

6 March 2025

Amy Watson
A/Director State Significant Acceleration
Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta, NSW 2124

Attention: Adela Murimba – Planning Officer, Department of Planning, Housing and Infrastructure

Dear Ms Watson

OBJECTION SUBMISSION TO STATE SIGNIFICANT DEVELOPMENT APPLICATION NO. SSD-75408008 PROPOSING DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A 33 STOREY MIXED USE SHOP TOP HOUSING DEVELOPMENT THAT INCLUDES IN-FILL AFFORDABLE HOUSING, COMMUNAL FACILITIES, EIGHT LEVEL BASEMENT CAR PARKING AND ASSOCIATED WORKS 44-52 ANDERSON STREET, CHATSWOOD (SP 80201, SP 68797 AND SP78790)

We refer to the above State Significant Development Application (SSDA) No. SSD-75408008 described by the Department of Planning, Housing and Infrastructure (the Department) as, "*Construction of a 33-storey shop-top housing development with in-fill affordable housing, including 123 apartments (including 36 affordable housing units) and eight basement levels*". Milestone (AUST) Pty Limited (Milestone) acts for the following parties:

- Strata Committee of B2E, located at 1 Day Street Chatswood (SP 72068);
- Strata Committee of Epica, located at 9 Railway Street Chatswood (SP 74513);
- Strata Committee of Altura located at 11 Railway Street Chatswood (SP 71281); and
- Pacific Place Community Association on Deposited Plan 270368.

Milestone has reviewed the associated documentation supporting SSDA No. SSD-75408008 including, but not limited to:

- Architectural Plans prepared by Make Architects and Turner Studio, dated 26 September 2024.
- Environmental Impact Statement prepared by Mecone dated November 2024.
- Wind Impact Assessment prepared by Windtech Consultants, dated 29 October 2024.
- Transport Impact Assessment Report prepared by JMT Consulting dated 23 October 2024.
- Geotechnical Interpretation Report prepared by Stantec dated 29 October 2024.
- Noise and Vibration Assessment for SSDA prepared by Renzo Tonn & Associates, dated 28 October 2024.
- Remedial Action Plan prepared by Stantec, dated 29 October 2024.
- Hazardous Building Materials Survey prepared by JKEnvironments, dated 26 June 2023.

Summary of Objection

This submission strongly objects to the following key aspects of the proposed development:

1. Overshadowing and Solar Access.
2. Traffic and Parking Impacts.
3. Wind Impacts.
4. Construction and Geotechnical Impacts.
5. Cumulative Development Impacts.

On the basis of the significant adverse environmental impacts, we contend that the SSDA in its current form cannot be supported.

1. BACKGROUND

This submission has been prepared on behalf of the residents that benefit from Pacific Place Community Association (Deposited Plan 270368), the Strata Committee for Altura located at 11 Railway Street Chatswood (SP 71281), the Strata Committee for B2E located at 1 Day Street Chatswood (SP 72068) and the Strata Committee for Epica located at 9 Railway Street, Chatswood (SP 74513) refer to **Figure 1**.

