

EVERICK HERITAGE

65 Albert Avenue, Chatswood

Statement of Heritage Impact

Prepared for Mandarin Developments Pty Ltd

December 2025



EVERICK HERITAGE

Report Reference:

Everick Heritage. 2025. *61A – 65 Albert Avenue, Chatswood: Statement of Heritage Impact*.
Everick Heritage Pty Ltd unpublished report prepared for Mandarin Developments Pty Ltd.



EVERICK HERITAGE PTY LTD

ABN: 78 102 206 682

Nominated Architect: Alice Steedman (NSW10398)

Head Office: Level 9, Matisse Tower 110 Mary Street Brisbane 4000

Nominated Architect: Alice Steedman (NSW10398)

Sydney Office: Level 2, 61 Renwick Street Redfern NSW 2016

Byron Bay Office: 6/64 Centennial Circuit, Byron Bay NSW 2481

T: (02) 9552 2944

E: info@everick.com.au

www.everick.com.au

Ver.	Date	Author	Technical Review	Authorised
1	01.08.25	Matthew Hedges	Ben Calvert	Kylie Christian
2	16.12.25	Matthew Hedges	Alice Steedman	Kylie Christian

Cover image: Google. 2024.

© Everick Heritage Pty Ltd 2025

This document is and shall remain the property of Everick Heritage Pty Ltd. The document may only be used for the purposes for which it was commissioned. Everick Heritage grants authority to reproduce this document for academic purposes. Unauthorised reproduction of this document is prohibited.

Statement of Heritage Impact - Summary

Name of Heritage Item:

Chatswood Garden of Remembrance

Willoughby LEP Heritage Schedule item name and number:

Garden of Remembrance (I236)

Address and Location:

Heritage Item: 69 Albert Avenue, Chatswood NSW

Proposed development: 61A – 65 Albert Avenue, Chatswood NSW

Statement of Heritage impact for:

Redevelopment of 61A – 65 Albert Avenue, Chatswood

Prepared by:

Everick Heritage Pty Ltd

Prepared for:

Mandarin Developments Pty Ltd

Date:

16 December 2025

Issue:

FINAL

Executive Summary

This Statement of Heritage Impact has been prepared by Everick Heritage Pty Ltd (Everick Heritage) to accompany a concurrent Rezoning Request and State Significant Development Application (SSDA) for a mixed-use development at 61A – 65 Albert Avenue, Chatswood. The site is legally described as Lot 2 DP 1035379. This report has been prepared to address the Secretary's Environmental Assessment Requirements (SEARS) issued for the project (SSD-85024458) on 23 June 2025.

The 61A – 65 Albert Avenue site is located in the vicinity of the heritage item *Garden of Remembrance* (I236), identified in Schedule 5 of the *Willoughby Local Environmental Plan 2012*. The proposed mixed-use development will not result in any direct or physical impacts to any elements of built fabric that is of heritage significance. The redevelopment of the Mandarin Centre will result in alterations to the setting, views and vistas of the Garden of Remembrance. The increased building height of the proposed development, when compared to the existing Mandarin Centre structure, is not expected to result in any further overshadowing of the Garden of Remembrance as existing high-rise development already results in overshadowing throughout the day. Consequently, the works will result in no direct or indirect impacts.

The proposed redevelopment of 61A – 65 Albert Avenue, Chatswood will, therefore, have little to no impact on the heritage significance of the *Garden of Remembrance* (I236). Additionally, it will have a nil potential to impact on historical archaeological relics.

Recommendations

As no adverse impacts are identified arising from the proposed development, no mitigation measures are identified.

As a precautionary measure, it is recommended that an Unexpected Finds Protocol should be implemented for any ground disturbing works, to mitigate against impact should previously unknown archaeological material be exposed.

Contents

STATEMENT OF HERITAGE IMPACT - SUMMARY	II
EXECUTIVE SUMMARY	III
GLOSSARY	VIII
1. Introduction	1
1.1. Project Background and History	3
1.2. The Site	3
1.3. Heritage Listing/s	5
1.4. Methodology	6
1.5. Author Identification	6
1.6. Limitations	6
2. Historical Context	7
2.1. History of 61A – 65 Albert Avenue	7
2.2. History of the <i>Garden of Remembrance</i>	10
3. Physical Description	12
3.1. Setting	12
3.2. Site Description	14
3.3. Overshadowing	20
3.4. Condition, Authenticity and Integrity	21
4. Preliminary Historical Archaeological Assessment	22
4.1. Ground Disturbance	22
4.2. Archaeological Potential	22
5. Assessment of Heritage Significance	23
5.1. 61A – 65 Albert Avenue (The Site)	23
5.2. Garden of Remembrance	25
6. Proposed Works	27
7. Heritage Impact Assessment	33
7.1. Approach to Assessment	33
7.2. Matters for Consideration	34
7.3. Summary of Assessed Impacts	38
8. Statutory Context	39
8.1. State Legislation	39
8.2. Local Legislation	42
9. Conclusions and Recommendations	45
9.1. Conclusions	45

CONTENTS

9.2. Recommendations	45
REFERENCES	46

Figures

Figure 1-1: Locality Plan. (Source: Urbis. 2025)	4
Figure 1-2: Aerial photograph. (Source: Urbis. 2025)	4
Figure 1-3: Map of the site (outlined in red) showing the location of heritage item I236. (Source: Spatial Services NSW)	5
Figure 2-1: Photograph of the Second Church of Christ Scientists, taken in 1982. (Source: Willoughby City Library)	7
Figure 2-2: 1930 aerial photograph of the site (outlined red). (Source: Spatial Services NSW)	8
Figure 2-3: 1951 aerial photograph of the site (outlined red). (Source: Spatial Services NSW)	8
Figure 2-4: 1986 aerial photograph of the site (outlined red). (Source: Spatial Services NSW)	9
Figure 2-5: Photograph of the Mandarin Centre construction site, taken in 1993. (Source: Willoughby City Library)	9
Figure 2-6: Photograph of the Mandarin Centre under construction, taken in 1995. (Source: Willoughby City Library, reference No. 002374).	10
Figure 2-7: 1943 aerial photograph Garden of Remembrance. (Source: Spatial Services NSW)	11
Figure 2-8: View of the Garden of Remembrance, taken in 2001. (Source: SHI listing sheet 2660061)	11
Figure 3-1: View along Albert Avenue, facing northeast. (Source: Google. 2021)	12
Figure 3-2: View from the 61A – 65 Albert Avenue site, facing south. (Source: Google. 2024)	13
Figure 3-3: View along Albert Avenue, facing northeast. (Source: Google. 2024)	13
Figure 3-4: View along Albert Avenue, facing west. (Source: Google. 2024)	13
Figure 3-5: View along Victor Street, facing north. (Source: Google. 2024)	14
Figure 3-6: View along Victor Street, facing south. (Source: Google. 2024)	14
Figure 3-7: View of the Mandarin Centre, facing northwest (Source: Google. 2024)	15

EVERICK

Figure 3-8: View of the west-facing elevation of the Mandarin Centre. (Source: Google. 2024)	15
Figure 3-9: View of the south-facing elevation of the Mandarin Centre. (Source: Google. 2024)	16
Figure 3-10: View of the Mandarin Centre basement carpark entrance from Victor Street. (Source: Everick Heritage. 2025)	16
Figure 3-11: View into the Mandarin Centre basement carpark. (Source: Everick Heritage. 2025)	17
Figure 3-12: View of the Garden of Remembrance, facing north (Source: Google. 2024)	18
Figure 3-13: View of the Garden of Remembrance, facing north (Source: Google. 2024)	19
Figure 3-14: View of the Garden of Remembrance, facing south (Source: Google. 2024)	19
Figure 3-15: View to the Mandarin Centre from the Garden of Remembrance. (Source: Google. 2024)	20
Figure 3-16: Satellite image showing the extent of existing overshadowing of the Garden of Remembrance. (Source: Google. 2025)	20
Figure 3-17: Satellite image showing the extent of existing overshadowing of the Garden of Remembrance. (Source: Spatial Services NSW. 2025)	21
Figure 6-1: Site Plan. (Source: SOM. 2025)	29
Figure 6-2: South-facing Elevation along Albert Avenue. (Source: SOM. 2025)	30
Figure 6-3: South-facing Elevation along Albert Avenue. (Source: SOM. 2025)	30
Figure 6-4: West-facing Elevation. (Source: SOM. 2025)	31
Figure 6-5: Shadow Diagram – 21 June. (Source: SOM. 2025)	31
Figure 6-6: Shadow Diagram – 21 June. (Source: SOM. 2025)	32
Figure 6-7: Design render, facing northwest. (Source: SOM. 2025)	32

EVERICK HERITAGE

Tables

Table 1-1: Statutory heritage listings in the vicinity of the site	5
Table 5-1: Significance criteria assessment for 61A – 65 Albert Avenue	23
Table 5-2: Significance criteria assessment for the Garden of Remembrance	25
Table 6-1: Assessed documentation of Proposed Works	27
Table 7-1: Scale of impact to heritage significance	33
Table 8-1: Assessment against the objectives and controls of the Willoughby DCP 2023	43

TABLES

Glossary

The following definitions apply to the terms used in this report:

Term	Definition
Burra Charter	<i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013</i>
DCP	Development Control Plan
DPHI	Department of Planning, Housing and Infrastructure NSW
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
EPI	Environmental Planning Instrument
Heritage Act	<i>Heritage Act 1977 (NSW)</i>
Heritage NSW	Heritage NSW, Department of Climate Change, Energy, the Environment and Water NSW
ICOMOS	International Council on Monuments and Sites
LEP	Local Environmental Plan
LGA	Local Government Area
Relic	As per the Heritage Act 1977 (NSW): “Any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance.”
s	Section, as in legislative terminology.
SHI	State Heritage Inventory. An online database containing heritage items and conservation areas on statutory lists in NSW. This includes the State Heritage Register, s 170 registers and local government items
SoHI	Statement of Heritage Impact
SSDA	State Significant Development Application

1. Introduction

This Statement of Heritage Impact has been prepared by Everick Heritage Pty Ltd (Everick Heritage) to accompany a concurrent Rezoning Request and State Significant Development Application (SSDA) for a mixed-use development at 61A – 65 Albert Avenue, Chatswood. The site is legally described as Lot 2 DP 1035379. This report has been prepared to address the Secretary's Environmental Assessment Requirements (SEARS) issued for the project (SSD-85024458) on 23 June 2025.

The State Significant Development Application (SSDA) seeks consent for demolition of the existing buildings on site, augmentation of site infrastructure, site landscaping and construction of a part-28 and part 32-storey residential tower, above a 4-storey retail podium.

The SSDA is accompanied by a concurrent rezoning request which seeks to amend the Willoughby Local Environmental Plan (WLEP 2012) to avail the proposed development outcome.

Specifically, the rezoning request seeks to:

- Amend the Height of Building Map reference in clause 4.3 of the WLEP to specify a maximum building height of RL 192m and RL 205m.
- Amend the Floor Space Ratio map referenced in clause 4.4 of the WLEP to remove the floor space ratio control, as is consistent with other sites in the Chatswood CBD
- Amend the Affordable Housing Map referenced in clause 6.8 of the WLEP to specify an affordable housing contribution of 5%.
- Amend clause 6.24 61A Albert Avenue, Chatswood to:
 - Remove the minimum non-residential floor space ratio restriction that applies to the land.
 - Remove the prohibition of serviced apartments. This is now a redundant subclause as serviced apartments are a prohibited use throughout the E2 Commercial Centre zone.
 - Include a notation that permits strata subdivision of land on the site despite clause 4.1A.
 - Include a new subclause that states development for the purpose of advertising structure is permissible on the land with development consent.
 - Insert a new subclause within clause 6.24, that states despite clause 6.15(2) Sun Access of the WLEP, development consent may be granted to development on the land that results in minor additional overshadowing between 11am – 12:15pm within Area 2 of the Chatswood Oval.

EVERICK HERITAGE

- State significant development consent for the proposed development, including:
 - Demolition of the existing building known as the Mandarin Centre.
 - Construction of a part 28-storey and part 32-storey mixed-use tower, including the following elements:
 - Six (6) levels of basement parking, with vehicular access off Victor Street and service access off Orchard Road
 - Four (4) storey retail podium
 - The eastern tower will include 27 levels of residential dwellings and one (1) level of plant.
 - The western tower will include 24 levels of residential dwellings and one (1) level of plant
 - Augmentation of infrastructure and services.
 - Site landscaping; and
 - Public domain improvements.

The purpose of the project is to deliver high-quality mixed-use development with a predominant residential focus within convenient walking distance of Chatswood Train Station and Commercial Core.

