motorcycle spaces	1 space per 20 car parking spaces; 1 visitor space per 10 motorcycle spaces

**Notes:**

- Motorcycle parking rates for land uses not included in this table will be assessed on the merits of the application
- As a minimum, one space for residents and one visitor space is required for residential development comprising 10 or more dwellings



Statutory Reference	Consideration	Relevance	Section in EIS																		
	<ul style="list-style-type: none"> <li>As a minimum, one space for employees and one visitor space is required for commercial, retail, industrial and other non-residential buildings exceeding 500m<sup>2</sup></li> <li>Visitor spaces are included in the total number of spaces required</li> </ul> <p>Table 3 Requirements for bicycle parking and end-of-trip facilities</p> <table border="1"> <thead> <tr> <th>Zone type and usage</th> <th>Chatswood CBD, St Leonards precinct and the Artarmon railway precinct</th> <th>All other areas, including major public transport routes</th> </tr> </thead> <tbody> <tr> <td><b>Business</b></td> <td>1 Class A or B bicycle space per 10 car parking spaces Minimum 1 Class C bicycle space or 1 space per 10 Class A or B bicycle spaces, whichever is the greater</td> <td>1 Class A or B bicycle space per 20 car parking spaces Minimum 1 Class C bicycle space or 1 space per 20 Class A or B bicycle spaces, whichever is the greater</td> </tr> <tr> <td><b>Industrial</b></td> <td>Minimum 1 Class A or B bicycle space or 1 space per 10 car parking spaces, whichever is the greater Minimum 1 Class C bicycle space or 1 space per 10 Class A or B bicycle spaces, whichever is the greater</td> <td>Minimum 1 Class A or B bicycle space or 1 space per 20 car parking spaces, whichever is the greater Minimum 1 Class C bicycle space or 1 space per 20 Class A or B bicycle spaces, whichever is the greater</td> </tr> <tr> <td><b>Residential and residential components of shop top and mixed-use developments</b></td> <td>1 Class A or B parking spaces per 10 units 1 Class C (rails/racks) per 10 apartments for visitors</td> <td>1 Class A or B parking spaces per 20 units 1 Class C (rails/racks) per 20 apartments for visitors</td> </tr> </tbody> </table> <p>Table 4: End-of-trip facilities for non-residential developments</p> <table border="1"> <thead> <tr> <th>Showers</th> <th>Change rooms</th> <th>Lockers</th> </tr> </thead> <tbody> <tr> <td>One shower per 5 bicycle parking spaces (Class A or B)</td> <td>One change room per shower</td> <td>Two personal lockers per bicycle space</td> </tr> </tbody> </table> <p>Notes for tables 3 and 4:</p> <ul style="list-style-type: none"> <li>All bicycle parking and end-of-trip facilities for land uses not included in these tables will be assessed on the merits of the application.</li> <li>If no car parking or reduced car parking is provided in the Chatswood CBD, St Leonards precinct or the Artarmon railway precinct, bicycle parking and end-of-trip facilities must be provided and calculated on the maximum number of car parking spaces that would otherwise be required.</li> <li>Where more than one shower or change room is required for end-of-trip facilities, separate male and female facilities must be provided.</li> </ul>	Zone type and usage	Chatswood CBD, St Leonards precinct and the Artarmon railway precinct	All other areas, including major public transport routes	<b>Business</b>	1 Class A or B bicycle space per 10 car parking spaces Minimum 1 Class C bicycle space or 1 space per 10 Class A or B bicycle spaces, whichever is the greater	1 Class A or B bicycle space per 20 car parking spaces Minimum 1 Class C bicycle space or 1 space per 20 Class A or B bicycle spaces, whichever is the greater	<b>Industrial</b>	Minimum 1 Class A or B bicycle space or 1 space per 10 car parking spaces, whichever is the greater Minimum 1 Class C bicycle space or 1 space per 10 Class A or B bicycle spaces, whichever is the greater	Minimum 1 Class A or B bicycle space or 1 space per 20 car parking spaces, whichever is the greater Minimum 1 Class C bicycle space or 1 space per 20 Class A or B bicycle spaces, whichever is the greater	<b>Residential and residential components of shop top and mixed-use developments</b>	1 Class A or B parking spaces per 10 units 1 Class C (rails/racks) per 10 apartments for visitors	1 Class A or B parking spaces per 20 units 1 Class C (rails/racks) per 20 apartments for visitors	Showers	Change rooms	Lockers	One shower per 5 bicycle parking spaces (Class A or B)	One change room per shower	Two personal lockers per bicycle space		
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Statutory Reference	Consideration	Relevance	Section in EIS																		
	<p>Table 5 Accessible car parking requirements</p> <table border="1" data-bbox="394 252 1256 632"> <thead> <tr> <th>Class of building</th> <th>Number of accessible spaces</th> </tr> </thead> <tbody> <tr> <td>Class 1a</td> <td>Nil</td> </tr> <tr> <td>Class 1b</td> <td>1 space for each accessible or adaptable unit</td> </tr> <tr> <td>Class 2</td> <td>Whichever is the greater:           <ul style="list-style-type: none"> <li>a. Minimum 1 resident and 1 visitor space for developments comprising 10 or more units</li> <li>b. 1 space/4 accessible or adaptable units + 1 visitor space for developments comprising 50 or more car parking spaces</li> </ul> </td> </tr> <tr> <td>Class 3</td> <td>Whichever is the greater:           <ul style="list-style-type: none"> <li>a. Minimum 1 resident and 1 visitor space for developments exceeding 300m<sup>2</sup> and 12 persons</li> <li>b. 1 space for each accessible or adaptable unit (10% of spaces must be provided as a visitor space)</li> <li>c. 3% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul> </td> </tr> <tr> <td>Class 4</td> <td>1 accessible space</td> </tr> <tr> <td>Class 5, 6, and 8</td> <td>In parking areas with 5 or more spaces, whichever is the greater:           <ul style="list-style-type: none"> <li>a. 1 employee and 1 visitor space</li> <li>b. 3% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul> </td> </tr> <tr> <td>Class 7 and 9b</td> <td>In parking areas with 5 or more spaces, whichever is the greater:           <ul style="list-style-type: none"> <li>a. 1 space</li> <li>b. 3% of the total car parking spaces</li> </ul> </td> </tr> <tr> <td>Class 9a</td> <td>Whichever is the greater:           <ul style="list-style-type: none"> <li>a. 1 employee and 1 visitor space</li> <li>b. 4% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul> </td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Accessible parking is included in the total number of car parking spaces required. However, if no parking is required, the minimum number of employee/resident and visitor spaces must be provided.</li> <li>• Additional accessible car parking spaces may be required in line with Section D3.5 of the Building Code of Australia under the National Construction Code.</li> <li>• If the requirements under Section D3.5 change, the accessible car parking controls under this part of Willoughby DCP change accordingly.</li> <li>• Applicants may apply a 'performance solution' under the Building Code of Australia to satisfy the provision of accessible car parking in lieu of the 'deemed-to-satisfy solution' requirements.</li> </ul>	Class of building	Number of accessible spaces	Class 1a	Nil	Class 1b	1 space for each accessible or adaptable unit	Class 2	Whichever is the greater: <ul style="list-style-type: none"> <li>a. Minimum 1 resident and 1 visitor space for developments comprising 10 or more units</li> <li>b. 1 space/4 accessible or adaptable units + 1 visitor space for developments comprising 50 or more car parking spaces</li> </ul>	Class 3	Whichever is the greater: <ul style="list-style-type: none"> <li>a. Minimum 1 resident and 1 visitor space for developments exceeding 300m<sup>2</sup> and 12 persons</li> <li>b. 1 space for each accessible or adaptable unit (10% of spaces must be provided as a visitor space)</li> <li>c. 3% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul>	Class 4	1 accessible space	Class 5, 6, and 8	In parking areas with 5 or more spaces, whichever is the greater: <ul style="list-style-type: none"> <li>a. 1 employee and 1 visitor space</li> <li>b. 3% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul>	Class 7 and 9b	In parking areas with 5 or more spaces, whichever is the greater: <ul style="list-style-type: none"> <li>a. 1 space</li> <li>b. 3% of the total car parking spaces</li> </ul>	Class 9a	Whichever is the greater: <ul style="list-style-type: none"> <li>a. 1 employee and 1 visitor space</li> <li>b. 4% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul>		
Class of building	Number of accessible spaces																				
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Class 9a	Whichever is the greater: <ul style="list-style-type: none"> <li>a. 1 employee and 1 visitor space</li> <li>b. 4% of the total car parking spaces (10% of spaces must be provided as a visitor space)</li> </ul>																				

