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Views	47	 59.5% of submissions raised concern with the loss of views. These concerns were raised from the perspective of the adjoining Sebel Building to the north. The actual visual impacts associated with the potential development of the site are greater, and not accurately represented within the VIA. The Tenacity Principles have not been appropriately applied. The extent of view loss is inconsistent with the Chatswood CBD Strategy, with consideration of the site's surrounding context. 	 The planning proposal is accompanied by a View Impact Analysis prepared by Urbis. The concept development has been designed to minimise the amenity and view impacts to the Sebel building. The concept proposes appropriate spatial separation between the towers above the podium to allow for the provision of a view sharing corridor from the south of the Sebel building. The ability to retain views of scenic features from the subject site is difficult due to the presence of intervening development in other areas such as high rise areas including St Leonards and North Sydney which are subject to continual change and uplift. Limiting development would contravene the objective of the planning principles of <i>Tenacity</i> which seeks to establish a level of view sharing whilst having regard for all relevant information, including allowing for the development potential of a site to be realised. the alternative impact of a single commercial tower developed in accordance with the controls outlined in the Chatswood CBD and Urban Design Strategy would have far greater impacts 	 The VIA is considered to adequately represent the varying levels of view loss from the various perspectives of the southern facing apartments of the Sebel building. The selection of perspectives from various apartments is considered to provide a holistic view of the potential view impacts arising from the proposed development. The Department notes that the concept development incorporates an appropriate level of tower separation. The separation is considered to successfully provide for a view sharing corridor which allows for adequate level of view retention. Although these principles are primarily applied at the development application stage, it is the Department's view that a preliminary consideration of the view sharing principles established under Tenacity at the planning proposal stage demonstrates that principles of

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			on views form the Sebel building when compared to the two slender towers proposed for the site.	 view sharing have been applied in the preparation of the proposal. It is the Department's view that it would be unreasonable and inequitable to expect that redevelopment of the site would be hindered indefinitely to preserve an unimpeded outlook from the Sebel tower.
Privacy and Building Separation	46 and 14	 58.2% of submissions raised concern in relation to potential privacy impacts deriving from the proposal. 17.7% of submissions also mentioned concerns with the proposed building separation presented under the concept scheme Positioning of windows that will look directly towards the habitable 	 The proponent notes the inclusion of the following possible measures: Installation of privacy screens to windows and balconies. Location of windows and balconies – This includes the north façade of the residential tower which intended to incorporate non-habitable rooms/blank walls. The proponent notes that the concept development for the current planning proposal has increased the separation to the Sebel building from 12m to 15m/17m and separation between its own 	 The Department notes that the concept scheme does not achieve full compliance with the recommended building separation of 18m under the Apartment Design Guideline (ADG) of SEPP No. 65, between its residential tower and the residences of the Sebel building. The concept design has incorporated sufficient building separation and setbacks with consideration of its surrounding context. It is noted that the proposed concept remains subject to detailed

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		 rooms of Sebel residences. Loss of privacy for balconies for south oriented Sebel apartments. Non-compliance with recommended building separation under the Apartment Design Guidelines SEPP No. 65. 	 commercial and residential towers from 12m to 21m/24m. The proponent also notes that non-compliant separation distance of the Sebel to its southern boundary. The proponent is of the view that It would be inequitable for the development to provide any greater setbacks to its northern boundary to accommodate for the non-compliant setbacks of its neighbouring development. The proponent states that the proposed envelopes promote a balanced approach to view sharing and acceptable levels of visual privacy between the buildings. 	 design at the development application stage. it is the Department's view that measures to mitigate privacy impacts can be better resolved as detailed design is undertaken as part of the development application stage.
Wind Impacts	24	 30.4% of submissions raised concern with potential wind impacts deriving from the proposal. Wind tunnelling between the existing Sebel tower and proposed towers of the subject site; Impacts to southern facing balconies of the Sebel building; and 	 After considering the submissions received during the exhibition period and discussions with the Department, the proponent commissioned Windtech Pty Ltd to prepare a Preliminary Wind Impact Assessment (Attachment C3). The study demonstrates that wind conditions for the various trafficable outdoor areas within and around the development will be suitable for their intended uses and that wind speeds will satisfy the applicable criteria for pedestrian comfort and safety. The applicant also advises that the above mitigation measures can be implemented 	 The Department notes that the preliminary assessment indicates that the majority of outdoor trafficable areas will be suitable for their intended uses and that the Windtech assessment identifies potential components of the concept development that will be subject to stronger wind impacts. The Department supports the inclusion of the mitigation measures identified in the