This report has been prepared in response to the requirements contained within the SEARS request dated 23 June 2025. Specifically, this report has been prepared to respond to the SEARS requirement issued below:

21. Environmental Heritage • Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where excavation is proposed), in accordance with the relevant guidelines.	• Statement of Heritage Impact. <u>If required:</u> • Archaeological Assessment.
---	---

The Project Area is located within the vicinity of the heritage item *Garden of Remembrance* (I236), identified in Schedule 5 of the *Willoughby Local Environmental Plan 2012*, and will involve excavation. This report has been prepared to assess the impacts of the proposed development on the heritage item and any potential historical archaeology at the site.

1.1. Project Background and History

The site has a long planning history, beginning in 2013 with a Planning Proposal to Willoughby Council to amend the WLEP for mixed-use development, including 70% shop top housing. Despite initial support, the Council rejected the proposal in 2015, leading to a new Planning Proposal in 2016, which was also refused. The Sydney North Planning Panel recognised the proposal's merits in 2019, and the Department of Planning granted Gateway Approval in 2020. The Chatswood CBD Strategy, finalised in 2020, recommended a prohibition on residential uses in the Commercial Core zone, despite market feasibility analyses indicating low demand for new commercial office development.

The proposal was amended to reduce residential floor space to 30%, which was approved but remains commercially unfeasible. Market conditions have worsened, with high office vacancy rates and low demand for new commercial office space in Chatswood CBD. The current proposal seeks a mixed-use development with a predominant residential emphasis, aligning with the original 2014 vision.

1.2. The Site

The site is 61A-65 Albert Avenue, Chatswood and is located within the Willoughby local government area (LGA). The site is legally described as Lot 2 in Deposited Plan (DP) 1035379. It is regularly shaped and falls approximately 3m from West to East. The site is within the Chatswood central business district (CBD).

The urban context surrounding the site is characterised by a mix of commercial, retail and residential developments. The surrounding locality is described as:

- Directly north of the site is the Sebel Hotel which is a 28-storey tower. Further north is a variety of commercial, and retail uses which form the Chatswood Westfield Shopping Centre.
- The east of the site is bounded by Victor Street. Development consists of predominately retail continuing the Chatswood Westfield Shopping Centre.
- To the south of the site is a multi-storey car park for the Chatswood Westfield Shopping Centre and high-density residential development. Chatswood Baptist Church adjoins the site on the southern side of Albert Avenue and Chatswood Park is located towards the south-west.
- To the west of the site is the Chatswood interchange which includes Train and Metro services to the Sydney CBD and Sydney's Northern suburbs. These key transport links are located within 160m of the site.

The site currently accommodates the Mandarin Shopping Centre, featuring five levels of retail space and three levels of car parking. Retail tenants include Hoyts Cinemas and Strike Bowling.

EVERICK HERITAGE

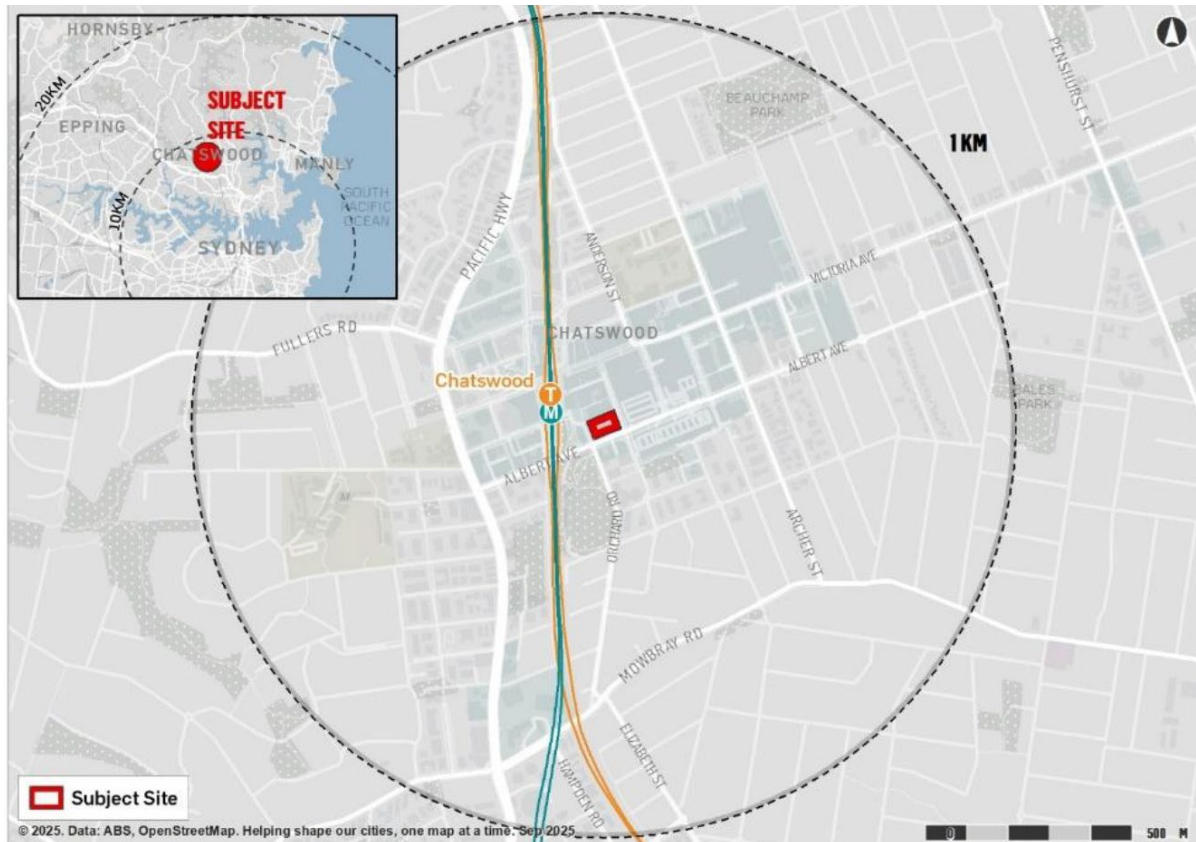


Figure 1-1: Locality Plan. (Source: Urbis. 2025)

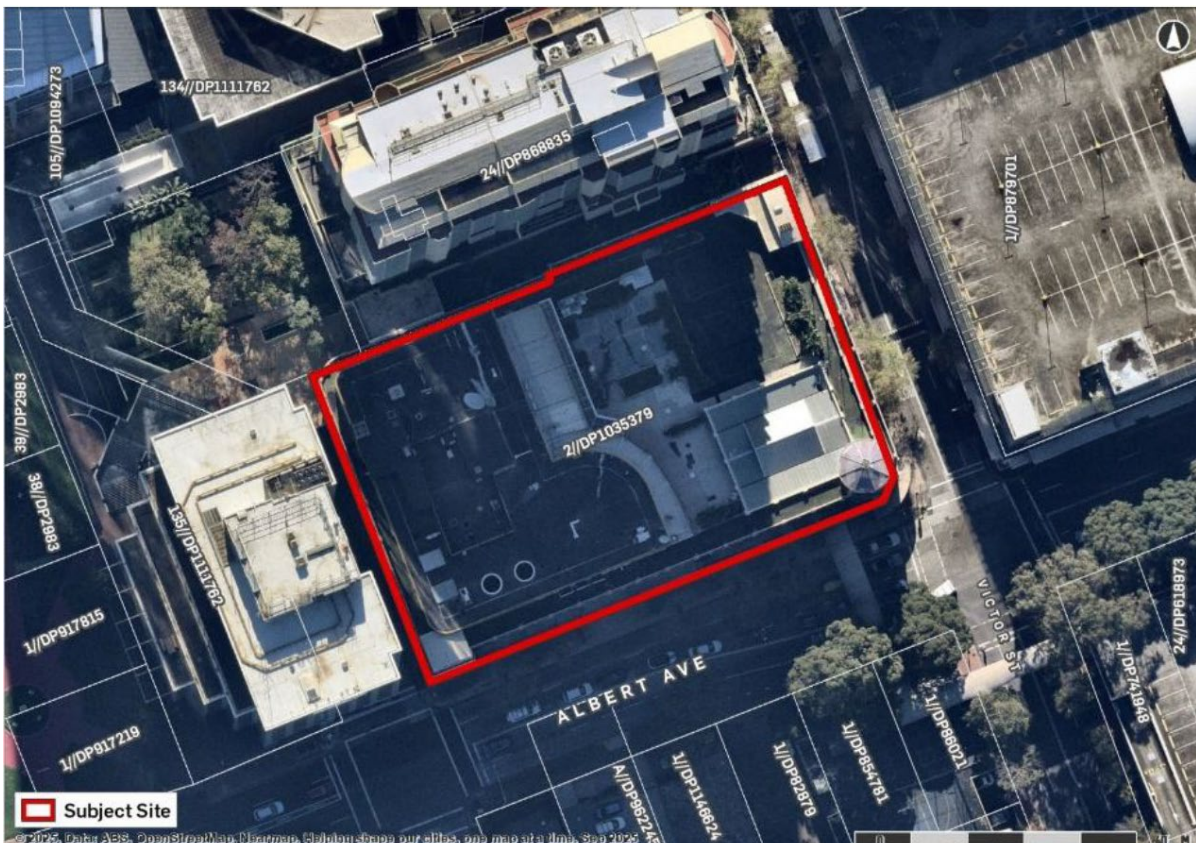


Figure 1-2: Aerial photograph. (Source: Urbis. 2025)

1.3. Heritage Listing/s

The 61A – 65 Albert Avenue site is not listed as a heritage item, though is located within the vicinity a listed place. The following table summarises statutory heritage listings in the vicinity of the site.

Table 1-1: Statutory heritage listings in the vicinity of the site

Heritage List	Listed (Y/N)	Item name	Listing number
World Heritage List / buffer zone	N	-	-
National Heritage List	N	-	-
Commonwealth Heritage List	N	-	-
State Heritage Register	N	-	-
State Agency s170 Heritage and Conservation Registers	N	-	-
Willoughby Local Environmental Plan 2012	Y	<i>Garden of Remembrance</i>	I236



Figure 1-3: Map of the site (outlined in red) showing the location of heritage item I236. (Source: Spatial Services NSW)

1.4. Methodology

This assessment is consistent with the principles and guidelines set forth in the *Australia ICOMOS Charter for Places of Cultural Significance* (the Burra Charter)¹. The report has been prepared in line with current best practice guidelines identified within the *Guidelines for preparing a statement of heritage impact*.²

1.5. Author Identification

This Statement of Heritage Impact has been prepared by Matthew Hedges, Graduate. Technical review was provided by Ben Calvert, Associate Heritage Advisor and project was overseen by Alice Steedman, Principal Heritage Architect.

1.6. Limitations

This report is limited to an assessment of historical heritage and does not include any assessment or evaluation of Aboriginal Cultural Heritage as defined in the *National Park and Wildlife Act 1974* (NSW).

No visual inspection was undertaken for the preparation of this Statement of Heritage Impact. All photographs contained in this report remain the intellectual property of their respective owners and are provided with attribution as appropriate.

¹ *Australia ICOMOS*. 2013.

² Department of Planning and Environment NSW. 2023b.

2. Historical Context

The Historical Context section of this report provides separate subsections addressing the history of 61A – 65 Albert Avenue and of the *Garden of Remembrance* (1236).

2.1. History of 61A – 65 Albert Avenue

Overt development within central Chatswood began during the later 19th Century. In 1890, the Chatswood Railway Station was established, with the central business district of the suburb forming on primary roads leading to its east and west, including Victoria and Albert avenues. The Chatswood Post Office was established at Victoria Avenue, to the immediate north of the 61A – 65 Albert Avenue site, in 1897.³ Further development of the area occurred following the construction of a tramline along Albert Avenue in 1908, which connected Penshurst Street to Chatswood Railway Station. Between 1928-29, the Second Church of Christ Scientists was constructed on the northwestern corner of Albert Avenue and Victor Street, inside the 61A – 65 Albert Avenue site. Prior to this time, a number of cottages had been constructed on the site, one of which was later integrated into the church as a library and reading room.⁴



Figure 2-1: Photograph of the Second Church of Christ Scientists, taken in 1982. (Source: Willoughby City Library)

In 1961, Grace Brothers opened a storefront on the eastern side of Victor Street, opposite the 61A – 65 Albert Avenue site. During the early 1970s, structures in northwestern corner of the 61A – 65 Albert Avenue site and within the adjacent lots had been demolished and replaced with a carpark. In 1986,

³ Dictionary of Sydney. n.d.

⁴ Willoughby District Historical Society and Museum Inc. n.d.

EVERICK HERITAGE

Westfield Chatswood opened on Victoria Avenue. During the late 1980s, the 'Sage' building was constructed at 67 Albert Avenue, with construction complete by 1989.