**Part J Building Sustainability**

3 Major Developments

3.2 General requirements	<p>As a minimum, all major developments must consider the best practice design principles and initiatives outlined in Attachment 2.</p> <p>Depending on the scale of development, the following requirements apply:</p> <ul style="list-style-type: none"> <li>a. for developments with an estimated cost between \$750,000 and \$5 million, a sustainability performance statement must be included with the development application</li> </ul>	<p><b>Complies</b></p> <p>An ESD Report has been prepared by Walkerbai (<b>Appendix W</b>) which details the ESD measures implemented in the design of the development to meet and exceed sustainability guidelines and rating schemes.</p>	<p><b>Section 6.15</b></p>
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Statutory Reference	Consideration	Relevance	Section in EIS
	<p>b. for developments with an estimated cost between \$5 million and \$30 million, projects should seek to achieve a minimum 4-star rating using the most recent and relevant Green Star rating tool (or equivalent)</p> <p>c. for developments with an estimated cost over \$30 million, projects should seek to achieve a minimum 4-star rating and aspire to achieve a 5-star rating using the most recent and relevant Green Star rating tool (or equivalent)</p> <p>Note: See section 3.3.5 for more information on Green Star requirements.</p>		
<p>3.3 Sustainability performance statement</p>	<p>A sustainability performance statement must be prepared by a suitably qualified person and include details of the proposed method intended to be used to achieve an energy efficient and sustainable development. The statement must justify not including any of the design principles and initiatives in Attachment 2.</p> <p>Willoughby City Council requires a compliance statement before a construction certificate is issued. The compliance statement must be prepared by a suitably qualified person. It must verify the construction certificate plans include the provisions agreed to in the sustainability performance statement.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• Instead of a sustainability performance statement, applicants may choose to provide a Green Star rating report or similar rating tool.</li> </ul>	<p><b>Complies</b></p> <p>The proposed built form embeds the ESD measures across the site. The proposal has been designed to be capable of providing a high-quality 4-star development.</p>	<p><b>Section 6.15</b></p>
<p>3.4 National Construction Code</p>	<p>Section J of the National Construction Code requires the design of certain non-residential buildings to satisfy minimum standards to improve energy efficiency. These provisions relate to Class 3 and Class 5 to 9 buildings.</p> <p>Compliance must be shown at the construction certificate stage. However, the design of an environmentally sustainable building needs to be resolved at the development application stage.</p> <p>A compliance statement, prepared by a suitably qualified person, must be included with the development application for all Class 3 and Class 5 to 9 buildings. This is to confirm that the energy targets can be achieved in line with the 'deemed to satisfy' or 'performance solution' provisions under Section J of the code.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• The Green Star rating tool or NABERS Commitment Agreement can be used to satisfy the 'performance solution' provisions under Section J of the code.</li> <li>• Where BASIX is not applied to alterations and additions to Class 1 and 2 and Class 4 parts of buildings, the Section J provisions apply to ensure energy efficiency measures are incorporated.</li> </ul>	<p><b>Complies</b></p> <p>A Section J report has been provided within <b>Appendix W</b>.</p>	<p><b>Section 6.15</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