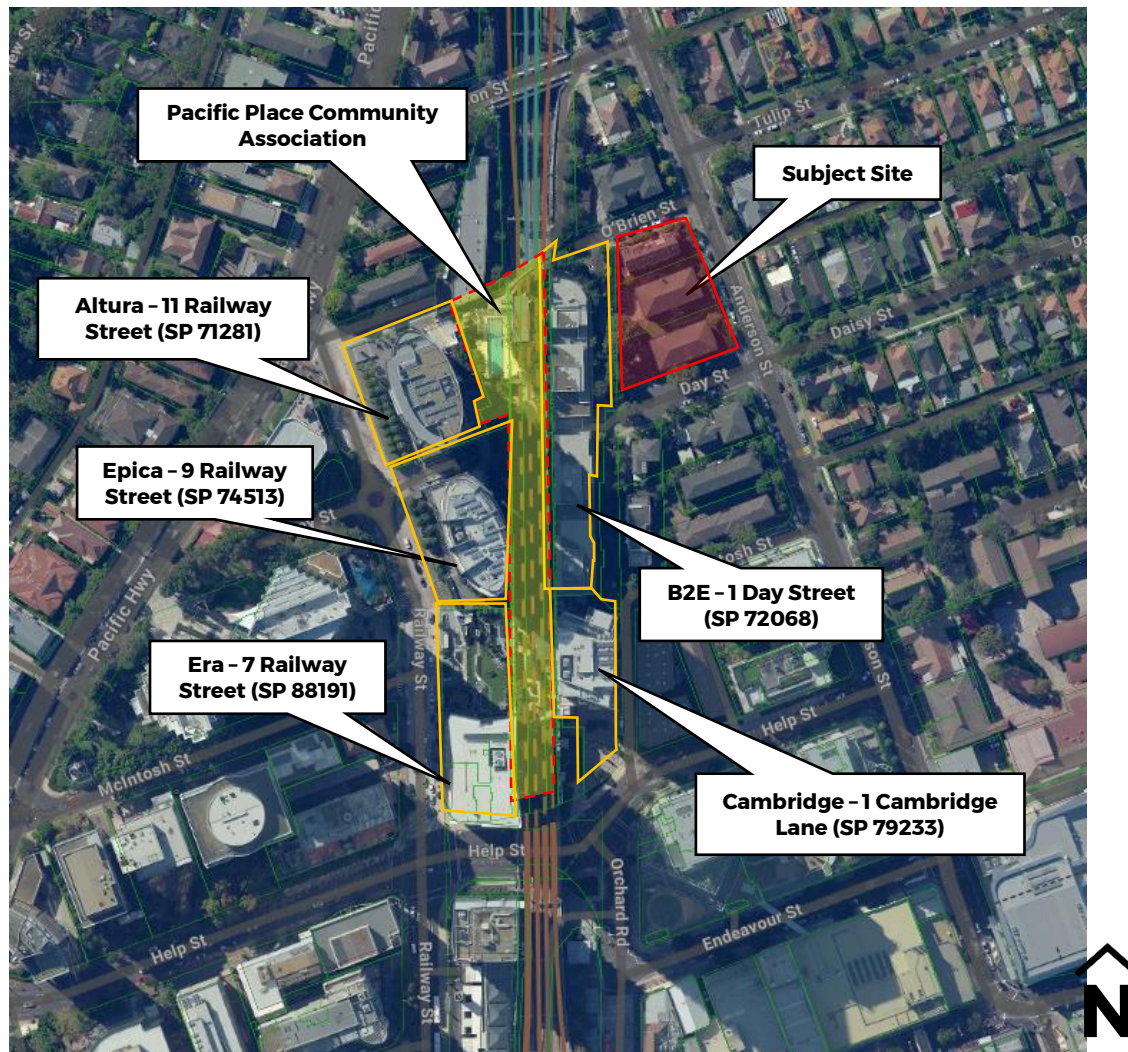


Figure 1: Site Location Map
Source: Mecone, 2025

Pacific Place Community Association (SP 270368)

Pacific Place Community Association on Deposited Plan No. 270368, utilises the existing communal open space shown in **Figure 1**, **Photo 1** and **Photo 2**, including a community garden and swimming pool on the northern extent of the open space. The Pacific Plan Masterplan Development Application was approved under Development Consent No. 1999/1812 on 12 February 2001 and includes six (6) buildings. Pacific Place accommodates 848 residential lots accommodating more than approximately 2,000 residents between the following Strata Plans:

- SP 72068 – B2E – 64 lots.
- SP 74513 – Epica – 221 lots.
- SP 71281 – Altura – 137 lots.
- SP 88191 – ERA – 294 lots.
- SP 79233 – Cambridge – 132 lots.

Pacific Place forms the only high quality open space available to over 2,000 residents which highlights its value and importance to the community.



Photo 1: View north to communal open space managed by the Pacific Place Community Association between Altura (left) and B2E (right)