Figure 2-2: 1930 aerial photograph of the site (outlined red). (Source: Spatial Services NSW)



Figure 2-3: 1951 aerial photograph of the site (outlined red). (Source: Spatial Services NSW)

EVERICK HERITAGE



Figure 2-4: 1986 aerial photograph of the site (outlined red). (Source: Spatial Services NSW)

The Second Church of Christ Scientists was demolished in 1990 and, by 1991, the entire 61A – 65 Albert Avenue site had been resurfaced and was being used as a carpark. Construction of the Mandarin Centre had commenced by 1993. Construction was completed in 1995 and the Mandarin Centre was opened later in the year. By 1998, the Sebel hotel building had been constructed immediately adjacent to the northern side of the Mandarin Centre and, between 1997 and 1999, the Westfield Chatswood site was expanded and the present commercial development was constructed on the corner of Albert Avenue and Victor Street, opposite the 61A – 65 Albert Avenue site.



Figure 2-5: Photograph of the Mandarin Centre construction site, taken in 1993. (Source: Willoughby City Library)



Figure 2-6: Photograph of the Mandarin Centre under construction, taken in 1995. (Source: Willoughby City Library, reference No. 002374).

2.2. History of the *Garden of Remembrance*

The following history of the *Garden of Remembrance* (I236) is derived from the SHI listing sheet (2660061) and the NSW War Memorials Register⁵.

Prior to the construction of the *Garden of Remembrance*, the site was developed as residential and commercial lots (as shown in Figure 2-2). The first proposal to create a *Garden of Remembrance* on the site was made in 1936, after which two buildings and associated fruit trees were cleared from the site. The site was purchased by the Municipality of Willoughby on 29 August 1939 and all remaining structures were demolished. During the Second World War, the land was a cleared area of parkland and two underground air raid shelters were excavated in the southern portion of the lot. In 1945, the Chatswood - Willoughby Sub Branch of the Returned Sailors', Soldiers' and Airmen's Imperial League of Australia proposed the construction of a memorial column in Dalton Street. The Municipality of Willoughby War Memorial Trust was formed and funds for the construction of the memorial were raised by public subscription. By 1947, the site had taken the name 'Remembrance Gardens' and, by 1950, the memorial and gardens had been completed.

⁵ New South Wales Government. 2025.

EVERICK HERITAGE



Figure 2-7: 1943 aerial photograph Garden of Remembrance. (Source: Spatial Services NSW)

In 1952, the Boer War Memorial was moved from Chatswood Park to the Remembrance Gardens. On 25 April 1964, the *Garden of Remembrance* was officially dedicated and the Cross of Remembrance was erected on the grass mound. In 1972, the Mayor of Dunkirk laid a wreath and planted Picardy roses in the presence of 40 veterans of the 1940 Dunkirk evacuation. In 1988, rose diseases and the construction of new buildings next to the site resulted in a minor redesign of the Garden. This change also better conformed the space to the new Chatswood Railway Station/Interchange. In 1995, the granite-face memorial commemorating the fiftieth anniversary of the end of the Second World War was erected.



Figure 2-8: View of the Garden of Remembrance, taken in 2001. (Source: SHI listing sheet 2660061)

3. Physical Description

3.1. Setting

61A – 65 Albert Avenue is located on a largely flat area of land within the Chatswood central business district. It sits on a corner lot bounded by Albert Avenue to the south and Victor Street to the east. The high-rise ‘Sage’ building, located at 67 Albert Avenue, sits to the immediate west, whilst another high-rise development, presently occupied by Willoughby City Council and The Sebel Sydney Chatswood Hotel, is immediately adjacent to the northern side.

The built character of the area varies significantly in terms of density, height, style and function. Areas to the north, east and west of 61A – 65 Albert Avenue are characterised by high density, high-rise residential, commercial and civic developments. Westfield Chatswood is located on the eastern side of Victor Street, opposite the 61A – 65 Albert Avenue site. This structure, five storeys in height, dominates the street frontage of Albert Avenue and Victor Street. The Sebel building, adjacent to 61A – 65 Albert Avenue on its northern side, is a twenty-eight-storey high-rise structure constructed in the late 1990s. The ‘Sage’ building is an eighteen-storey commercial structure constructed in the late 1980s.

To the south of 61A – 65 Albert Avenue is an area of lower density, low- to mid-rise mixed-use development. The Chatswood Baptist Church and Chatswood Youth Centre are located to the immediate south, opposite 61A – 65 Albert Avenue. These consist of a series of structures of various ages and styles, not exceeding three storeys in height. To the southwest of the 61A – 65 Albert Avenue site is Chatswood Park, including areas of open green space, public amenities and recreational facilities and plantings of mature trees. To the west of 61A – 65 Albert Avenue, beyond the ‘Sage’ building, is the Garden of Remembrance, which constitutes another area of open green space between the central business district and the railway corridor.



Figure 3-1: View along Albert Avenue, facing northeast. (Source: Google. 2021)

EVERICK HERITAGE



Figure 3-2: View from the 61A – 65 Albert Avenue site, facing south. (Source: Google. 2024)



Figure 3-3: View along Albert Avenue, facing northeast. (Source: Google. 2024)



Figure 3-4: View along Albert Avenue, facing west. (Source: Google. 2024)

EVERICK HERITAGE



Figure 3-5: View along Victor Street, facing north. (Source: Google. 2024)

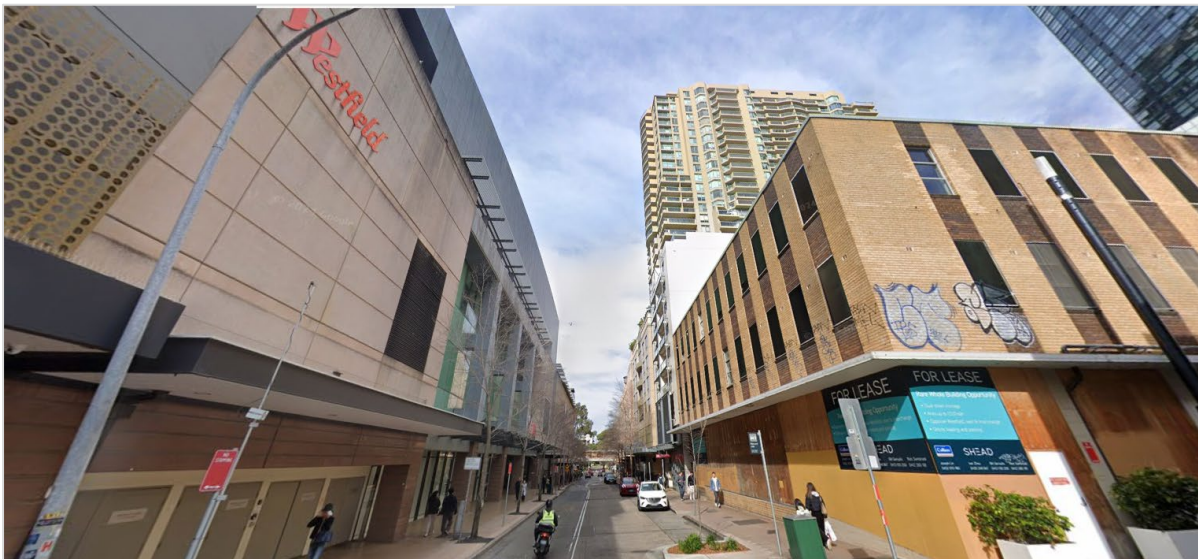


Figure 3-6: View along Victor Street, facing south. (Source: Google. 2024)

3.2. Site Description

3.2.1. 61A – 65 Albert Avenue

The 61A – 65 Albert Avenue site is occupied by the Mandarin Centre, a large commercial structure built in the early- to mid-1990s. The Mandarin Centre is rectangular in plan, approximately 70 m length by 50 m width, with a curved façade on the southeastern corner. Tall, rectangular glass windows are located along the south-facing and east-facing elevations at first and second-storey level. Large glass shopfront windows and awnings at ground-floor level provide pedestrian surveillance, while the primary entrance is located on the southeastern corner.

EVERICK HERITAGE

A rooftop cupola is located on the southeastern corner, above the primary entrance. The roof is primarily an open space, though some ornamental garden plantings are visible. An elevated pedestrian bridge connects the Mandarin Centre, across Albert Avenue and Victor Street, to a carpark structure on the southeastern corner of the intersection.



Figure 3-7: View of the Mandarin Centre, facing northwest (Source: Google. 2024)



Figure 3-8: View of the west-facing elevation of the Mandarin Centre. (Source: Google. 2024)

EVERICK HERITAGE



Figure 3-9: View of the south-facing elevation of the Mandarin Centre. (Source: Google. 2024)

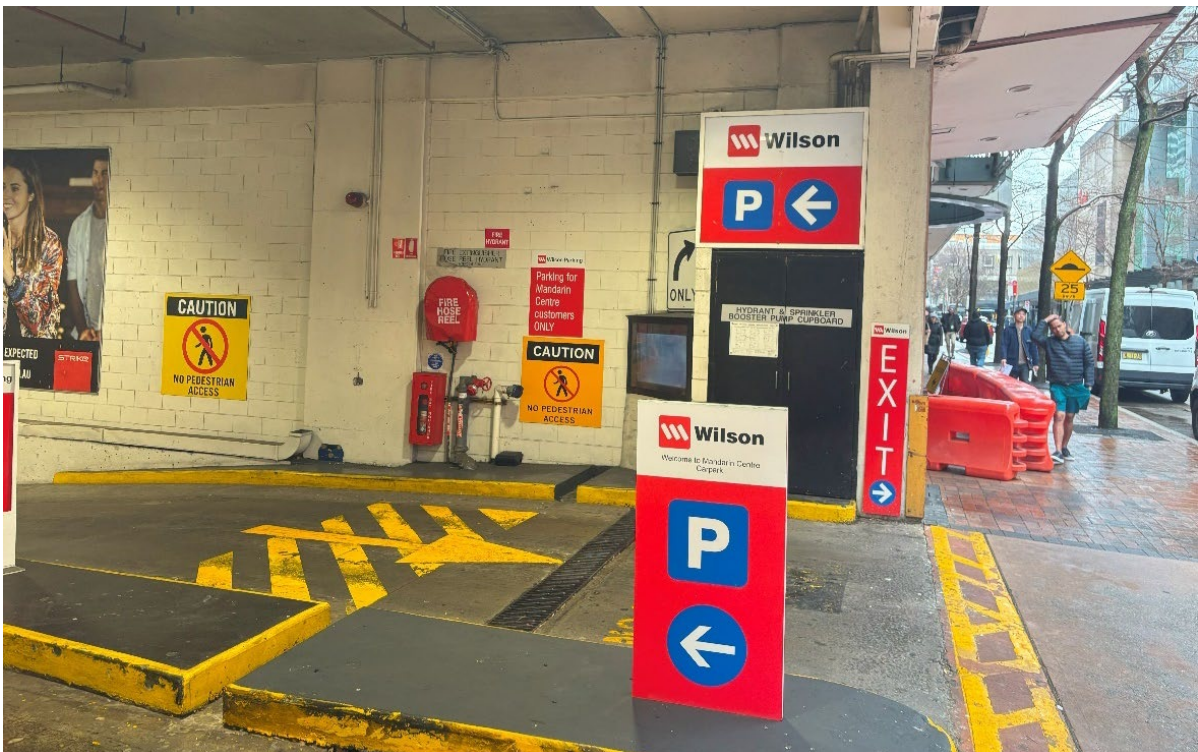


Figure 3-10: View of the Mandarin Centre basement carpark entrance from Victor Street. (Source: Everick Heritage. 2025)