3.5 Green Star	<p>Green Star is a rating system for buildings and fitouts. The design and construction are assessed against nine categories, including energy, water, waste, and indoor environmental quality. A 4-star rating represents 'best practice', a 5-star rating is 'Australian excellence' and a 6-star rating is 'world leadership'.</p> <p>For developments between \$5 million and \$30 million, Willoughby City Council encourages the use of Green Star or similar rating tool. If one of these tools is used for these types of development, a copy of the report must be included with the development application. We expect developments to achieve a minimum 4-star Green Star rating or a 'best practice' standard using a similar rating tool.</p> <p>For developments that exceed an estimated cost of \$30 million, applicants must show the design of the proposed development can achieve a minimum 4-star Green Star rating or a 'best practice' standard using a similar rating tool. We expect developments to achieve a minimum 5-star ('Australian excellence') rating under a Green Star or similar rating tool.</p> <p>provide Note:</p> <ul style="list-style-type: none"> <li>Willoughby City Council requires a compliance statement to verify the Green Star rating can be achieved before a construction certificate is issued. The compliance statement must be prepared by a suitably qualified person.</li> </ul>	<p><b>Complies</b></p> <p>A green star analysis has been provided as part of the ESD Report at <b>Appendix W</b>. This confirms the proposed development is capable of meeting the requirements for a 4-star rating.</p>	<p><b>Section 6.15</b></p>
3.6 National Australian Built Environment Rating Scheme (NABERS)	<p>The commercial building disclosure program is a regulatory program that requires energy efficiency information to be provided in most cases when commercial office space of 1,000m<sup>2</sup> or more is offered for sale or lease. The program requires an up-to-date building energy efficiency certificate. This must be done by an accredited assessor in line with the National Australian Built Environment Rating System (NABERS).</p> <p>The NABERS Energy for offices rating is a national rating system that measures building performance on a scale of zero to six stars. A zero-star rating means the building is performing well below average and has plenty of scope for improvement. A five-star rating is 'excellent'. A six-star rating is for market leading performance, with half the greenhouse gas emissions or water use of a five-star building.</p> <p>For more information on the Australian Government program see <a href="http://cbd.gov.au">cbd.gov.au</a></p> <p>NABERS can also be used to rate developments such as apartments, hotels, data centres and office buildings, and to rate water, waste and indoor environment quality.</p> <p>After construction and occupation, these types of development must show compliance with this plan by signing a NABERS Energy Commitment Agreement. This is an agreement to achieve a minimum five-star rating for the base building, whole building or tenancies as appropriate:</p> <ol style="list-style-type: none"> <li>new residential developments comprising 10 or more apartments</li> </ol>	<p><b>Complies</b></p> <p>After construction and occupation, a NABERS Energy Commitment Agreement will be provided for the commercial component of the building.</p>	<p><b>Section 6.15</b></p>

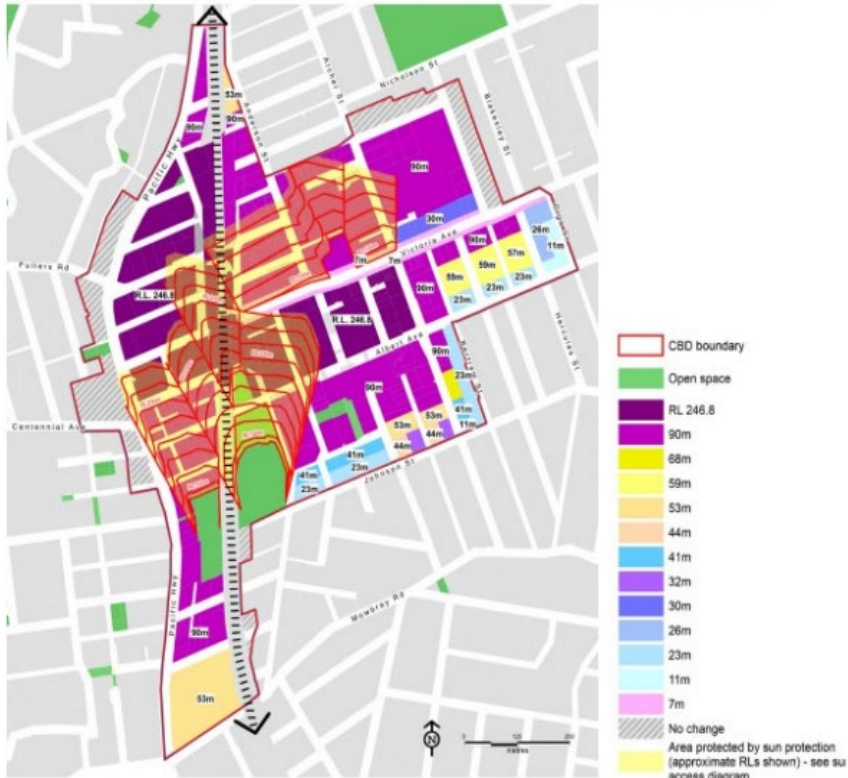



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>b. new commercial office buildings with a net lettable floor area of 1,000m<sup>2</sup> or more</p> <p>c. alterations and additions or refurbishment of existing commercial office buildings with a net lettable area of 1,000m<sup>2</sup> and estimated cost of work over \$750,000</p> <p>The NABERS Commitment Agreement must be submitted to the Department of Planning, Industry and Environment and a copy provided to Willoughby City Council before a construction certificate is issued.</p> <p>The performance rating must be done once the building is fully operational and there is 12 months of energy data collection. A copy of the assessment report should be provided to Willoughby City Council for our records.</p> <p>A NABERS Energy Commitment Agreement is not required if:</p> <p>d. the upgrade works would negatively impact on the heritage significance of a heritage listed item under Schedule 5 of Willoughby LEP</p> <p>e. the costs associated with the energy efficiency upgrade works are unreasonable when compared to the overall estimated cost of works for the alterations, additions and refurbishment</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>Any application that may impact on a heritage item must be supported by a heritage impact statement prepared by a suitably qualified heritage consultant.</li> <li>If it is asserted that the costs are unreasonable, the development application must be supported by a detailed cost report prepared by a registered quantity surveyor, itemising and verifying the cost of the required energy efficiency upgrade works.</li> </ul> <p>For more information on NABERS see <a href="http://nabers.gov.au">nabers.gov.au</a>.</p>		