Source: Milestone, 2024

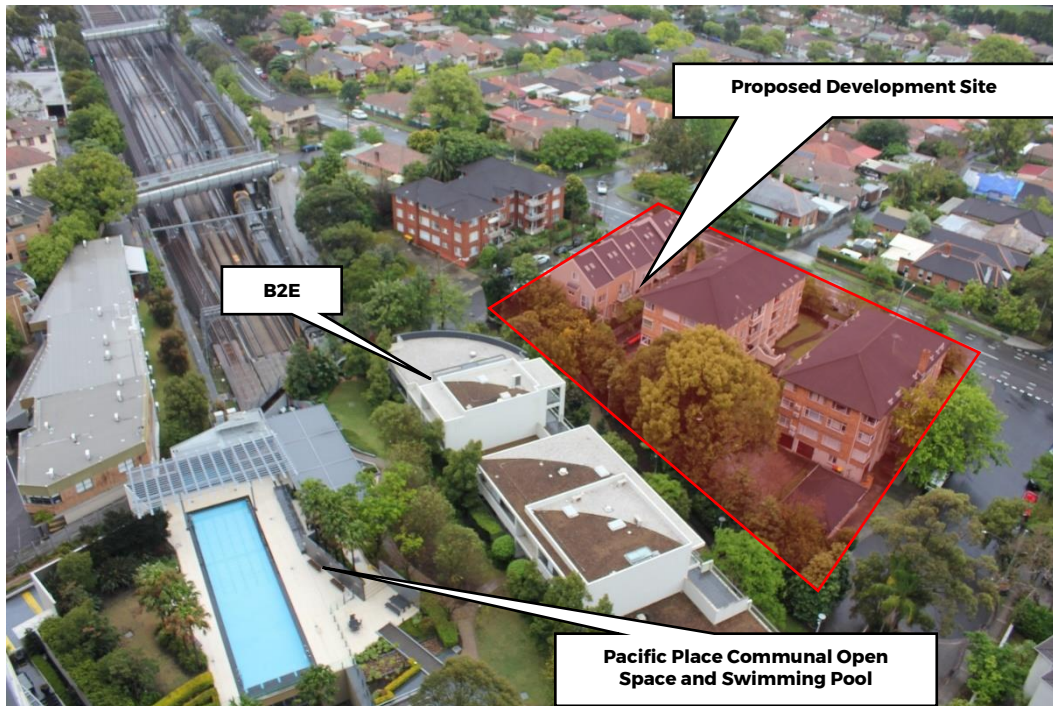


Photo 2: Interface with Subject Site; View north of existing pool & garden utilised by residents of Pacific Place Community Association.

Source: Milestone, from Level 25 of Epica

Altura – 11 Railway Street Chatswood (SP 71281)

Altura comprises a 25-storey elliptical tower and includes 137 residential lots on Strata Plan No. 71281. The tower is located approximately 18m to the south of the site of SSDA No. SSD-75408008. The location of Altura in proximity to the proposed development site places it at an increased risk of impacts from the demolition and site remediation phases of the proposed development.

B2E – 1 Day Street, Chatswood (SP 72068)

B2E comprises a 5-storey medium-rise residential flat building and includes 64 residential lots on Strata Plan No. 72068. A total of 31 of B2E's 64 apartments are single aspect and highly susceptible to overshadowing due to its north-south orientation. **Photo 3** shows B2E's location as viewed from Altura. B2E is the most affected property by the proposed development, given the B2E building is located 13m from the subject site and share a common boundary with the development site.



Photo 3: B2E; View east
Source: Milestone, 2024 from Level 22 of Altura

Epica – 9 Railway Street, Chatswood (SP 74513)

Epica comprises a 32-storey elliptical tower and includes 221 residential lots on Strata Plan No. 74513. The tower is located approximately 75m to the south-west of the SSDA site. The east-north-east orientation of the Epica tower provides for the enjoyment of expansive views to the north and east of the site from the majority of residential apartments, which are also afforded solar access during morning periods.

2. GROUNDS FOR OBJECTION

2.1. Overshadowing and Solar Access

2.1.1. Common Issues for Pacific Place Community Association

Insufficient information has been submitted with the SSDA, demonstrating compliance with Objective 3D of the Apartment Design Guide, which requires communal open space to receive the following amount of solar access in accordance with the following design criteria:

- *“Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter).”*

Pacific Place communal open space area will be substantially overshadowed between the hours of 9.00 am to 11.00am, given the subject site’s location to the north and east of Pacific Place, which are the core hours that the communal open space currently receives uninterrupted solar access, with tall buildings west of Pacific Place communal open space overshadowing the open space area in the afternoon. The overshadowing of the Pacific Place Community Association’s communal open space will have a direct impact on the amenity of the open space which is at the detriment of all 848 residential lots and over 2,000 people that enjoy access to Pacific Place.

Noting that substantial overshadowing will occur for Epica and B2E during key morning periods for the residents’ private open space and principal living areas, the communal open space shown in **Photos 1, 2 and 3** must provide an opportunity for residents to utilise the morning sun and communal areas, including the swimming pool that is able to be used from 7:00am and the community garden located on the northern extent of the site adjacent to B2E that is used by residents to grow and harvest their own produce, flowers and herbs.

Additional 3D shadow diagrams are required to be prepared by the Applicant which quantify the existing solar access afforded to Pacific Place communal open space and the solar access that will be lost as a result of the proposed development at 44-52 Anderson Street, Chatswood.

2.1.2. B2E – 1 Day Street, Chatswood (SP 72068)

Insufficient information has been submitted with the SSDA, demonstrating compliance with Objective 4A of the Apartment Design Guide, which requires buildings be provided with solar access in accordance with the following design criteria:

- *“Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.*
- *In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.*
- *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter”.*

The residential apartments of B2E will be in shadow from 9.00am to 11.30am as a result of the SSDA which will result in no morning solar access being afforded to all single aspect apartments which face east. Residents on the northern extent of B2E with north-facing balconies and terraces will enjoy little to no mid-winter sunlight as a result of the future development. Compliance with the above design criteria is required to be addressed for both the proposed development, and the existing adjoining developments, with a detailed solar access analysis being required to be undertaken.