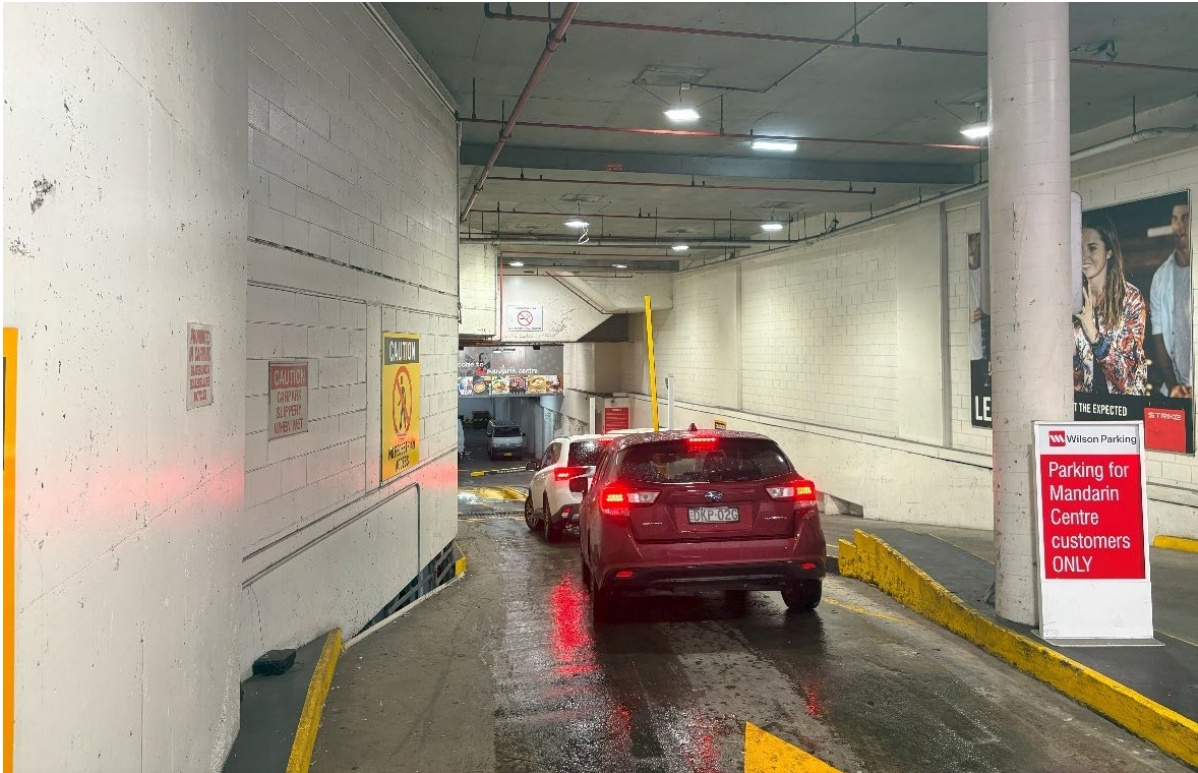


Figure 3-11: View into the Mandarin Centre basement carpark. (Source: Everick Heritage. 2025)

3.2.2. Garden of Remembrance

The following physical description of the *Garden of Remembrance* (I236) is reproduced from the SHI listing sheet (2660061):

The Garden of Remembrance is located at Chatswood on the east side of the Railway between Albert Avenue and Orchard Road and is approximately seven kilometres north of Sydney CBD.

The Garden has changed over the years with the Garden size being reduced and shadowing from the high-rise development dictating the shrubs/flower species that are suitable to the changed environment of the Garden.

Garden Features:

The pathway leading from Albert Avenue (has the message "LEST WE FORGET") and leads to a raised grassed mound in the shape of a tin hat. The plaque reads "This Garden of Remembrance was formally dedicated Anzac Day 25 April 1964, to the memory of those, who made the supreme sacrifice" and is topped by an illuminated marble cross with the inscription "LEST WE FORGET" a plaque on each side of the base of the cross AIF (Australian Imperial Force) RAN (Royal Australian Navy) RAAF (Royal Australian Air Force) AANS (Australian Army Nursing Service).

EVERICK HERITAGE

The path continues, this section has the inscription " THEY GAVE THEIR TODAY FOR YOUR TOMMORROW." On each side of the path are rose bushes with named plaques beneath the bushes honouring the dead from the First World War, Second World War, Korean War, Malaysia and Vietnam.

The 1945-1995 monument reads on the north side, "Australia Remembers, 1945 to 1995, our Glorious Dead, Lest we forget, 3.9.95. On the east side "This monument is dedicated to all the men and women, who served in the defence of Australia during World War II between 1939 & 1945 and to all who served in organisations such as the land army commonwealth construction corps, factories, offices, schools and at home in support of the armed forces throughout the war, to all those brave dedicated people, we offer our sincere thanks, Citizens of the City of Willoughby".

The Boer War Memorial, also known as the Memorial Fountain and the drinking fountain was erected March 10, 1901 and was originally situated in the south east corner of Chatswood Park. The Memorial has two drinking fountains on opposite sides. The side facing Albert Avenue has the wording "This fountain, was erected by the People of Willoughby...in memory of those local Volunteers, who lost their lives in the Service of the Empire, During the South African War 1899-1902". The side facing the support wall is engraved with the names of the volunteers who lost their lives "Trooper C A Gilchrist, died of enteric fever Kimberley, March 13th 1900..Trooper F W Whinfield, died of enteric fever Bloomfontien May 4th 1900..Private F V Smith, killed at Jacobsrust May 7th 1900".

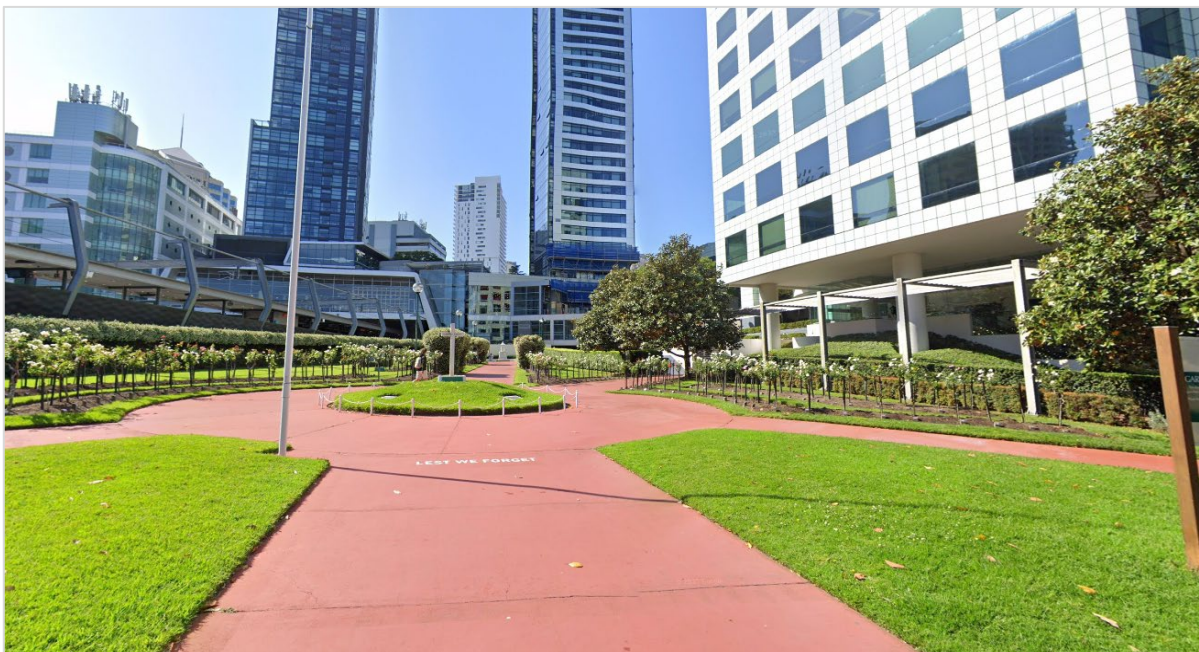


Figure 3-12: View of the Garden of Remembrance, facing north (Source: Google. 2024)

EVERICK HERITAGE

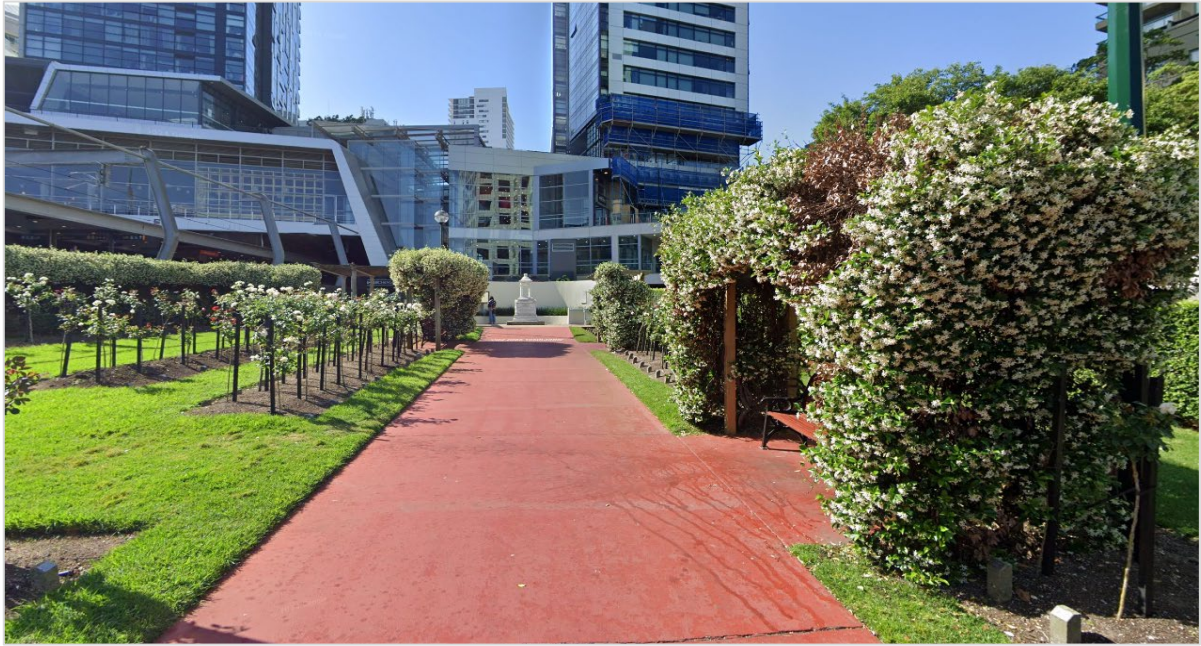


Figure 3-13: View of the Garden of Remembrance, facing north (Source: Google. 2024)



Figure 3-14: View of the Garden of Remembrance, facing south (Source: Google. 2024)



Figure 3-15: View to the Mandarin Centre from the Garden of Remembrance. (Source: Google. 2024)

3.3. Overshadowing

It is noted that the *Garden of Remembrance* (1236) experiences overshadowing due to the surrounding high-rise development, particularly structures near to Chatswood Railway Station to the northwest and 'The Sebel' and 'Sage' buildings to the east. The SHI listing sheet (2660061) states that plantings within the Garden of Remembrance have previously been altered to favour more shade-tolerant species due to the increased overshadowing of the site by the high-rise development of surrounding lots. The following figures illustrate the extent of existing overshadowing over the Garden of Remembrance.

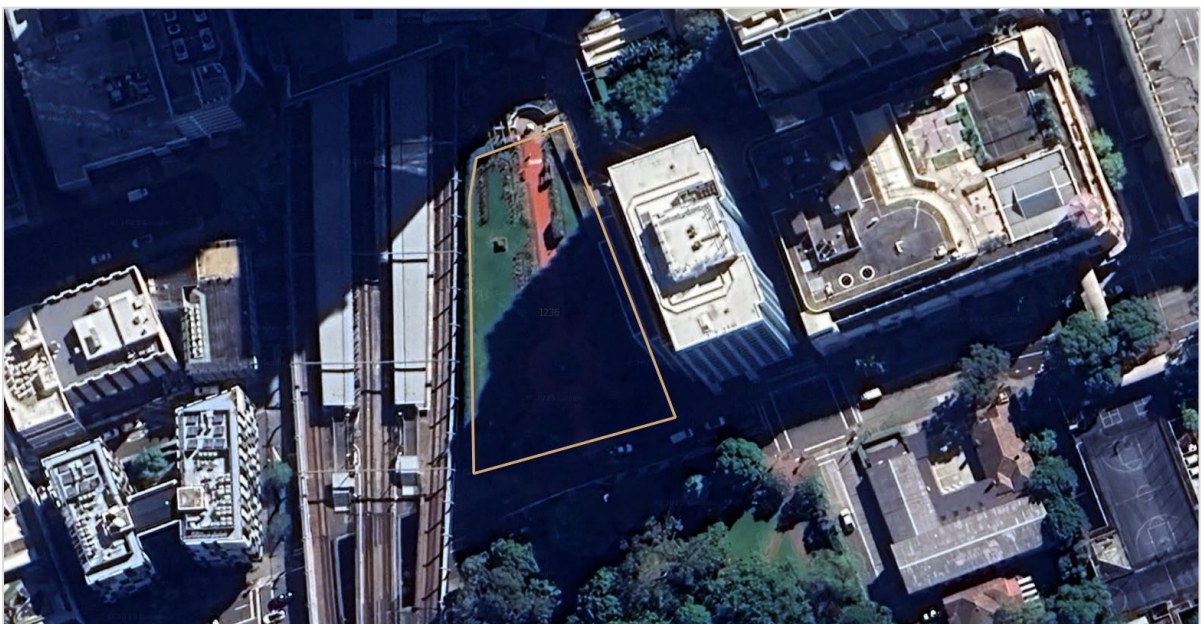


Figure 3-16: Satellite image showing the extent of existing overshadowing of the Garden of Remembrance. (Source: Google. 2025)



Figure 3-17: Satellite image showing the extent of existing overshadowing of the Garden of Remembrance. (Source: Spatial Services NSW. 2025)

3.4. Condition, Authenticity and Integrity

The following statement of integrity/intactness is reproduced from the SHI listing sheet (2660061) for the Garden of Remembrance (I236):

The Garden has changed over the years with the Garden size being reduced and shadowing from the high-rise developments dictating the species of shrubs/flowers that are suitable to the changed environment of the Garden. Although altered over the years the integrity of the Garden has been maintained.