**Part L Place Based Plans**

**4.3 Controls for Chatswood CBD**

4.3.1 Built form	<p><b>a. Height of Buildings</b></p> <p>The Height of Buildings Map in Willoughby LEP shows the maximum building heights. The diagram below shows the height of buildings and maximum reduced levels to ensure certain public spaces in Chatswood CBD are not impacted by excessive overshadowing.</p>	<p><b>Complies</b></p> <p>The proposed development is seeking the 28% uplift in height under Clause 18 of the Housing SEPP. Despite the uplift in height, shadow impacts to the South Chatswood Conservation Area are not excessive.</p>	<p><b>Section 6.5.1</b></p>
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Statutory Reference	Consideration	Relevance	Section in EIS
	<p><b>Map 2 Height map from Chatswood CBD Planning and Urban Design Strategy 2036</b></p> 		
	<p><b>b. Sun access protection to key public spaces and the South Chatswood Conservation Area</b></p> <p>Willoughby LEP includes provisions to protect certain public spaces in Chatswood CBD and South Chatswood Heritage Conservation Area from excessive overshadowing. The diagram below shows the areas that need to be protected from excessive overshadowing.</p>	<p><b>Complies</b></p> <p>The proposal will not overshadow key public spaces and will not excessively overshadow the South Chatswood Conservation Area.</p>	<p><b>Section 6.5.1</b></p>

Statutory Reference	Consideration	Relevance	Section in EIS
	<p><b>Map 3 Sun access protection map from Chatswood CBD Planning and Urban Design Strategy 2036</b></p>  <p> <span style="color: red;">▭</span> CBD boundary  <span style="color: green;">▭</span> Open space  <span style="color: yellow;">▭</span> LEP control - no additional overshadowing 12.00am-2pm mid-winter  <span style="color: orange;">▭</span> LEP control - no additional overshadowing 11am-2pm mid-winter  <span style="color: grey;">▭</span> Conservation areas - WLEP2012 (North Chatswood, South Chatswood)         </p>		
	<p><b>c. Minimum site area</b></p> <p>The controls for minimum site areas for the E2 Commercial Core and MU1 Mixed Use zones are in Willoughby LEP.</p> <p>This plan encourages site amalgamation to meet the minimum site requirements and ensure sites are not left isolated.</p> <p>The objective of the minimum site area is to enable a development to achieve best outcomes by:</p> <ul style="list-style-type: none"> <li>providing the required setbacks to achieve slender towers and building separation.</li> </ul>	<p><b>Complies</b></p> <p>The site area of the proposed development is 2,290m<sup>2</sup>, which exceeds the minimum site area of 1,200m<sup>2</sup>.</p>	<p>-</p>



Statutory Reference	Consideration	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>whether onsite or on neighbouring sites</li> <li>providing ground level public realm or areas accessible by the public on private land</li> <li>limiting and rationalising the number of vehicle entry/exit points</li> <li>providing parking and loading facilities in the basement with adequate area for</li> <li>onsite maneuverability to enter and leave the site in a forward direction.</li> <li>maximising commercial floor space and street activation at ground level</li> <li>maximising landscaping and deep soil planting</li> </ul>		
	<p><b>d. Slender towers</b></p> <p>To achieve slender towers and adequate building separation, the maximum gross floor area at each level of a development should be no more than:</p> <ul style="list-style-type: none"> <li>2000m<sup>2</sup> for office developments</li> <li>700m<sup>2</sup> for residential towers above the podium level in the mixed-use zone</li> </ul> <p>Note:</p> <ul style="list-style-type: none"> <li>The maximum gross floor areas is to be read in conjunction with other controls for Chatswood CBD (such as maximum floor space, height and minimum setbacks), as well as the site size and shape.</li> <li>These maximum floor plates, together with maximum floor space and height, and minimum setbacks, require an unusually large site to be achieved. Lesser floor plates than the maximum would be expected on standard size lots.</li> <li>If there is more than one tower on the same site, towers are not to be linked above the podium. Towers are to operate independently regarding lifts and services.</li> <li>The width is to be minimised on all sides to achieve a slender tower.</li> <li>Design elements are to be included that minimise the width, in particular on any wider tower side.</li> </ul>	<p><b>Complies, on merit</b></p> <p>The majority of the tower from has a floor plate of 686m<sup>2</sup>.</p> <p>The floor plate reduces further and splays from L32 to minimise potential overshadowing impacts to Area 1.</p> <p>Due to the splayed singular building form transitioning from podium to tower between Levels 03-05, these levels have a slightly larger floor plate of 780m<sup>2</sup>. This occurs only for 3 levels as a means of transitioning the scale of the building between the podium and the tower. This architectural strategy was strongly supported by the competition jury and has been retained in the SSDA scheme.</p>	-
	<p><b>f. Vehicular access</b></p> <p>Only one entry area into and exiting a site is permitted. This is to minimise streetscape impacts and ensure vehicle entry points are rationalised and maximise ground level commercial floor space.</p>	<p><b>Complies</b></p> <p>Site entry and egress is provided from one access point off Help Street.</p>	<b>Section 6.9</b>
	<p><b>g. Loading/unloading facilities</b></p> <p>All development is expected to provide loading/unloading facilities on site.</p>	<p><b>Complies</b></p> <p>Loading and unloading facilities are provided.</p> <p>A loading area is provided on the Lower Ground Level which accommodates one 10.5-</p>	<b>Section 6.9</b>