The majority of B2E residents that are located on the eastern side of the built form are adjacent to existing vegetation and mature trees that contribute to the attractive walkway southbound from O'Brien Street that is managed by the Pacific Place Community Association. Whilst B2E provides a positive contribution to the limited tree canopy of the Chatswood CBD, the cumulative shadow impact of the existing vegetation and the resulting built form of SSDA No. SSD-75408008 will further inhibit solar access to east-facing residential apartments.

2.1.3. Epica – 9 Railway Street, Chatswood (SP 74513)

Insufficient information has been submitted with the SSDA, demonstrating compliance with Objective 4A of the Apartment Design Guide, which requires buildings be provided with solar access in accordance with the following design criteria:

- *“Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.*
- *In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter.*
- *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter”*

The east facing residential apartments of Epica will be in shadow from 9.00am to 11.00am which will significantly reduce the solar access being afforded to all apartments with an eastern aspect. Compliance with the above design criteria is required to be demonstrated for both the proposed development, and the existing adjoining developments, with a detailed solar access analysis being required to be undertaken.

Multiple residential apartments located in the Epica tower are afforded solar access during morning periods resulting from the east-north-east orientation of the building. The residents located in these identified apartments contain limited private open space in the form of balconies or terraces that are directly connected to their principal living areas. The Shadow Diagram prepared by Make for 9am identify the substantial shadow impacts that will be borne by the residents of Epica during early morning periods into their private open space and connected living areas. This limits the useability and benefit of private open space in these apartments, which are directly connected to these living areas.

2.2. Traffic and Parking Impacts

2.2.1. Common Issues

During the public notification of Planning Proposal No. PP-2021/3467, Milestone identified that following a review of the Transport Impact Assessment prepared by JMT Consulting dated 9 February 2021 in conjunction with the Chatswood CBD Strategic Study Future Conditions Report prepared by ARUP dated September 2020, there were significant concerns over the contribution of potential future development to existing and future road networks within the Chatswood CBD and outside its boundaries. This view formed part of a formal

objection submission dated 3 November 2021 made to Willoughby City Council by Milestone (refer to **Attachment A**).

Milestone has reviewed the Transport Impact Assessment Report prepared by JMT Consulting dated 23 October 2024 and there has been no additional traffic analysis backed by up to date on site surveys and studies and does not consider the impact of other Development Applications or SSDA's in the Chatswood CBD. This is inconsistent with the response to objections provided by Council during the assessment of Planning Proposal No. PP-2021/2467 in 2022 for 54-56 Anderson Street, Chatswood, and Milestone considers that the same rationale to traffic and parking impacts should apply in this instance. Therefore the Transport Impact Assessment Report prepared by JMT Consulting dated 23 October 2024 cannot be supported without obtaining new data. To do so would result in the consent authority not fully considering an important impact of the proposed development.

An accurate and comprehensive assessment of the traffic impacts is required to be understood prior to granting development consent to the proposed development. Chatswood is already an area of high traffic congestion, particularly on weekday afternoons and on weekends as reported to by residents of the area. Given these peak times are outside of a common peak congestion time (weekday mornings), the traffic impacts of the proposed development are likely to have an area specific impact that needs to be fully considered with up to date data. **Figure 2** details the existing areas of congestion surrounding the northern end of the Chatswood CBD.

Therefore there is no definitive report which justifies the appropriateness of the SSDA as the associated traffic and parking impacts are not known. We request that the Department seek an updated Traffic and Parking Impact Assessment before this SSDA progresses any further. Moreover, we request that any updated Traffic and Parking Assessment be placed on public exhibition so that all stakeholders have the opportunity to review this analysis and provide further comments to the Department as required.