Overall, the Garden of Remembrance has a high degree of condition, authenticity and integrity. Despite being overshadowed by modern high-rise development, it retains its presentation as a formalised place of remembrance and an area of green space within the urban environment.

4. Preliminary Historical Archaeological Assessment

This section provides a preliminary assessment of the potential for the 61A – 65 Albert Avenue site to contain historical archaeological material. The significance of any archaeological material will not be assessed, nor will any assessment be made of potential Aboriginal archaeological sites or objects.

4.1. Ground Disturbance

The construction of the Mandarin Centre has caused extensive ground disturbing impacts to the entirety of the 61A – 65 Albert Avenue site. The site was comprehensively levelled during the demolition of previous structures and a large basement carpark was excavated. On this basis, ground disturbance of the site is assessed to be total.

4.2. Archaeological Potential

Archaeological Potential is defined by the *Archaeological Assessment Guidelines (1996)* as the “degree of physical evidence present on an archaeological site, usually assessed on the basis of physical evaluation and historical research”⁶. In the context of historical archaeological assessment, this can be broadly stated as the potential for a given site to contain an archaeological relic, as defined under the *Heritage Act 1977* (NSW). A ‘relic’ is defined by the *Heritage Act* as:

- a) any deposit, object of material evidence which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement
- b) and has local or state significance.

Summary of Archaeological Potential

In consideration of the historical context outlined in Section 2 and the physical description of the site as outlined in Section 3, the archaeological potential of the 61A-65 Albert Avenue site is assessed to be nil. The site has, in its totality, been subjected to ground disturbing impacts that have removed any substantive archaeological remains relating to prior phases of occupation and land use. There is little to no potential for a relic to be exposed by any works taking place on the site.

⁶ Heritage Office and DUAP. 1996a.

5. Assessment of Heritage Significance

An item, place or archaeological site may be considered to be of State or local significance if it meets one or more of the seven criteria for *Assessing Heritage Significance*⁷. Heritage value and cultural significance are two terms that encompass the tangible and intangible values which may be attached to a place, heritage item or archaeological site. An assessment of significance supports a framework for developing management strategies to protect places for future generations.

5.1. 61A – 65 Albert Avenue (The Site)

The 61A – 65 Albert Avenue site has not previously been identified for any values related to heritage significance. The following table provides an assessment of the site against the seven criteria for *Assessing Heritage Significance*:

Table 5-1: Significance criteria assessment for 61A – 65 Albert Avenue

Significance	Description
a) Historic significance <i>An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	61A – 65 Albert Avenue is not associated with any historic events or themes relevant to NSW's cultural or natural history, or the cultural or natural history of the local Chatswood area. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion a) Historic significance</i>.
b) Historical association <i>An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	61A – 65 Albert Avenue does not have a strong or special association with the life or works of any person or group of persons of importance in NSW's cultural or natural history, or the cultural or natural history of the local Chatswood area. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion b) Historical association</i>.

⁷ Department of Planning and Environment NSW. 2023a.

EVERICK HERITAGE

Significance	Description
c) Aesthetic/creative/technical achievement <i>An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area).</i>	61A – 65 Albert Avenue presently contains a relatively unremarkable and utilitarian mid-rise commercial structure constructed during the early 1990s. It does not demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the local Chatswood area. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion c) Aesthetic/creative/technical achievement</i>.
d) Social, cultural, and spiritual <i>An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.</i>	61A – 65 Albert Avenue has some associated with the local Mandarin-speaking community through the ongoing use of the Mandarin Centre. The degree of social significance is relatively low and it does not have any strong or special association with a particular community or cultural group in NSW or the local Chatswood area for social, cultural or spiritual reasons. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion d) Social, cultural, and spiritual</i>.
e) Research potential <i>An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	As a commercial structure constructed in the 1990s, the Mandarin Centre has no potential to yield information that will contribute to an understanding of NSW's cultural or natural history or the cultural or natural history of the local Chatswood area. As the 61A – 65 Albert Avenue site is of nil archaeological potential, it is not expected that any archaeological material could yield further information. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion e) Research potential</i>.
f) Rare <i>An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	The Mandarin Centre at 61A – 65 Albert Avenue is not considered to possess uncommon, rare or endangered aspects of NSW's cultural or natural history or the cultural or natural history of the local Chatswood area. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion f) Rare</i>.
g) Representative <i>An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).</i>	The Mandarin Centre at 61A – 65 Albert Avenue is typical of 1990s commercial development and does not demonstrate the principal characteristics of a class of NSW's cultural or natural places, or the cultural or natural places of the local Chatswood area. Assessment 61A – 65 Albert Avenue <u>does not</u> meet the threshold for heritage significance under <i>criterion g) Representative</i>.

5.1.1. Summary Statement of Significance

This site has not previously been identified for any values related to heritage significance and, as it is presently occupied by a commercial structure that was built in the 1990s, it is not considered that any elements would meet the threshold for heritage significance under the seven criteria for *Assessing Heritage Significance*. Therefore, as the site is not significant, a Statement of Significance cannot be produced.

5.2. Garden of Remembrance

The heritage item: *Garden of Remembrance* (I236) has previously been assessed against all seven of the criteria, to ascertain the nature and degree of significance relating to the fabric, setting, history and broader environment of the item. The following table reproduces this criteria assessment, as contained in the SHI sheet (inventory number 2660061).

Table 5-2: Significance criteria assessment for the Garden of Remembrance

Significance	Description
a) Historic significance <i>An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	<i>The Garden of Remembrance is one of thousands of local gardens and memorials erected across Australia and as such, belongs to the Australian tradition of ANZAC memorialising which has become an important part of the construction of Australian identity.</i>
b) Historical association <i>An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	<i>The Garden of Remembrance does not have any historical associations with known individuals but it does have historical associations for those local men whose death it commemorates including Lieut. Albert Chowne VC MM.</i>
c) aesthetic/creative/technical achievement <i>An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area).</i>	<i>The Garden of Remembrance has aesthetic significance as a garden designed to record and remember wartime losses.</i>
d) Social, cultural, and spiritual <i>An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.</i>	<i>The Garden of Remembrance has social significance as an extremely visible local monument.</i>
e) Research potential <i>An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the</i>	<i>The Garden of Remembrance has research potential related to its belonging to a historically significant category of ANZAC memorials. The Garden has no archaeological potential.</i>

EVERICK HERITAGE

Significance	Description
<i>cultural or natural history of the local area).</i>	
f) Rare <i>An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).</i>	<i>Not applicable</i>
g) Representative <i>An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).</i>	<i>The Garden of Remembrance is representative of many local memorials erected following both World Wars.</i>

5.2.1. Statement of Significance

A statement of significance has been produced for the heritage item as a component of the listing in the Willoughby LEP 2012. The has been reproduced from the listing for the *Garden of Remembrance* (I236):

The Garden of Remembrance has significance at a local level and is part of a nationwide system of local gardens and memorials.

6. Proposed Works

The proposed redevelopment of the Mandarin Centre at 61A – 65 Albert Avenue will consist of the following elements:

- Demolition of the existing building known as the Mandarin Centre.
- Construction of a 32-storey mixed-use tower, including the following elements:
 - Six (6) levels of basement parking
 - Four (4) storey retail podium
 - 28-storey residential tower
- Augmentation of infrastructure and services.
- Site landscaping; and
- Public domain improvements.

The following table provides the details of documentation assessed in this report.

Table 6-1: Assessed documentation of Proposed Works

Number	Title	Date	Revision	Number	Title	Date	Revision
A02.00	Development Summary	12.12.2025	1	A10.25	Level 25 Floor Plan	12.12.2025	1
A04.00	Site Analysis	12.12.2025	1	A10.26	Level 26 Floor Plan	12.12.2025	1
A05.00	Site Plan	12.12.2025	1	A10.27	Level 27 Floor Plan	12.12.2025	1
A07.00	Site Survey	12.12.2025	1	A10.28	Level 28 Floor Plan	12.12.2025	1
A10.00	Ground Floor Plan	12.12.2025	1	A10.29	Level 29 Floor Plan	12.12.2025	1
A10.01	Level 01 Floor Plan	12.12.2025	1	A10.30	Level 30 Floor Plan	12.12.2025	1
A10.01M	Level 01 Mezzanine Floor Plan	12.12.2025	1	A10.31	Level 31 Floor Plan	12.12.2025	1
A10.02	Level 02 Floor Plan	12.12.2025	1	A10.32	Roof Level Floor Plan	12.12.2025	1
A10.03	Level 03 Floor Plan	12.12.2025	1	A10.33	Parapet Plan	12.12.2025	1

EVERICK HERITAGE

Number	Title	Date	Revision	Number	Title	Date	Revision
A10.04	Level 04 Floor Plan	12.12.2025	1	A10.B01	Basement 01 Floor Plan	12.12.2025	1
A10.05	Level 05 Floor Plan	12.12.2025	1	A10.B02	Basement 02 Floor Plan	12.12.2025	1
A10.06	Level 06-12 Floor Plan	12.12.2025	1	A10.B03	Basement 03-05 Floor Plan	12.12.2025	1
A10.12	Level 13-25 Floor Plan	12.12.2025	1	A10.B06	Basement 06 Floor Plan	12.12.2025	1
A30.00	Elevation – North	12.12.2025	1	A95.07	Sun Eye Diagram	12.12.2025	1
A30.01	Elevation – East	12.12.2025	1	A95.08	Sun Eye Diagram	12.12.2025	1
A30.02	Elevation – South	12.12.2025	1	A95.09	Cross Ventilation	12.12.2025	1
A30.03	Elevation – West	12.12.2025	1	A95.10	Cross Ventilation	12.12.2025	1
A30.10	Podium Elevation – Albert Avenue	12.12.2025	1	A95.11	Communal Open Space	12.12.2025	1
A30.11	Podium Elevation – Victor Street	12.12.2025	1	A95.12	Storage	12.12.2025	1
A31.00	Section AA	12.12.2025	1	A95.13	Deep Soil – Landscape Area	12.12.2025	1
A31.01	Section BB	12.12.2025	1	A95.14	Adaptable Apartment Plans	12.12.2025	1
A54.00	Materiality Palette	12.12.2025	1	A95.15	Adaptable Apartment Plans	12.12.2025	1
A57.00	Elevation Pedestrian Bridge Elevation	12.12.2025	1	A95.16	Affordable Housing Units	12.12.2025	1
A95.00	GFA	12.12.2025	1	AD05.00	Demolition Site Plan	12.12.2025	1
A95.01	GFA	12.12.2025	1	G00.00	Cover Sheet	12.12.2025	1

EVERICK HERITAGE

Number	Title	Date	Revision	Number	Title	Date	Revision
A95.02	Privacy – Separation	12.12.2025	1	G00.01	Drawing Index	12.12.2025	1
A95.03	Shadow Diagram – 21 June	12.12.2025	1	G01.00	Renders	12.12.2025	1
A95.04	Shadow Diagram – 21 June	12.12.2025	1	G01.01	Renders	12.12.2025	1
A95.05	Solar Access	12.12.2025	1	G01.02	Renders	12.12.2025	1
A95.06	Solar Access	12.12.2025	1	G01.03	Renders	12.12.2025	1