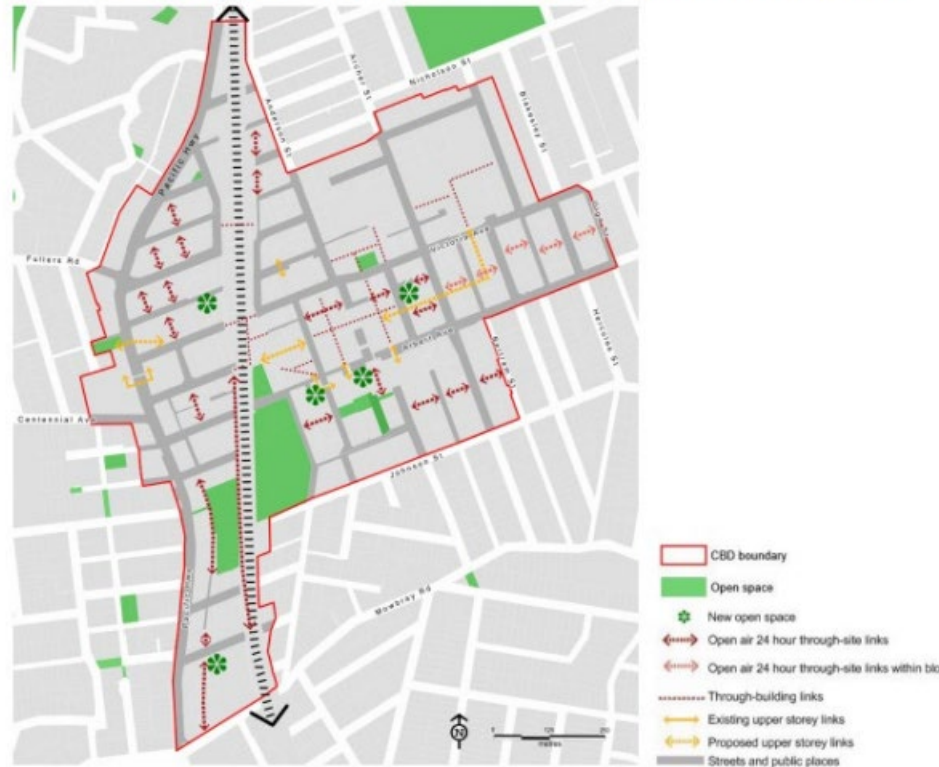
Statutory Reference	Consideration	Relevance	Section in EIS
	<p>All loading docks, including provision for garbage trucks and residential removal trucks are to be within basement areas with adequate onsite manoeuvrability. This is to ensure vehicles can enter and leave the site in a forward direction.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>Willoughby City Council does not generally support mechanical systems, such as turntables to facilitate vehicles entering and leaving the site in a forward direction. Non-mechanical solutions are sought.</li> </ul>	<p>metre-long medium rigid vehicle (MRV) loading bay (which is capable of also accommodating Council's waste truck) and one 6.4-metre-long small rigid vehicle (SRV) loading bay. (Refer TIA at <b>Appendix T</b>)</p>	<p><b>Section 6.9</b></p>
	<p><b>h. Site isolation</b></p> <ul style="list-style-type: none"> <li>If site isolation is unavoidable or inadequate areas are available in the basement level, buildings are to provide for joined basements areas with 'break through' walls to provide vehicle access to adjoining sites.</li> <li>Also where site isolation is unavoidable, zero setback podiums are to provide 'break through' walls to encourage future efficient sharing of infrastructure.</li> </ul>	<p><b>Complies</b></p> <p>The proposal will not result in the isolation of any site.</p>	<p>N/A</p>
	<p><b>i. Substations</b></p> <p>Substations are to be within buildings, not within a street, open space or setback. They must not face key active street frontages.</p>	<p><b>Complies</b></p> <p>A new substation is proposed on the Lower Ground Level of the development to support the electricity supply requirements. The substation will not impact a key active frontage.</p>	<p><b>Section 3.3.3.1</b></p>
<p>4.3.2 Greening Chatswood CBD</p>	<p>A range of approaches apply on a site-specific basis to provide permeability, publicly accessible open space and a 'green' ground plane. These are designed to develop a comprehensive network for the centre of landscape and open space to create a green, well-connected CBD.</p> <p>However, these controls apply to all high-rise buildings:</p> <ol style="list-style-type: none"> <li>all roofs up to 30m from the ground are to be green roofs (in particular podium roofs); these are to provide a green contribution visible to the street and a balance of passive and active green spaces that maximise solar access.</li> <li>a minimum of 20% of the site is to be soft landscaping, which may be on the ground, podium, and roof top levels of buildings; soft landscaping must be a minimum depth of 600mm.</li> <li>'green' walls are encouraged.</li> </ol>	<p><b>Complies</b></p> <p>The landscape design is provided throughout the development within key places. 24% of the site features soft landscaping.</p>	<p><b>Section 6.8</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
4.3.3 Links and public realm	<p>a. All proposals must consider the potential for through links to public places. Pedestrian and cycling links are sought to improve existing access within and through the CBD (see Map 4). New linkages are sought where these are considered to be of public benefit. All such links must be:</p> <ul style="list-style-type: none"><li>• a minimum of 3m wide</li><li>• provided with public rights of access and designed with adequate width, sympathetic.</li><li>• landscaping and passive surveillance</li></ul> <p>b. Public realm or areas accessible by the public on private land is required to be included in all B3 and B4 redeveloped sites. These must be:</p> <ul style="list-style-type: none"><li>• designed to respond to context and nearby public domain.</li><li>• visible from the street and easily accessible</li><li>• accompanied by public rights of way or similar to achieve a permanent public benefit.</li></ul>	<p><b>Complies</b></p> <p>The proposed development has been designed to connect to the open air 24 hour through site link that is a continuation of Cambridge Lane to the north of our site.</p> <p>At the core of the site's public domain strategy is a 9m wide landscaped promenade along Cambridge Lane. This in combination with the generous garden addressing the corner of Help St contributes to the overall 'green' ground plane of greater Chatswood.</p>	<p><b>Section 3.6.2</b></p>