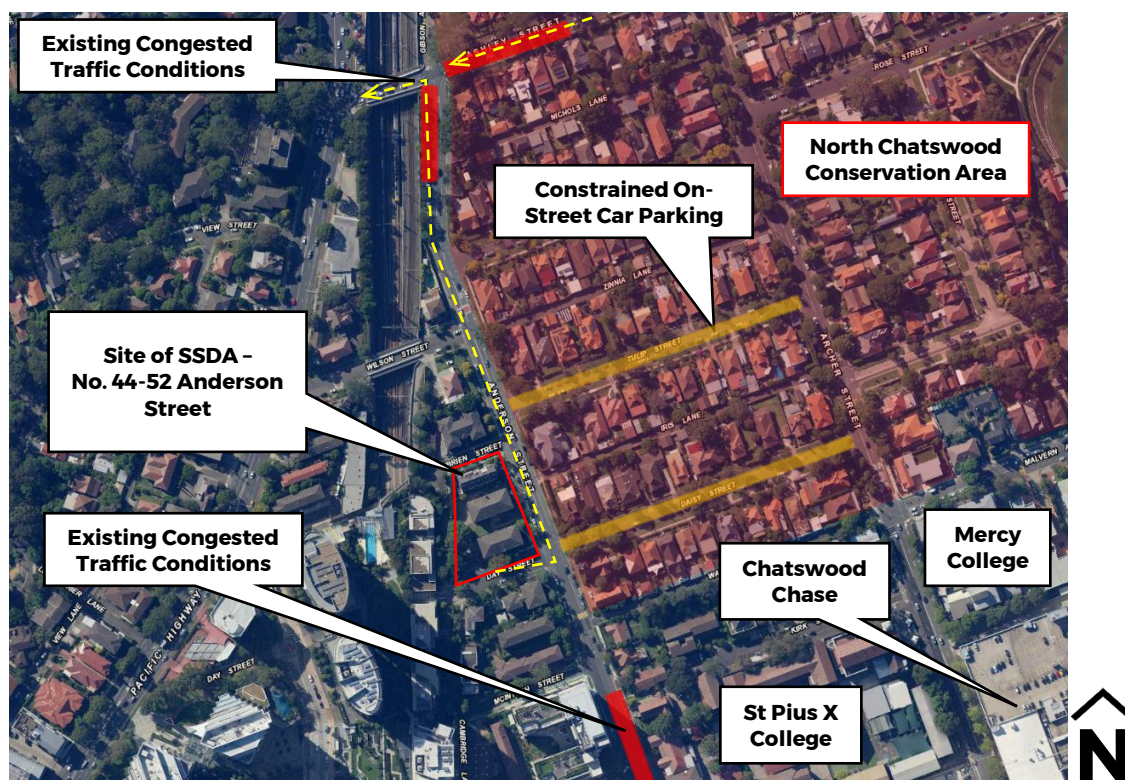


Figure 2: Traffic and Parking Context
Source: SIX Maps 2025

In addition to this, the parking and traffic impacts as a result of the proposal will be further exacerbated as a result of the proposed on site car parking (total of 296 car parking spaces) in the proposed eight level basement car park. In an effort to minimise the parking and traffic impacts of the redevelopment of the northern end of the Chatswood CBD, the *Willoughby Development Control Plan 2023* (DCP 2023) sets the following minimum and maximum car parking rates for residential development in the Chatswood CBD.

Table 1: DCP 2023 Car Parking Rates

Minimum Car Parking Requirement	Maximum Car Parking Requirement
<ul style="list-style-type: none"> • 0.1 spaces per studio/1-bedroom flat • 0.2 spaces per studio/ 2-bedroom flat • 0.25 spaces per studio/ 3+ bedroom flat 	<ul style="list-style-type: none"> • 0.5 space per studio, 1, 2, 3 or more bedroom units • 1 visitor space per 7 dwellings

This would limit the residential component of the proposed development to 79 residential car parking spaces. The subject SSDA proposes 225 residential car parking spaces which equates to 1.8 car parking spaces per apartment. There will be unacceptable impacts to the traffic conditions of the Chatswood CBD as a result of providing almost three times as much residential car parking as envisioned DCP 2023. This will directly result in almost three times as many cars and traffic movements within the already congested CBD and on this basis, we request that the Department insist on compliance with the car parking rates of DCP 2023.

We note that in the Willoughby Council Assessment Report that supported the refusal of Development Application No. DA-2024/172 on the subject site, that Council state that the DCP 2023 car parking rates were established with consideration of the area's capacity to handle traffic, and that exceeding these rates across multiple developments could lead to significant congestion, increased emissions and a degradation of the local environment and liveability. Supporting excessive on-site private car parking for a site adjoining a Transport Interchange which includes rail, metro and bus services is inconsistent with the following Strategic Visions of TfNSW's *Future Transport Strategy 2022: (Page No. 14-15)*

- C2.1 – Support car-free, active, sustainable transport options.
- C4.5 – Improve the safety of people walking and cycling.
- P1.2 – Support growth around public transport.
- P1.4 – Improve parking provision and management.
- P2.5 – Improve the amenity of places along state roads.
- P3.2 – Help the transport sector achieve net zero emissions by 2050.
- P4.2 – Improve air quality and reduce noise.
- E2.1 – Promote travel behaviour change to manage networks.
- E2.2 – Stabilise Greater Sydney's traffic.