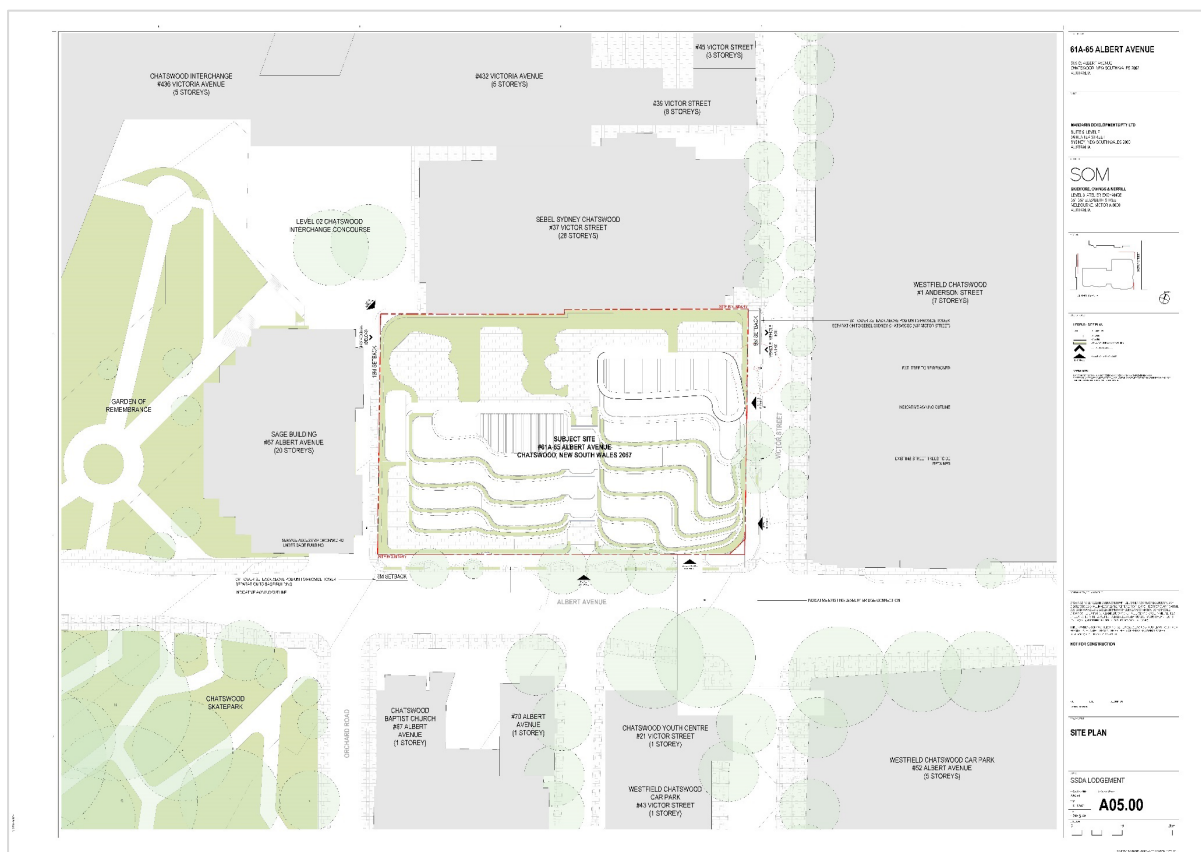


Figure 6-1: Site Plan. (Source: SOM. 2025)

EVERICK HERITAGE

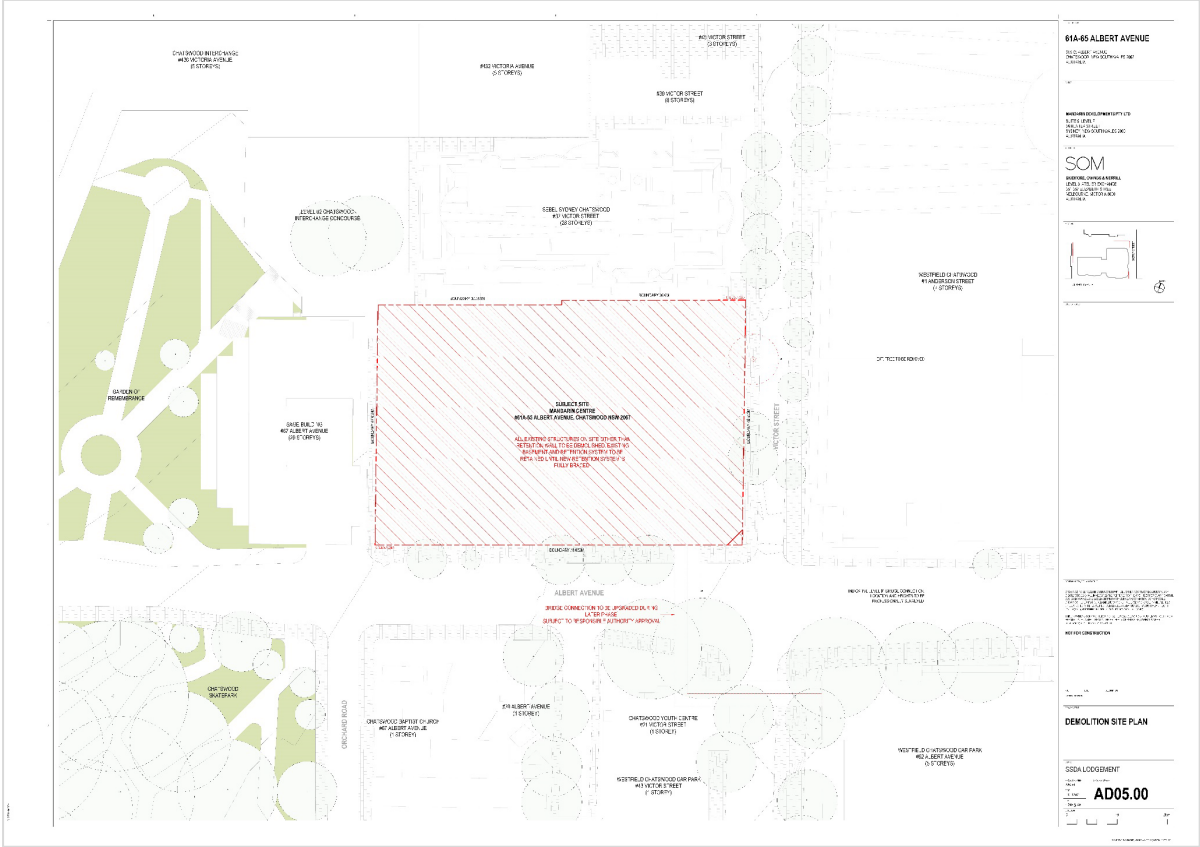


Figure 6-2: Demolition plan. (Source: SOM. 2025)

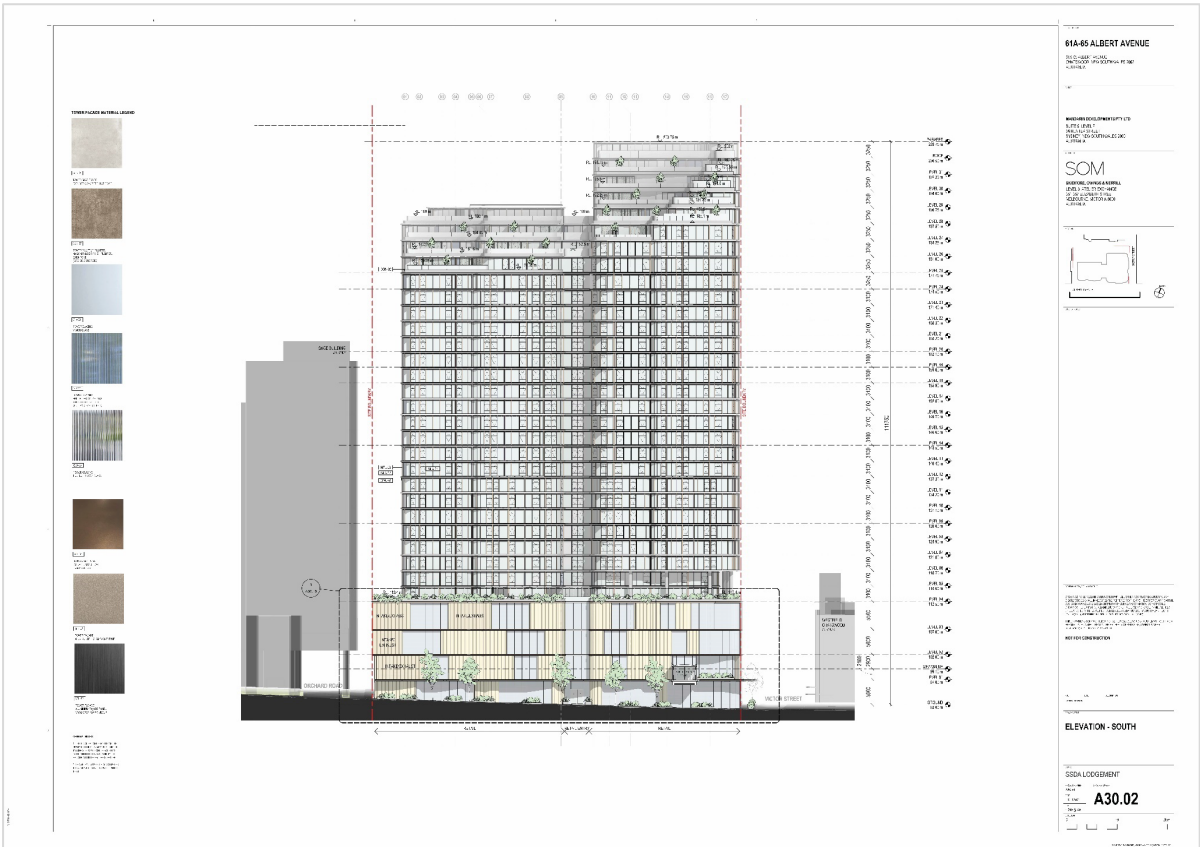


Figure 6-3: South-facing Elevation along Albert Avenue. (Source: SOM. 2025)

EVERICK HERITAGE

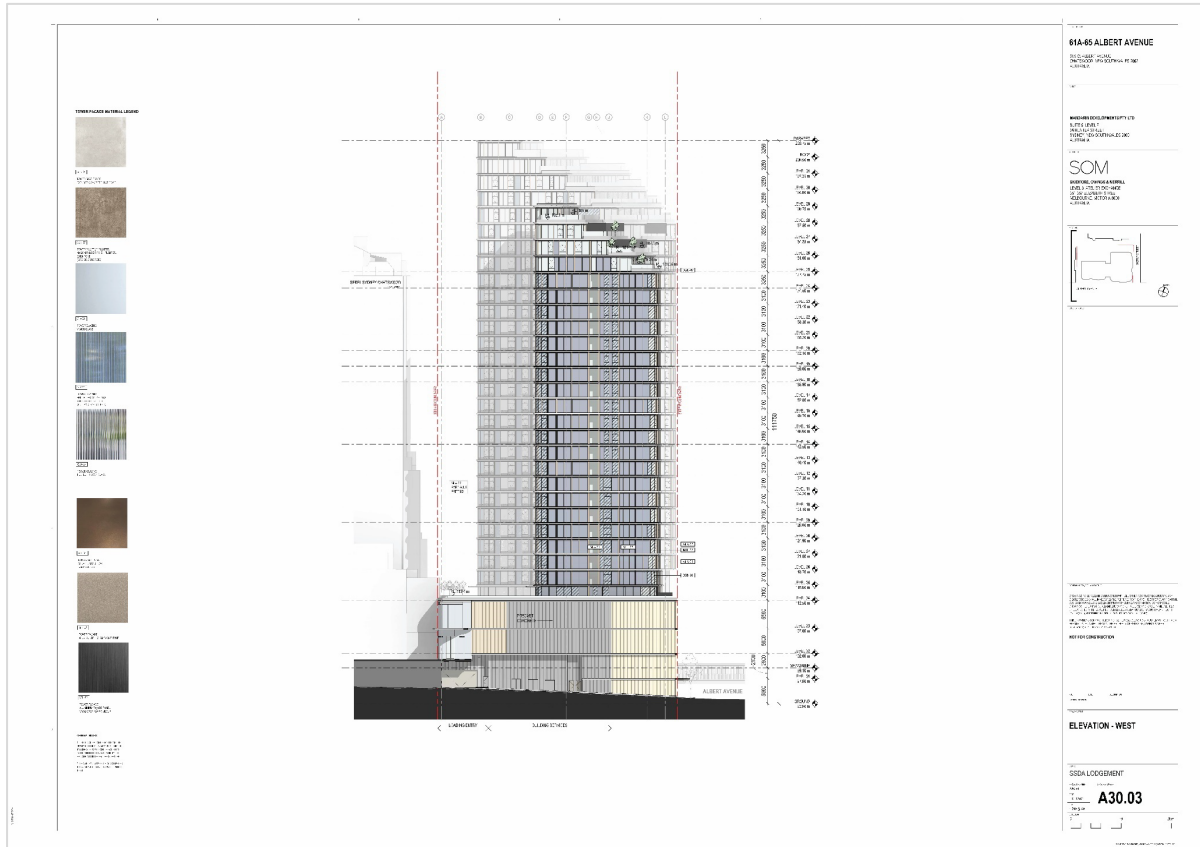


Figure 6-4: West-facing Elevation. (Source: SOM. 2025)