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		 Wind tunnelling impacts to Victoria Avenue. 	at the development application stage and included as part of any future design excellence brief	 report to alleviate the potential impacts in these areas. The Department also notes that detailed wind tunnel testing can more accurately be conducted during the detailed design stages, as the proposal is currently based on a concept envelope. The Department supports the applicant's approach to include the mitigation measures and requirements for detailed wind testing as part of a future design excellence brief for the development.
				 However, the preliminary wind impact assessment does not explicitly consider the potential amenity impacts from the perspective of the balconies from residents of the Sebel building. The Department notes that this was the primary perspective of concern raised in submissions. Section 5.3 of the preliminary wind assessment identifies that there will be funnelling wind impacts between the proposed

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				towers on the subject site and the neighbouring high rise Sebel and Sage buildings.
Traffic	59	 74.7% raised concerns with traffic related impacts, whilst 20 submissions (15.8%) also objected to the proposal because of implications on pedestrian safety. Increased traffic generation during peak school pick up and drop off hours; Increased traffic generation during weekend peaks; Reduced pedestrian safety; 	 The updated TIA has reviewed the Arup Future Conditions Transport Study prepared in 2020 which assessed the future traffic and transport network impacts of forecasted employment and dwellings growth documented in the CBD Strategy. The study tested 2026 and 2036 design years using TfNSW strategic modelling. GTA have concluded that the future development of the Mandarin Centre will not comprise the surrounding road network when the Arup Study is considered. The proposed car parking on the site is consistent with the RMS rates. A Green Travel Plan will be prepared as part of any future development application to 	 The Department notes that the revised TIA demonstrates that the proposal will result in approximately 22-27 additional vehicle trips per hour during peak times when compared to the existing development scenario. This equates to approximately 0.36-0.45 additional trips per minute. The Department is of the view that this level of additional trip generation is unlikely to compromise the function of the surrounding road network. The Department is supportive of further reductions in the

Key Issue Numbe Submis	•	Proponent's Response	Departments View and Recommendation
	 Congestion from Albert Avenue to Pacific Highway; Congestion surrounding Victor Street; The reliance on a Green Travel Plan demonstrates that the proposal will result in unacceptable traffic impacts. 	 further mitigate any concern from residents and Council that the proposal will result in additional impacts. The requirement for a Green Travel Plan can be included in any future design excellence brief. The additional parking for residential will represent only a minor component of overall traffic generation during the peak period of weekday PM and Saturday lunchtime. The TIA has confirmed that the additional traffic generated by the proposal could not be expected to compromise the safety or function of the surrounding road network. Additional traffic volumes generated by the proposal to the surrounding roads will continue to be low compared to existing volumes on these roads. The site's strategic location adjacent to Chatswood Station will allow any future development to explore opportunities for demand management approach and a reduction in the overall carparking on the site, including sharing parking between uses that peak at different time (i.e. residential visitors and retail uses). The TIA confirms that further analysis would be undertaken at the development 	 provision of on-site parking to further ameliorate potential traffic impacts deriving from the proposal. The Department notes that the submissions raising concerns surrounding pedestrian safety primarily related to construction impacts and access arrangements. Both of these elements will be further considered at the development application stage.