Statutory Reference	Consideration	Relevance	Section in EIS
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**Map 4 Open space map from Chatswood CBD Planning and Urban Design Strategy 2036**



4.3.4 Setbacks and street frontage heights

a) The minimum setbacks and maximum street frontage heights below apply to certain areas within Chatswood CBD. These areas are shown in Map 5.

**Part L – Place Based Plans**

**Mixed use frontage with commercial ground floor:**

- 6m–14m maximum street wall height at front boundary
- minimum 3m setback above street wall to tower

**Part B – Residential Development**

Setbacks are provided in SSDCP below.



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>4.4.4 Setbacks Section 2G (Street setbacks) and 2H (Side and rear setbacks) of the Apartment Design Guide detail matters to consider for the setback for buildings. To achieve the aims in the guide, these controls apply to residential flat buildings:</p> <p>B. Side and rear setbacks: 3m plus 1.2m per storey above ground level</p> <p><b>Part D – Commercial Development</b></p> <p><b>NOTE: commercial controls only apply to the commercial component of Shop-top housing.</b></p> <p>6.1.1 – Front Setbacks (note that these have been identified at Part L 4.3.4.6 and 4.3.4.9 and Part L prevails)</p> <p>6.1.2 – Side Setbacks</p> <ul style="list-style-type: none"><li><i>a. the ground floor level may have a zero setback</i></li><li><i>b. the first and second floor level are required to have zero setback for a maximum of 50% of the length of the side boundary located within the front half of the site</i></li><li><i>c. the side boundary setbacks for the first and second floors for the remainder of the building are to comply with the building envelop determined by a line projected horizontally at 30° from the side boundary from halfway along the boundary towards the rear of the site</i></li><li><i>d. the third floor and above is required to have a setback of 3m plus 1.2m for each level above the third level</i></li><li><i>e. the total required setback applies to all floors above the third floor</i></li></ul>		

Statutory Reference	Consideration	Relevance	Section in EIS
	<p><b>Map 5 Setbacks and street frontage heights map from Chatswood CBD Planning and Urban Design Strategy 2036</b></p>		