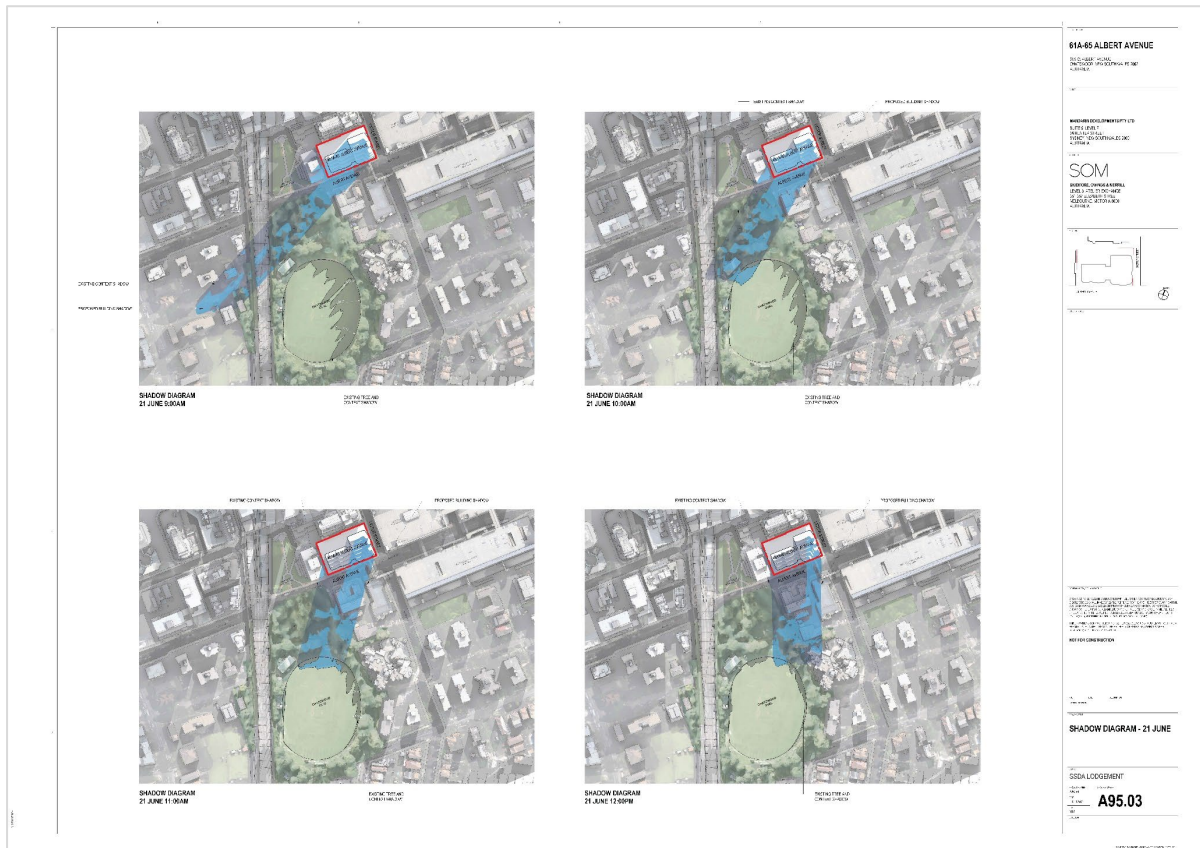
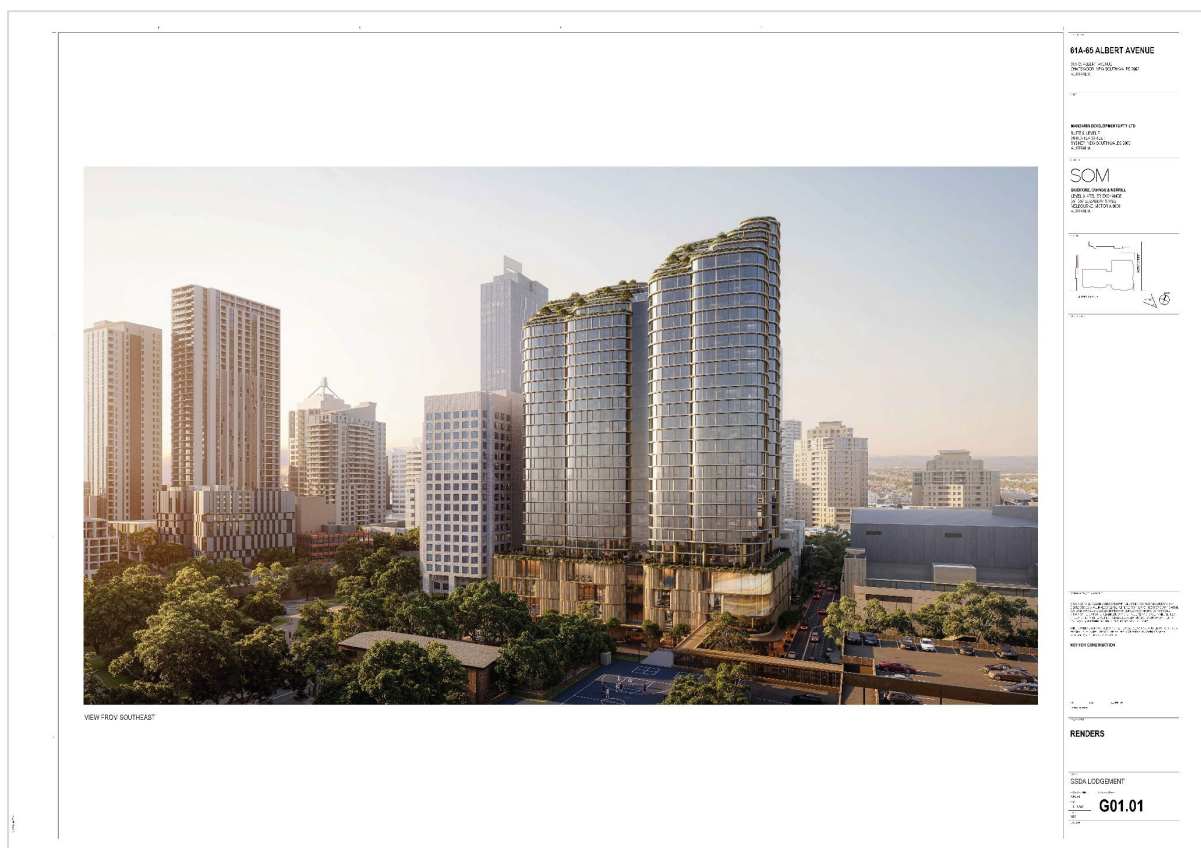


Figure 6-5: Shadow Diagram – 21 June. (Source: SOM. 2025)

EVERICK HERITAGE



7. Heritage Impact Assessment

7.1. Approach to Assessment

The proposed development is located within the vicinity of the heritage item *Garden of Remembrance* (I236) and is, therefore, required to respond to the heritage significance of its site and setting, to ensure the impacts of the proposed works on the heritage significance of the heritage item are minimised.

The following section provides an assessment of heritage impacts caused by the proposed works, consistent with the *Guidelines for preparing a statement of heritage impact*⁸.

The assessment follows the definitions of ‘heritage impact’, based on the *Heritage NSW Material Threshold Policy*⁹. These have been modified to apply to matters of local, Commonwealth and National heritage significance, as relevant to the context of the Garden of Remembrance.

Table 7-1: Scale of impact to heritage significance

Impact	Definition
Total Loss of Significance	Major adverse impacts to the extent where the place would no longer meet the criteria for listing.
Adverse Impact	Major (that is, more than minor or moderate) adverse impacts. Moderate adverse impacts to the heritage significance of the item. Minor adverse impacts to heritage significance of the item.
Little to no Impact	An alteration to a significant heritage item that is so minor that it is considered negligible.
Positive Impact	Alterations to a significant item that enhance the ability to demonstrate its cultural heritage values.

⁸ Department of Planning and Environment NSW. 2023b.

⁹ Department of Planning and Environment NSW. 2022.

7.2. Matters for Consideration

The *Guidelines for preparing a statement of heritage impact*¹⁰ provide a series of matters for consideration when assessing the impact of a proposed work to the heritage values of an item or place. The following sections provide a detailed assessment of matters, as they are relevant to the Garden of Remembrance.

7.2.1. Fabric and Spatial Arrangements

The proposed development will involve the demolition of the existing Mandarin Centre structure at 61A – 65 Albert Avenue. This structure is not identified for its heritage significance. The construction of a high-rise development will alter the visual presentation of the 61A – 65 Albert Avenue site and its associated streetscapes through changes in structural form and massing, though it is assessed that these alterations, in spatial arrangement, will result in little to no impact on the significance of heritage items in the vicinity.

Overall, the proposed development will not impact upon the fabric or spatial arrangements of any structures or spaces identified to be of heritage significance.

7.2.2. Setting, Views and Vistas

The proposed development will take place within the vicinity of the *Garden of Remembrance* (I236), a heritage item of local significance identified in Schedule 5 of the Willoughby LEP 2012.

There will be alterations made to the setting, views and vistas of the Garden of Remembrance through the redevelopment of the Mandarin Centre. The proposed development will be visible from the northern end of the Garden of Remembrance, through a gap between existing high-rise development (see Figure 3-15). As the surrounding development primarily consists of high-rise structures dating from the 1990s to present, a high-rise redevelopment of the Mandarin Centre will not be incongruous with the current setting of the Garden of Remembrance.

Additionally, existing high-rise development already results in overshadowing of the Garden of Remembrance throughout much of the day. The proposed development does not contribute to the generation of any shadowing on the Garden that is not already caused by other surrounding structures. The building height of the proposed development is, therefore, not expected to result in further overshadowing that will impact the heritage significance of the place.

¹⁰ Department of Planning and Environment NSW. 2023b.

Overall, the proposed development will have little to no impact on the setting, views and vistas of the *Garden of Remembrance* (I236).

7.2.3. Landscape

The proposed development will not have any direct impact on any elements of landscaping identified for heritage significance. The increased building height of the proposed development, when compared to the existing Mandarin Centre structure, will not result in additional overshadowing of the Garden of Remembrance. It is noted that the SHI listing sheet (2660061) states that plantings within the Garden of Remembrance have previously been altered to favour more shade-tolerant species due to the increased overshadowing of the site by the high-rise development of surrounding lots. As existing high-rise development already results in overshadowing of the Garden of Remembrance throughout the day, the proposed development will result in little to no impact to its heritage significance.

Overall, the proposed development at 61A – 65 Albert Avenue will have little to no impact on the landscape of the Garden of Remembrance.

7.2.4. Use

The proposed development does not involve the change of use of any structures identified for heritage significance.

7.2.5. Demolition

The proposed development will involve the demolition of the existing Mandarin Centre structure at 61A – 65 Albert Avenue. This structure is not identified for its heritage significance and the proposed development will, therefore, not involve the demolition of any elements of built fabric identified for heritage significance.

7.2.6. Curtilage

The proposed development does not include any changes to the curtilage of any items of heritage significance.

7.2.7. Movable Heritage

There are no items of movable heritage located in or within the vicinity of the 61A – 65 Albert Avenue site.

7.2.8. Aboriginal Cultural Heritage

This Statement of Heritage Impact does not provide an assessment of Aboriginal Cultural Heritage. A separate Aboriginal Heritage Due Diligence report has been prepared by Everick Heritage (2025) for the proposed development, pursuant to the requirements of the *National Parks and Wildlife Act 1974* (NSW).

7.2.9. Historical Archaeology

The archaeological potential of the 61A-65 Albert Avenue site is assessed to be nil. The site has, in its totality, been subjected to ground disturbing impacts that have removed any substantive archaeological remains relating to prior phases of occupation and land use. There is little to no potential for a relic to be exposed by any works taking place on the site.

As a precautionary measure, it is recommended that an Unexpected Finds Protocol should be implemented for any ground disturbing works, to mitigate against impact should previously unknown archaeological material be exposed.

7.2.10. Natural Heritage

There are no items of natural heritage located in or within the vicinity of the 61A – 65 Albert Avenue site.

7.2.11. Heritage Conservation Areas

61A – 65 Albert Avenue is not located in a Heritage Conservation Area.

7.2.12. Cumulative Impacts

The proposed redevelopment of the Mandarin Centre will result in little to no cumulative impact to the *Garden of Remembrance* (I236). The increased building height of the proposed development, when compared to the existing Mandarin Centre structure, will not result in additional overshadowing of the Garden of Remembrance. It is noted that the SHI listing sheet (2660061) states that plantings within the

Garden of Remembrance have previously been altered to favour more shade-tolerant species due to the increased overshadowing of the site by the high-rise development of surrounding lots. As existing high-rise development already results in overshadowing of the Garden of Remembrance throughout the day, the proposed development will result in little to no impact to its heritage significance.