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			 application stage, and the proponent will consider whichever parking rates are applicable at the time of any future development application, with the opportunity to reduce retail parking in consultation with Council and TfNSW. The proponent notes that Council is considering new parking rates for the CBD which if applied would significantly reduce the number of car spaces permitted. In regard to the former RMS' requirement for road widening along Victor Street the analysis considers that there would be negligible benefit to the road network operation in providing a widened Victor Street). 	
Overshadowing	35	 44.3% of submissions raised concern with solar access and overshadowing related issues. Primarily these issues related to: potential overshadowing to Chatswood Park; and loss of solar access to the residences of the Sebel building. 	 the Sebel is located north of the subject site that there will be no overshadowing impacts to the development, as all shadowing impacts will occur to the south of the site. Shadow to Chatswood Park was deemed acceptable by Council in its Chatswood CBD Strategy. The proposal will ensure no additional overshadowing to Chatswood Oval 	 The Department notes that as the site is located to the south of the Sebel building there will be no additional overshadowing as a result of the proposed development to the residences of the Sebel building. the Sebel residences will comfortably achieve solar access provision which is

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			 and has prepared and submitted shadow diagrams to demonstrate this throughout the planning process. The proposed LEP provision will ensure that development must not result in additional overshadowing of the playing surface of Chatswood Oval between 11am and 2pm mid- winter. This is consistent with the SNPP and CBD Strategy recommendations. As demonstrated in the concept design, the uppermost residential levels step back from the southern edge to improve solar access to adjacent public spaces. 	 compliant with the requirement for 70% of apartments to be capable of receiving a minimum of two hours of solar access to living areas in midwinter in accordance with Part 4A of the ADG of SEPP 65. The proponent has since revised its explanation of provisions as part of the revised planning proposal. The revisions were conducted to remove the words "Chatswood Park" from clause 4.3(A)8. The solar access provisions to apply to Chatswood Oval have also been amended to be incorporated as an amendment to clause 4.3A and no longer form part of the proposed local provision under Part 6, in accordance with the conditions of the Gateway determination. The solar access protections have been extended to apply between the hours of 11am-2pm mid-winter.

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				 The planning proposal will result in the following overshadowing outcomes: No net increase in overshadowing to The Garden of Remembrance between 12-2pm. A minor incursion to the footpath around the Chatswood Oval between 11-11:30am but no additional overshadowing to the oval boundary or playing field. An increase in overshadowing to Chatswood Park between 10am and 1pm.
				• The Department considers these outcomes to be consistent with the panel advice and the Chatswood CBD Strategy

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Oversupply and Market Saturation		 Submissions related to the oversupply and market saturation of land uses, including both residential and commercial supply. Submissions stated that there was an oversupply of both housing, retail and office floor space within the Chatswood CBD. The Mandarin Centre has traditionally been a poor location for retail and that the proposal fails to identify the current poor performance of the existing centre. COVID-19 has led to the trend of more people choosing to work from home, reducing the demand for commercial office floorspace. 	 The proponent notes that an economic analysis was provided as part of the planning proposal and makes the following additional statements: The residential component will provide more housing diversity close to services and jobs and transport. The proposal delivers more residential capacity within the Willoughby LGA in a highly accessible location which supports the State Government's significant investment in infrastructure such as the Sydney Metro. Residential uses in this location supports the notion espoused by the Regional and District Plans of a 30-minute city. The proposed housing supply will increase housing capacity in the Willoughby LGA. This is consistent with Willoughby Housing Strategy which forecast between 6,000 - 6,700 dwellings will be required to meet population growth to 2036. The proposal will foster liveable healthy communities by ensuring people can live where they can assess jobs, transport and services without a car. 	 The proposal will accommodate approximately 158 new residential dwellings, The proposal also contributes between 10.5-13.9% of the District Plans 2036 job target for Chatswood as a key strategic centre As outlined in the Willoughby LHS, the Department forecasts a 13,200 increase in population growth and 6,450 increase in implied dwellings growth to 2036 within the Willoughby LGA. This leads Council to the conclusion that between 6,000-6,700 dwellings will be required to meet forecast population growth to 2036. The planning proposal is considered to offer a sizeable contribution towards this target. The Department's also supports the proposed