**13 Controls for specific sites**

**13.1.7 3-5 Help Street, Chatswood**

Statutory Reference	Consideration	Relevance	Section in EIS
2. Built Form	<ol style="list-style-type: none"> <li>The maximum tower floor plate that applies to this site for residential towers above a podium is 700m<sup>2</sup>.</li> <li>The width of each side of any tower should be minimised and design elements that contribute to building bulk should be minimised.</li> <li>The building layout is to be in accordance with Figure 29 subject to other requirements in this plan.</li> </ol> <p><b>Figure 29: Site Layout</b></p>	<p><b>Partially non-compliant</b></p> <p>The majority of the tower from has a floor plate of 686m<sup>2</sup>.</p> <p>The floor plate reduces further and splays from L32 to minimise potential overshadowing impacts to Area 1.</p> <p>Due to the splayed singular building form transitioning from podium to tower between Levels 03-05, these levels have a slightly larger floor plate of 780m<sup>2</sup>. This occurs only for 3 levels as a means of transitioning the scale of the building between the podium and the tower. This architectural strategy was strongly supported by the competition jury and has been retained in the SSDA scheme.</p> <p>The building layout is generally consistent with the site layout below. The podium setback to Help Street slightly breaches the DCP at the south-eastern corner but aligns with 28-30 Anderson Street, improving integration with Cambridge Plaza. This minor non-compliance does not impact privacy or building separation. The design maintains a high-quality public domain with landscaping, street furniture, and pedestrian connectivity. The setback breach does not compromise urban design goals and aligns with Chatswood CBD's vision.</p> <p>It is noted that this is a consistent approach with the approved DA scheme.</p>	<p><b>Section 6.2</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
3. Height of Building	<p>1. The maximum building height is to include all structures located at roof level, including lift over runs and any other architectural features.</p> <p>2. All roof top lift over runs or exposed structures are to be integrated with the building.</p> <p>3. Flat roof areas shall incorporate useable outdoor recreation space where suitable, within the maximum building height.</p>	<p><b>Complies</b></p> <p>The maximum building height includes all services and lift overrun, which have been integrated into the top of the tower form. Private amenity is provided on top of the tower form.</p>	<p><b>Section 6.2</b></p>
4. Setbacks and frontage height	<p>1. The building setbacks are to be in accordance with Map 5 (Setbacks and street frontage heights) – except where additional setback is provided. Setbacks are as follows:</p> <p>a) Help Street, Macintosh Street, and Cambridge Lane frontages</p> <ul style="list-style-type: none"> <li>i) Minimum 3m setback at ground level from the street boundary to the podium street wall</li> <li>ii) 6-14m podium street wall height at the required setback</li> <li>iii) Minimum 7.5m setback from the street boundary to the tower</li> </ul> <p>b) Cambridge Lane</p> <ul style="list-style-type: none"> <li>i) Minimum 6m setback at ground level along the Cambridge boundary of the site, opposite the publicly accessibly open space at 1 Cambridge Street, for the purposes of publicly accessible open space. In this regard 3m is to comprise footpath and the remaining 3m is to comprise deep soil and landscaping planting.</li> </ul> <p>c) In regards the tower,</p> <ul style="list-style-type: none"> <li>i) Minimum 7.5m setback from the street boundary to the tower</li> <li>ii) Minimum 4.5m from any side (neighbouring) boundaries to the tower</li> </ul> <p>2. In addition to Control 1: a) b) Setbacks may be greater and street wall heights may be lower. Additional ground level setbacks are sought that contribute to public realm.</p>	<p><b>Partially non-compliant</b></p> <p>The proposed setback and street wall heights are proposed:</p> <p>McIntosh Street:</p> <ul style="list-style-type: none"> <li>• Ground Level: 3m</li> <li>• Above Street Wall: 7.5m</li> <li>• Street Wall Height: 9.5m</li> </ul> <p>Help Street:</p> <ul style="list-style-type: none"> <li>• <b>Ground Level: Nil – 7.5m (partially non-compliant)</b></li> <li>• Above Street Wall: 7.5m</li> <li>• Street Wall Height: 11.61m</li> </ul> <p>Cambridge Lane:</p> <ul style="list-style-type: none"> <li>• Ground Level: 6m (across entire frontage)</li> <li>• Above Street Wall: 7.5m</li> <li>• Street Wall Height 11.6m</li> </ul> <p>28 Anderson Street (rear neighbouring boundary):</p> <ul style="list-style-type: none"> <li>• Ground Level: N/A</li> <li>• Above Street Wall: 8.25m</li> <li>• Street Wall Height N/A</li> </ul> <p><b>Help Street ground level setback</b></p>	<p><b>Section 6.2.3.1</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
		<p>The podium setback to Help Street slightly breaches the DCP at the south-eastern corner but aligns with 28-30 Anderson Street, improving integration with Cambridge Plaza. This minor non-compliance does not affect privacy or building separation. The design supports pedestrian movement, maintains a high-quality public domain, and includes landscaping, street furniture, and a tunnel link to Railway Street. The setback breach does not compromise urban design goals and aligns with Chatswood CBD's vision.</p> <p>This is discussed in further detail in the EIS.</p>	
5. Building Exterior	<ol style="list-style-type: none"> <li>1. Facades are to be articulated and should incorporate recesses and projecting elements that do not encroach into required setbacks.</li> <li>2. Extensive blank walls shall be avoided at street level.</li> </ol>	<p><b>Complies</b></p> <p>The facades are articulated and minimise projecting elements. Blank walls have been minimised on all sides of the tower form.</p>	<b>Section 6.2.4</b>
6. Amenity	<ol style="list-style-type: none"> <li>1. A Wind Assessment shall be submitted at Development Application Stage.</li> <li>2. A detailed Acoustic Assessment shall be submitted at Development Application Stage.</li> <li>3. Residential units shall be designed to maximize solar access, cross ventilation, visual and acoustic privacy.</li> </ol>	<p><b>Complies</b></p> <p>A Wind Assessment has been prepared at <b>Appendix M</b>.</p> <p><b>Complies</b></p> <p>A detailed Noise and Vibration Impact Assessment has been prepared at <b>Appendix Z</b>.</p> <p><b>Complies</b></p> <p>Residential units have been designed to maximize solar access, cross ventilation, visual and acoustic privacy.</p>	<p><b>Section 6.5.2</b></p> <p><b>Section 6.10</b></p> <p><b>Section 6.4</b></p>
7. Open Space and Landscaping	<ol style="list-style-type: none"> <li>1. Open space at ground level shall be available as publicly accessible open space.</li> </ol>	<p><b>Complies</b></p> <p>The ground floor open space can be utilised as publicly accessible open space.</p>	<b>Section 6.4</b>



Statutory Reference	Consideration	Relevance	Section in EIS
	2. Tree planting must be provided along the Cambridge Lane frontage within the 6m setback area (3m being soft landscaping).	<b>Complies</b> Tree planting is proposed along Cambridge Lane.	<b>Section 6.8</b>
	3. All roofs up to 30 metres from ground are to be green roofs. These are to provide a balance of passive and active green spaces that maximize solar access.	<b>Not Applicable</b> The roof is above 30m from the ground level.	-
	4. A minimum of 2 hours of sun access is to be provided to the public open space on the site.	<b>Complies</b> A minimum of 2 hours of sun access is provided to the public open space.	<b>Section 6.4</b>
	5. Public domain improvements shall be provided to all street frontages to Council requirements	<b>Complies</b> Public domain improvements can be provide where required.	-
	6. A minimum of 20% of the site is to be provided as soft landscaping, which may be located on Ground, Podium and roof top levels or green walls of buildings	<b>Complies</b> 24% of the site contains soft landscaping.	<b>Section 6.8</b>
	7. Deep soil planting is to be provided within the setback to Cambridge Lane. Deep soil plantings include trees and shrubs, and are to be unimpeded by buildings or structures below ground.	<b>Complies</b> Deep soil planting is provided within the setback to Cambridge Lane.	<b>Section 6.8</b>
	8. A Landscape Plan is to be provided at Development Application stage detailing all public domain at ground level, street tree planting, planting and space allocation at podium and roof top levels. This is to include species, container size at planting, spacing and approximate size at maturity.	<b>Complies</b> Landscape Plans are provided at <b>Appendix L</b> .	<b>Section 6.8</b>
	9. Street tree planting is at the cost of the proponent, with location and species to be determined in consultation with Council at Development Application stage.	<b>Complies</b> A detailed Planting Schedule is provided as part of the Landscape Plan at <b>Appendix L</b> .	-