The provision of almost two car parking spaces per dwelling will undoubtable work against these strategic visions for transport, resulting in more traffic, emissions, noise, vibration impacts and car dependence and should not be supported on this basis. Further, the size of the basement being double than that envisioned by DCP 2023 will result in additional geotechnical and construction impacts.

2.3. Wind Impacts

2.3.1. Common Issues

Milestone has reviewed the Pedestrian Wind Environment Statement prepared by Windtech Consultants dated 29 October 2024 submitted with the SSDA. This Pedestrian Wind Environment Statement has not considered the impact that the proposed development will have on the wind environment experienced by the surrounding area, in particular the wind environment when using the Pacific Place communal open space as well as the private balconies of B2E, Altura and Epica. The Pacific Place Community Association open space sits between several tall buildings within the Chatswood CBD, as seen in **Figure 3**. There is great concern that given the level change between the open space and the top of the proposed development, this will result in a substantial wind tunnelling effect.

It is not considered acceptable that this critical impact to the amenity of over 2,000 residents that rely on Pacific Place as their sole area of communal open space is not subject to a detailed assessment. We request that the Department require the Pedestrian Wind Environment Statement is updated to undertake a wind tunnelling assessment that not only considers the proposed development, but the entire redevelopment of the Chatswood CBD, including building height bonuses of 30% available under the in-fill affordable housing provisions of *State Environmental Planning Policy (Housing) 2021*.



Figure 3: View South, Chatswood CBD
Source: Vipac Engineers and Scientists Limited, 2023

2.4. Construction and Geotechnical Impacts

2.4.1. Common Issues

The demolition and construction phase of the proposed development will generate significant noise, dust and vibration impacts which will directly impact the residents of the immediately adjoining sites and Pacific Place open space area. No demolition management plan has been submitted with the SSDA which details how impacts from the demolition and construction phase of the development will be mitigated.

The impact of construction vehicles on the surrounding area, both passenger cars transporting workers and large trucks transporting waste and construction materials, is likely to have a noticeable impact on the amenity of the area. We note that the Noise and Vibration Impact Assessment prepared by Renzo Tenon & Associates dated 28 October 2024 considers the potential construction noise and vibration impacts and provides a number of recommendations to mitigate the impacts. We request that the Department impose suitable conditions on any consent requiring ongoing noise and vibration monitoring during the demolition, excavation and construction phases.

If dust is not sufficiently mitigated during the demolition phase of the proposed development, B2E, Altura, Epica and residents that benefit from Pacific Place will be burdened by increased cleaning and maintenance costs for the exterior of their building and the swimming pool, and the apartment's individual balconies will not be usable for a temporary period. Not only will this remove the only area of private open space for residents which directly face the subject site, but it will also mean that residents and the Strata Committees will have to constantly clean and wash their communal swimming pool, private balconies and outdoor furniture to ensure they continue to be usable at a substantial cost.

In addition to this, there are concerns held regarding how the removal of the Hazardous Building Materials identified in the Hazardous Building Material Survey prepared by JKEvironments dated 26 June 2023 and the remediation of contamination identified in the Remediation Action Plan prepared by Stantec dated 29 October 2024 will be undertaken to ensure there are no impacts on the health of nearby residents in surrounding properties. We request that prior to demolition works and remediation of contamination occurring, that the Strata Committees of B2E, Altura, Epica and Pacific Place are provided a minimum of seven days of notice so that residents can make preparations to ensure windows are closed and washing is not left outside.

Further, Milestone requests that a detailed CEMP be prepared which includes all mitigation measures to effectively manage and reduce noise and vibration impacts associated with demolition and construction. The CEMP should be prepared prior to any demolition, excavation or construction works commencing and for this plan to be approved by Department (rather than a PCA) prior to works commencing and the environmental management measures to be regularly reviewed by the Principal Contractor and updated accordingly. We also request the following matters are addressed in the CEMP:

- How traffic will be managed with trucks entering/exiting the development site;
- Where construction workers will park;
- How trucks will navigate entry and exit into the site without damaging the kerb and footway;

- How dust will be mitigated to reduce the impact on adjoining developments including B2E which is situated 13m from the subject site and Pacific Place communal open space;
- Community consultation prior to any construction works outlining the project and timetable and direct contact person;
- Readily available contact person for complaints handling procedures to address and respond to issues during demolition and construction; and
- Rectification of any building or property defects to the Pacific Place Community Association created as a result of the demolition and construction works.
- How remediation will occur on site.

