

Our ref: Shop-top housing development with infill affordable housing at 10 Gordon Avenue & 9-19 Nelson Street, Chatswood (SSD-93766223)

Mr Benjamin Lin  
THE TRUSTEE FOR LFD CHATSWOOD UNIT TRUST  
Suite 1, Level 1, 50 Clarence Street  
Sydney NSW 2000

6 May 2026

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**Subject:** Planning Secretary's Environmental Assessment Requirements

Dear Mr Lin,

I refer to the Planning Secretary's environmental assessment requirements (SEARs) issued on 16 September 2025 for a proposed Shop-top housing development with infill affordable housing 10 Gordon Avenue & 9-19 Nelson Street, Chatswood (SSD-93766223).

Since issuing SEARs, the Department has become aware of potential Electromagnetic emissions (EME) and broadcasting impacts which may be relevant to the proposal due to its proximity to the TX Australia site located 192-296 Hampden Road, Artarmon.

Accordingly, the Planning Secretary is amending the SEARs to ensure the environmental assessment addresses all relevant matters and aligns with current assessment practice.

Please find attached a copy of the amended Planning Secretary's environmental assessment requirements (SEARs) including additional assessment requirements on page 2 of this letter.

Please contact the department as soon as possible if your project changes, such that consultation is required with public authorities (under Part 8 of the EP&A Regulation). Your SEARs may need to be reissued and a scoping report may also be required.

### Expiry of SEARs

The SEARs are valid for two years from the date of issue (or the date of the last modification). If you require an extension, please contact the Department at least three months prior to the expiry date. If your application is not submitted within this period, a new request for SEARs will be required to progress your project.

## Additional assessment requirements

The department has identified assessment requirements additional to those attached. These requirements, in addition to the industry-specific SEARs, are provided below and should be taken to be the collective SEARs for the project.

1. Detail the relationship with the proposal with any existing applications under assessment or development consents granted on the site.
2. Demonstrate that the local affordable housing contribution (clause 6.8 in the Willoughby Local Environmental Plan 2012) would be provided. Please note, the local affordable housing requirements must be provided for in addition to the affordable housing required under Chapter 2, Part 2, Division 1 of the Housing SEPP.
3. Provide an assessment of the potential EME risks on the construction workers and future occupants and any potential electronic interference risks.
4. Address the potential impacts of the proposal on broadcasting. If the proposal has a building height in excess of 120m a Broadcasting Coverage Assessment is required.

## Preparing your Environmental Impact Statement (EIS)

Your EIS must be prepared having regard to the department's *State Significant Development Guidelines* – including the *Preparing an Environmental Impact Statement Guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at:

<https://www.planning.nsw.gov.au/policy-and-legislation/planning-reforms/rapid-assessment-framework/improving-assessment-guidance>.

You are also required to consult with the Department and relevant agencies during the preparation of your EIS, in accordance with *the Undertaking Engagement Guidelines for State Significant Projects*. For more information, please visit the [Prepare EIS page](#) on the NSW planning portal. Agency contact details can be found at:

<https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

Before submission, a Registered Environmental Assessment Practitioner (REAP) must declare that your EIS meets the required standards for completeness, accuracy, quality and clarity, as outlined in Division 5 of Part 8 of the *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation). A pro forma declaration can be found in [Appendix B of the \*Preparing an Environmental Impact Statement Guideline\*](#).

### Biodiversity Development Assessment Report

Any development application that is required to be submitted with a Biodiversity Development Assessment Report must use the template available at:

<https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template>.

### Lodging your development application (DA)

To ensure your application is ready for lodgement, please complete the following steps at least two weeks in advance:

- **Submit the Payer Detail Form** to the email address provided on the form. This allows sufficient time for fee determination and payment arrangements to be finalised. The form is available at:  
<https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-development/ssd-process/prepare-eis>
- **Contact our team** to confirm that all lodgement requirements have been met, including whether hard copies, electronic copies, or both will be required for the public exhibition of the EIS.

Upon submission of your application and EIS, the Department will review it for completeness under Part 8 of the EP&A Regulation. At this time, you will also be advised of the applicable DA fee for your project.

### Information needed to determine the DA fee

Your application must include an Estimated Development Cost (EDC) Report that supports the estimated development cost and aligns with the information in your DA form. The Department will review the report for completeness in accordance with the EP&A Regulation and relevant Planning Circular.

Please note that your DA is not taken to be lodged until the DA fee has been paid.

### Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

## Department of Planning, Housing and Infrastructure



It is your responsibility to contact the Australian Government Department of Climate Change, Energy, the Environment and Water to determine if you need approval under the EPBC Act (<https://www.dcceew.gov.au/> or 6274 1111).

If you have any questions, please contact Russell Hand on 02 8275 1313 or via email at [Russell.Hand@planning.nsw.gov.au](mailto:Russell.Hand@planning.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink that reads "AWatson".

Amy Watson  
Director  
Affordable Housing Assessments  
as delegate for the Planning Secretary