7.2.13. Conservation Management Plan

There is no Conservation Management Plan for any site in or within the vicinity of the proposed works.

7.2.14. Other Heritage Items in the Vicinity

Under Section 5.10.5 of the Willoughby LEP 2012, Willoughby City Council may require an assessment of the extent to which the carrying out of the proposed development would affect the heritage significance of heritage items in the vicinity of the 61A – 65 Albert Avenue site.

The proposed development will occur within the vicinity of the *Garden of Remembrance* (1236), a heritage item of local significance identified in Schedule 5 of the Willoughby LEP 2012. This assessment has found that the proposed development will result in a relatively minor alteration of the setting, views and vistas of the Garden of Remembrance though, overall, will have little to no impact on its heritage significance.

The proposed development is subject to a SSDA and is required to comply with the requirements of the Willoughby LEP 2012. The Department of Planning, Housing and Infrastructure, as the consent authority may consult with Willoughby City Council on matters of heritage impact. This assessment has found that the proposed development would be in compliance with the requirements of the Willoughby LEP 2012, as they relate to heritage impact.

7.2.15. Commonwealth/National Heritage Significance

There are no items of Commonwealth or National heritage significance located in or within the vicinity of the 61A – 65 Albert Avenue site.

7.2.16. World Heritage Significance

There are no items of world heritage significance located in or within the vicinity of the 61A – 65 Albert Avenue site.

7.2.17. Interpretation

There are no elements of built heritage significance that could meaningfully be enhanced through heritage interpretation.

7.3. Summary of Assessed Impacts

In consideration the matters assessed above, the proposed works would result in little to no impact to the heritage significance of the *Garden of Remembrance* (I236).

8. Statutory Context

Heritage items and their conservation and management take place within a framework of relevant Commonwealth, State, and Local government legislation. An assessment of the relevant legislation at the State and local level is provided below:

8.1. State Legislation

8.1.1. *Heritage Act 1977* (NSW)

8.1.1.1. State Heritage Register

The Heritage Council of NSW maintains the State Heritage Register (SHR). Only heritage places, buildings, works, relics, movable objects, precincts and archaeological sites which are of state-level heritage significance in NSW are listed on the SHR. Listing on the SHR controls activities such as alteration, damage, demolition and development. When a place is listed on the SHR, the approval of the Heritage Council of NSW is required for any major work, including the following:

- Demolishing the building or work
- Carrying out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct.
- Altering the building, work, relic, or movable object.

Application

There are no items on the State Heritage Register in or within the vicinity of the site which will be impacted by the works.

8.1.1.2. Archaeological relics

Part 6 Division 9 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. It applies to all land in NSW that is not included in the SHR. Separate approval for excavation of land within the curtilage of a place listed on the SHR must be

undertaken in accordance with a permit under Section (s) 60, or a gazetted Exemption under s 57(2) of the Heritage Act. A 'relic' is defined by the Heritage Act as:

- c) *any deposit, object of material evidence which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement*
- d) *and has local or state significance.*

Application

In consideration of the historical archaeological assessment contained in this report (see Section 4), the archaeological potential of the 61A – 65 Albert Avenue site is nil.

The proposed works will take place within the footprint of known historical buildings. However, due to extensive ground disturbance resulting from the construction of the Mandarin Centre and its basement carpark, there is little to no potential for the works to expose archaeological material.

As a precautionary measure, it is recommended that an Unexpected Finds Protocol should be implemented for any ground disturbing works, to mitigate against impact should previously unknown archaeological material be exposed.

8.1.1.3. Works

The Heritage Act identifies 'works' as a category separate to relics. In most contexts, 'works' refer to past evidence of infrastructure which may be buried and are, therefore, 'archaeological' in nature and with the potential to provide information that contributes to our knowledge of the history of NSW. Exposure of a 'work' does not trigger reporting obligations under the Heritage Act. However, good environmental practice recognises the archaeological potential of such discoveries and the need to balance these against the requirements of development.

Application

The discovery of any 'works' should follow an Unexpected Finds Protocol.

8.1.2. *Environmental Planning and Assessment Act 1979 (NSW)*

The *Environmental Planning and Assessment Act 1979 (NSW)* (EP&A Act) requires that environmental impacts, including impacts on built and cultural heritage (including Aboriginal cultural heritage), are considered in the land use planning and development assessment process.

Proposed activities and developments are considered under different parts of the EP&A Act, including:

- Major projects (State Significant Development under Division 4.7 and State Significant Infrastructure under Division 5.1) require approval of the Minister for Planning
- Minor or routine development requiring local council approval are usually undertaken under Part 4 activities which, in limited circumstances, may require approval by the Minister.
- Part 5 activities that do not require development approval. These are often infrastructure projects approved by local councils or the State agency undertaking the project.

Under Subdivision 5.5 of the EP&A Act, a determining authority:

in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

Application

The proposed development is subject to a State Significant Development Application (SSDA), with the Department of Planning, Housing and Infrastructure as the determining authority. This Statement of Heritage Impact satisfies the reporting requirements under the EP&A Act for the assessment of impacts to heritage arising from the proposed development.

8.2. Local Legislation

8.2.1. Willoughby Local Environmental Plan 2012

Local Environmental Plans provide a framework that guides planning decisions for local government areas through zoning and development controls. The 61A – 65 Albert Avenue site is located within the Willoughby LGA and so is required to comply with the provisions of the Willoughby LEP 2012 for heritage conservation. Section 5.10 of the Willoughby LEP 2012 pertains to heritage conservation. Subsection 5.10(1) identifies the Objectives while Subsections 5.10(4) and 5.10(5) provide clauses relevant to the proposed development at 61A – 65 Albert Avenue:

*(4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

*(5) **Heritage assessment** The consent authority may, before granting consent to any development—*

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Application

The land on which the proposed development is located within the vicinity of a local heritage item: Garden of Remembrance (I236), identified in Schedule 5 of the Willoughby LEP 2012.

The proposed development is subject to an SSDA and is required to comply with the requirements of the Willoughby LEP 2012. The Department of Planning, Housing and Infrastructure, as the consent authority, may consult with Willoughby City Council on matters of heritage impact. This assessment has found that the proposed development is in compliance with the requirements of the Willoughby LEP 2012, as they relate to heritage impact.

8.2.2. Willoughby Development Control Plan 2023

A Development Control Plan (DCP) provides detailed planning and design guidelines to support the planning controls in the Local Environmental Plan developed by a council. Part H of the Willoughby Development Control Plan 2023 provides a series of objectives and requirements for heritage conservation. The following table provides an assessment of the relevant objectives and controls:

Table 8-1: Assessment against the objectives and controls of the Willoughby DCP 2023

Objectives and Requirements	Discussion
2.1.1 Setting	
Objectives 1. provide an appropriate visual setting for heritage items and buildings in heritage conservation areas, including landscaping, fencing and carparking 2. maintain and enhance the existing heritage significance of the streetscape and the vicinity 3. ensure new development respects the established patterns in the streetscape, including setbacks, siting, landscaped settings, carparking and fencing Requirements e. Development in the vicinity of a heritage item or a heritage conservation area should respect the visual curtilage of that item. f. New developments must respect the existing significance of the streetscape and the vicinity. h. Views are to be protected.	The proposed development will be in keeping with the present high-rise, urban setting of the Garden of Remembrance. As an area of urban green space, the Garden of Remembrance has a relatively high tolerance for development in the vicinity. The proposed development will maintain a consistent presentation of high-rise development within the streetscapes of Albert Avenue and Victor Street.
2.1.2 Scale	
Objective 1. ensure the scale of new development is in harmony with the streetscape and does not dominate or compete with existing heritage items, reduce their contribution and importance to their context, or destroy an existing pattern of development Requirements a. The scale of the new work must relate visually to the scale of adjacent buildings that are heritage items or are located in a heritage conservation area. This includes the height, bulk, density and	The proposed development will be in keeping with the present high-rise mixed-use civic, commercial and residential character of the Chatswood central business district. As an area of urban green space, the Garden of Remembrance has a relatively high tolerance for development in the vicinity and will not meaningfully be impacted by high-rise development outside of its immediate periphery. The height, bulk, density and number of storeys of the proposed development will be congruous with other high-rise structures in the

Objectives and Requirements	Discussion
<i>number of storeys. Unless the application can clearly show that greater scale would be appropriate in the individual circumstances, new buildings and additions are to be of the same scale as the surrounding development.</i> <i>c. New buildings must not visually dominate, compete with or be incompatible with the scale of existing buildings of heritage significance or contributory value either on the site or in the vicinity of the proposal.</i>	area and will not result in any meaningful impact to the Garden of Remembrance.

9. Conclusions and Recommendations

9.1. Conclusions

This Statement of Heritage Impact has assessed the potential impacts to the heritage significance of the *Garden of Remembrance* (I236) resulting from the redevelopment of the Mandarin Centre at 61A – 65 Albert Avenue, Chatswood, proposed by Mandarin Developments Pty Ltd.

The proposed mixed-use development will not result in any direct or physical impacts to any elements of built fabric identified as having heritage significance. There will be minor alteration to the setting, views and vistas of the Garden of Remembrance through the redevelopment of the Mandarin Centre. The increased building height of the proposed development, when compared to the existing Mandarin Centre structure, will not result in overshadowing of the Garden of Remembrance. Furthermore, as existing high-rise development already results in overshadowing of the Garden of Remembrance throughout the day, the proposed development will result in little to no impact to its heritage significance.

As the 61A – 65 Albert Avenue site has, in its totality, been subjected to ground disturbing impacts that have removed any substantive archaeological remains relating to prior phases of occupation and land use, there is nil potential for a relic to be exposed by any works taking place on the site.

The proposed redevelopment of the Mandarin Centre at 61A – 65 Albert Avenue, Chatswood will, therefore, have little to no impact on the heritage significance of the *Garden of Remembrance* (I236) and has a nil potential to impact on historical archaeological relics.

9.2. Recommendations

As no adverse impacts are identified arising from the proposed development, no mitigation measures are identified, as it relates to built heritage.

As a precautionary measure, it is recommended that an Unexpected Finds Protocol should be implemented for any ground disturbing works, to mitigate against impact should previously unknown archaeological material be exposed.

References

Australia ICOMOS (2013) *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*. Available at: <https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>.

Department of Planning and Environment (2022) *Heritage NSW Material Threshold Policy*. Available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/material-threshold-policy.pdf>.

Department of Planning and Environment (2023a) *Assessing heritage significance*. Available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/assessing-heritage-significance-guidelines-assessing-places-objects-against-criteria-230167.pdf>.

Department of Planning and Environment (2023b) *Guidelines for preparing a statement of heritage impact*. Available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/guidelines-for-preparing-a-statement-of-heritage-impact-230201.pdf>.

Dictionary of Sydney (n.d.) *Chatswood Post Office*. Available at: https://dictionaryofsydney.org/building/chatswood_post_office.

Heritage Branch (2009) *Assessing Significance for Historical Archaeological Sites and 'Relics': Heritage Branch, Department of Planning*. Available at: <https://www.heritage.nsw.gov.au/assets/Uploads/a-z-publications/a-c/Assessing-Significance-A-Historical-Archaeological-Sites-and-Relics.pdf>.

Heritage NSW (2021) *Investigating heritage significance A guide to identifying and examining heritage items in NSW: Heritage NSW*. Available at: <https://www.heritage.nsw.gov.au/assets/Investigating-heritage-significance-2021-v2.pdf>.

Heritage Office (2005) *State Agency Heritage Guide Management of Heritage Assets by NSW Government Agencies*. Available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/state-agency-heritage-guide.pdf>.

Heritage Office and DUAP (1996a) *Archaeological Assessments Guidelines: NSW Heritage Office*. Available at: <https://www.heritage.nsw.gov.au/assets/Uploads/files/archaeological-assessments-guidelines.pdf>.

EVERICK HERITAGE

Heritage Office and DUAP (1996b) NSW Heritage Manual: NSW Heritage Office. Available at:

<https://heritagensw.intersearch.com.au/heritagenswjsui/retrieve/305238ad-702b-4ed1-b04e-6b1a7b6a6d89/000030943%20-%20NSWH.pdf>.

New South Wales Government (2025) *Chatswood Garden of Remembrance*. Available at:

<https://www.warmemorialsregister.nsw.gov.au/memorials/chatswood-garden-remembrance>.

Willoughby District Historical Society and Museum Inc. (n.d.) *Historical Willoughby: Chatswood City Centre*. Available at: <https://abc17603.wordpress.com/history/suburbs/chatswoodcbd/>.