2.4.2. B2E – 1 Day Street, Chatswood (SP 72068)

Given the close proximity of B2E to the development site, it is most susceptible to construction impacts including geotechnical impacts caused by excavation for the proposed eight level basement. Milestone has reviewed the Geotechnical Interpretation Report prepared by Stantec dated 29 October 2024 which contains several recommendations to mitigate potential geotechnical impacts and request that the Department require these recommendations to be adhered to via conditions of consent, particularly those that relate to mitigating noise and vibration caused during excavation and rock sawing. We request that all of these recommendations form conditions of consent to ensure that they are adhered to during the demolition, excavation and construction phase.

Further, the B2E Strata Committee should be provided with a copy of the Detailed Dilapidation Report prior to the commencement of works.

2.5. Cumulative Development Impacts

2.5.1. Common Issues

A key concern held by all residents of B2E, Altura, Epica and Pacific Place are the cumulative impacts of the redevelopment of the northern end of the Chatswood CBD. This proposed development is not an isolated redevelopment of aged housing stock, with the northern end of the Chatswood CBD having six separate development sites that have all been the subject of Local Development Applications, having Development Consents for large mixed use buildings, having obtained SEARs or have an SSDA being assessed by the Department. The cumulative impacts of all of these development for matters including solar access, wind, noise, traffic and car parking impacts and construction impacts need to be considered in depth.

We note that Section 2.3 of the Environmental Impact Statement prepared by Mecone dated November 2024 addresses cumulative impacts however this ignores all Local Development Application either under assessment or determined. This is considered to be a considerable oversight that doesn't portray the realistic impacts of the redevelopment of the Chatswood CBD on the existing residents. The cumulative impacts of the redevelopment of the Chatswood CBD need to be carefully considered to ensure a balanced approach to the redevelopment while appropriately mitigating environmental impacts to existing residents.

Noting that substantial overshadowing as a result of the redevelopment of the Chatswood CBD will occur for the residents with the benefit of Pacific Place between 9.00am and 3.00pm for the residents' private open space and principal living areas, the communal open space of Pacific Place must continue to provide an opportunity for residential land owners, tenants and their families to utilise the afternoon sun and communal areas, including the swimming pool and the community garden located on the northern extent of the site adjacent to B2E that is used by residents to grow and harvest their own produce and herbs. The residents of Epica, B2E, Cambridge, Altura and ERA regularly utilise this communal open space. A significant financial investment has been made to plant and maintain the extensive landscaping and vegetation throughout Pacific Place. All of this landscaping and vegetation were selected to thrive with solar access being received in Pacific Place, which currently receives overshadowing only in the afternoons from the Epica, Altura and Era buildings in the late afternoons. If the proposed overshadowing of Pacific Place occurs, this will detrimentally impact the landscaping and vegetation, which was not designed for full shade environments.

The NSW Land and Environment Court has established a Planning Principal on solar access (*The Benevolent Society v Waverley Council* [2010] NSWLEC 1082) which provides the following matters of consideration:

- *"The ease with which sunlight access can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. (However, even at low densities there are sites and buildings that are highly vulnerable to being overshadowed.) At higher densities sunlight is harder to protect and the claim to retain it is not as strong.*
- *The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained.*

- *Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines. The poor quality of a proposal's design may be demonstrated by a more sensitive design that achieves the same amenity without substantial additional cost, while reducing the impact on neighbours.*
- *For a window, door or glass wall to be assessed as being in sunlight, regard should be had not only to the proportion of the glazed area in sunlight but also to the size of the glazed area itself. Strict mathematical formulae are not always an appropriate measure of solar amenity. For larger glazed areas, adequate solar amenity in the built space behind may be achieved by the sun falling on comparatively modest portions of the glazed area.*
- *For private open space to be assessed as receiving adequate sunlight, regard should be had of the size of the open space and the amount of it receiving sunlight. Self-evidently, the smaller the open space, the greater the proportion of it requiring sunlight for it to have adequate solar amenity. A useable strip adjoining the living area in sunlight usually provides better solar amenity, depending on the size of the space. The amount of sunlight on private open space should ordinarily be measured at ground level but regard should be had to the size of the space as, in a smaller private open space, sunlight falling on seated residents may be adequate.*
- *Overshadowing by fences, roof overhangs and changes in level should be taken into consideration. Overshadowing by vegetation should be ignored, except that vegetation may be taken into account in a qualitative way, in particular dense hedges that appear like a solid fence.*
- *In areas undergoing change, the impact on what is likely to be built on adjoining sites should be considered as well as the existing development".*

Sunlight to Pacific Place is currently obtained with ease, and could be better retained and protected with the adoption of slender tower forms which result in fast moving shadows. The size of Pacific Place is very large, and provides open space for over 2,000 residents which highlights its importance. The proposal of this SSDA has not considered the NSW Land and Environment Court Planning Principal on solar access and this assessment is required to be undertaken.