Statutory Reference	Consideration	Relevance	Section in EIS
	<p>10. All existing aerial cables which may include for electricity, communications and other cables connecting to street poles and buildings around the site shall be removed and installed underground in accordance with the requirements of the relevant service authorities. Ausgrid lighting poles are to be provided to the requirements of Ausgrid for street lighting and shall be positioned compatible to the landscaping design around the site.</p>	<p><b>Complies</b></p> <p>All existing aerial cables which may include electricity, communications and other cables connecting to street poles and buildings around the site shall be removed and installed underground in accordance with the requirements of the relevant service authorities.</p> <p>An Infrastructure Delivery, Management and Staging Plan (<b>IDMSP</b>) has been prepared by Neuron (<b>Appendix AO</b>) and identifies the infrastructure requirements of the proposal and the proposed coordination and delivery of the necessary infrastructure.</p>	<p><b>Section 6.17</b></p>
<p>8. Links</p>	<ol style="list-style-type: none"> <li>1. The development is to incorporate publicly accessible through site links and open space in accordance with Map 4 below.</li> <li>2. Through site links and open space in addition to Map 4 is required on a site by site basis.</li> <li>3. The ground level setback on Help Street, McIntosh Street and Cambridge Lane is to be unobstructed, with the only exception being ground level landscaping.</li> <li>4. All publicly accessible open space and links are to be the responsibility of the relevant ownership entity, with an easement for public access to be created over these areas.</li> </ol>	<p><b>Complies</b></p> <p>The CBD Strategy identifies an open air 24 hour through site link that is a continuation of Cambridge Lane to the north of our site. The proposal has an important role in establishing this desired north south connection. It will define the framework for the future continuation of public domain works. A generous setback to Cambridge Lane, supported by an active commercial podium provides a highly successful urban response to the site and it's surrounding area.</p> <p>At the core of the site's public domain strategy is a 9m wide landscaped promenade along Cambridge Lane. This in combination with the generous garden addressing the corner of Help St contributes to the overall 'green' ground plane of greater Chatswood.</p> <p>The ground level of the building is unobstructed. The landscaping is at the perimeter of the site and highly permeable to allow access to the building's commercial</p>	<p><b>Section 3.6.2</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
		podium from the transport interchange and neighbouring developments.	
9. Active Street Frontages	<p>1. At ground level buildings are to maximise active frontages to Help Street, McIntosh Street and Cambridge Lane.</p> <p>2. A building has an active street frontage if all premises on the ground floor of the building facing the street(s) are used for the purpose of commercial premises or non-residential purposes and provide elements of visual interest when viewed from the street.</p>	<p><b>Complies</b></p> <p>Active commercial frontages and lobby entries have been maximised along each street frontage. Plant and service areas have been limited and relocated on basement levels or internally where possible.</p>	<b>Section 6.2</b>
10. Traffic and Transport	1. Vehicle access to / egress from the development is to be minimised.	<p><b>Complies</b></p> <p>Access is via a single driveway off Help Street.</p>	<b>Section 6.9</b>
	2. Vehicle access and egress is to be designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create a high quality streetscape.	<p><b>Complies</b></p> <p>Vehicle access and egress is to be designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create a high-quality streetscape.</p>	<b>Section 6.9</b>
	3. All car parking facilities are to be located below ground level.	<p><b>Complies</b></p> <p>Car parking is provided in the basement levels.</p>	<b>Section 6.9</b>
	4. Other strategies for car parking reduction, such as reciprocal arrangements for sharing parking and car share, are to be included in any future Development Application.	<p><b>Complies</b></p> <p>A Green Travel Plan is submitted with this SSDA and provided at <b>Appendix U</b>.</p>	<b>Section 6.9</b>



Statutory Reference	Consideration	Relevance	Section in EIS
<p>11. Waste Management, Loading and Services</p>	<ol style="list-style-type: none"> <li>1. All loading and unloading services are required to occur at basement level on-site.</li> <li>2. Other supporting functions such as garbage rooms, plant and other services are to be located in basement levels.</li> <li>3. A Waste Management Plan shall be submitted at the Development Application stage.</li> <li>4. Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages. Substations are to be designed to ensure protection of residents from Electro Magnetic Radiation (EMR) emissions.</li> </ol>	<p><b>Complies</b></p> <p>The loading dock is located on the Lower Ground floor to manage access control between commercial and residential. This also improves the spatial and programmatic efficiency of the basement levels, as it reduces distance of travel for service vehicles and limits the extent of MRV access.</p> <p>Garbage rooms are located on the Lower Ground floor within the centre of the floor plate, utilising the low amenity floor space and allowing for ease of servicing. The plant and services on Ground floor have been limited to those requiring direct street access and are otherwise on Basement 1 or 2.</p> <p>A Waste Management Plan has been provided at <b>Appendix AH</b></p> <p>The substation is consciously located away from the new public space and active frontages along Cambridge Walk. McIntosh Street was not an option as no mains connection is available. Help Street is the most suitable, as it is compromised by the south facing aspect and adjacent arterial road.</p> <p>The substation is located to the south east of the site. It is integrated within the building envelope and located in an area where it has minimal impact on the public domain.</p>	<p><b>Section 6.9</b></p>
<p>12. Design Excellence</p>	<ol style="list-style-type: none"> <li>1. All developments that have a height of 35m or more are subject to a competitive design process.</li> <li>2. The competitive design process must be undertaken in accordance with the Willoughby Design Excellence Policy and Willoughby Design Excellence Guidelines.</li> </ol>	<p><b>Complies</b></p> <p>A design excellence competition was held at the end of 2022 and was undertaken in accordance with the Willoughby Design Excellence Policy and Willoughby Design Excellence Guidelines.</p>	<p><b>Section 6.1</b></p>



Statutory Reference	Consideration	Relevance	Section in EIS
13. Public Art	1. Public Art is to be provided in accordance with Council's Public Art Policy.	<p>The jury unanimously selected EMBECE's scheme as the winner of the competition.</p> <p><b>Complies</b></p> <p>Public art will be provided in alignment with Council's Policy.</p>	-