Milestone has reviewed the development plans the development sites in the northern portion of the Chatswood CBD to determine how much solar access will be afforded to Pacific Place Open Space after the redevelopment of the Chatswood CBD is complete. As identified in **Figure 4**, solar access will only be afforded to all of Pacific Place at 12.00pm on the winter solstice with parts of Pacific Place receiving solar access at 11.30am and 12.30pm, with development at 54-56 Anderson Street, resulting in complete overshadowing until 11.00am and 849, 853, 859 Pacific Highway and 2 Wilson Street causing complete overshadowing from 1.00pm.



Figure 4: Solar Access Diagram
Source: Milestone, 2024

- Legend**
- Development Sites
 - Pacific Place Community Association
 - Solar Access to Pacific Place Open Space
 - Sunlight to Pacific Place Blocked by Built Form
 - DA-2023/152 Built Form
 - Property Boundary

The contributing factor resulting in the significant overshadowing impacts to Pacific Place open space area is caused by the wide and large footprint tower form/s proposed on a number of development sites including the subject site, which results in large, slow moving shadows being cast. If slender tower forms were adopted, this would result in fast moving shadows that have less of an impact on the amenity and would assist to provide some enjoyment of Pacific Place. The built form of the towers approved and being proposed in the Chatswood CBD provide minimum setbacks, with podiums built generally to the site boundaries and only relatively minor setbacks for the tower built forms. The loss of solar access to Pacific Place will have a profound long term ongoing impact on the amenity of the residents that benefit from access to the communal open space. During winter, residents that wish to sit in the sun will be forced to travel to other areas of open space in the locality such as Beauchamp Park or Chatswood Oval which will place further strain on community infrastructure and the local traffic network as they are not well placed in the Chatswood CBD and not easily accessible for elderly or families with young children.

3. CONCLUSION

For the reasons contained in this submission, SSDA No. SSDA-75408008 described by the Department of Planning, Housing and Infrastructure (the Department) as, *"Construction of a 33-storey shop-top housing development with in-fill affordable housing, including 123 apartments (including 36 affordable housing units) and eight basement levels"* results in significant adverse environmental impacts in relation to its surrounding context. In addition, there is insufficient information provided to assess the actual impact on solar access that the proposed development has on the dwellings in B2E, Altura, Epica and on the Pacific Place communal open space.

Insufficient information has been submitted with the SSDA to determine the full extent of environmental impacts from the proposed development, with the following supporting reports to the SSDA not providing the necessary detail nor proper assessment required to determine the environmental impacts of the proposed development:

- Transport Impact Assessment prepared by JMT Consulting dated 23 October 2024 – No surveys or up to date data collected;
- Shadow Diagrams, prepared by Make Architects and Turner Studio dated 26 September 2024 – No analysis of the impact on adjoining residential apartments and the communal open space areas;
- Pedestrian Wind Environment Statement prepared by Windtech Consultants dated 29 October 2024 – No assessment of the impact of the proposed development on adjoining residential properties and open space areas including Pacific Place;
- Environmental Impact Statement – No assessment of the cumulative impacts of the Local Development Application under assessment or determined in the Chatswood CBD.

We request that the Department require the developer to significantly reduce the car parking rate provided on site in accordance with the requirements of DCP 2023 to mitigate the traffic, parking, congestion, environmental and amenity impacts of the proposed development on the Chatswood CBD. A site located in close proximity to a major transport interchange including rail, metro and buses does not need to provide almost two car parking spaces per apartment, and allowing this would be a direct contradiction to TfNSW's *Future Transport Strategy 2022*. The only reason for so much car parking to be provided is to increase the sale price of the apartments and this directly values the amenity of the future residents of the proposed development over the amenity of the established residents in Chatswood.

We request that any additional information submitted as part of this SSDA as detailed in this submission is placed on public exhibition so that the community have an opportunity to review and comment on any amended design or additional documentation/assessment.

We would appreciate the opportunity to discuss our concerns with you in person and also invite the Department's Officers as part of this planning assessment process to inspect the communal open space managed by the Pacific Place Community Association as well as residential apartments of B2E, Altura and Epica, both internally and externally, to better understand the nature of the concerns and proposed recommendations.

If you have any queries in relation to this matter please do not hesitate to contact the undersigned.

Yours sincerely
Milestone (AUST) Pty Limited

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Aidan Harrington
Associate

Encl.

A handwritten signature in black ink, appearing to be 'Lisa' with a long horizontal stroke extending to the right.

Lisa Bella Esposito
Director