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			 This is consistent with the Housing Strategy, which states: <i>"It was concluded that in the interests of sustainability, any additional residential should be located close to business and service centres and public transport."</i> The residential floor space will assist with growing the Chatswood Strategic Centre by providing additional housing stock to accommodate future workers expected in the area. The provision for affordable housing of 4% of GFA is consistent with the current WLEP 2012 and the Housing Strategy. In addition, the planning proposal is consistent with District Plan for these reasons: The proposed renewal of the existing retail shopping centre will contribute to creating a vibrant and active retail centre. The upgraded retail space will provide for additional specialty retail 	mixed-use development at the site with a portion of residential development as there is demonstrated significant job growth. The proposal seeks to deliver just over 27,000m ² of commercial floor space – which equates to approximately 70% of the total floor space sought for the site and equates to more than 10,000m ² of additional commercial floor space beyond that currently on the site
			jobs. o The proposal provides new office floor space to suit a	

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			wider range of businesses and services. The proposal is therefore consistent with the productivity objectives of the District Plan, particularly Action 42 which relates to Chatswood.	
			 The mixed-use proposal will deliver an integrated land use and transport outcome which balances the need for both employment and residential uses close to Chatswood Station. 	
			 Mixed use development on the site will ensure the continued viability of the Chatswood retail core and contribute to its vibrant late-night economy. 	
			• The Mandarin Centre is currently the third largest shopping centre in Chatswood. The proposal will improve the retail capacity and functionality, attracting more visitors and potential retailers to the Centre.	
			 Studies provided to inform the Chatswood CBD Strategy justify the requirement for increased 	

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			commercial floor space. This included from BIS-Oxford Economics who provided input into the CBD Strategy. This advice has underpinned the objective of the CBD Strategy to build Chatswood's commercial future. The Chatswood office market is Sydney's sixth-largest. The CBD Strategy notes that:	
			"With no changes to planning controls, BIS-Oxford Economics forecast that Chatswood's office employment would grow by a mere 900 persons by 2021. Thereafter, both office employment and the stock of office space would contract. Chatswood would lose employment to other centres and its market share of office employment would decline. It would be highly unlikely that Chatswood could achieve even the baseline target of 6,300 additional jobs by 2036 that is set out in the Greater Sydney Commission's (GSC)	
			 Greater Sydney Commission's (GSC) North District Plan." The proposal, therefore, contributes to the required commercial office supply by delivering significant employment floor space within Chatswood. The proposal will provide 	

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			 approximately 737 retail jobs, 920 commercial office jobs and 6 childcare jobs. The jobs will contribute to the productivity targets for Chatswood set in the North District Plan and requirements of the CBD Strategy. While, the above studies and research within the planning proposal have not taken the recent COVID-19 impact into consideration, recent research points towards mixed use lifestyle driven properties that result in diversity of uses with convenience as a primary driver. The proposal provides for diverse use, whilst assisting to boost economic activity and also aligns with CBD Strategy's vision to achieve baseline targets highlighted in the North District Plan. 	
Noise	19	 24.1% of submission raised concern with the following potential noise impacts: Disturbing the amenity and wellbeing of Sebel residents Additional noise from commercial uses at the site 	 A detailed acoustic report will be required as part of any future development application for the site, which will provide recommendations for mitigation measures to be incorporated in the detailed design. The requirement for an acoustic assessment can be included as part of any future design excellence brief. 	 Impacts related to noise can be more appropriately addressed through consideration of any future development application, which may include the preparation of an acoustic report.

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		 Noise from increased traffic resulting from the development Noise deriving from air- conditioning units 	 The Traffic Impact Assessment prepared by GTA confirms that the site will not result in additional traffic impacts and therefore additional noise generated from traffic should be negligible 	 the consent authority will apply appropriate conditions to appropriately mitigate any noise impacts to ensure that any future development is consistent with the requirements of the Protection of the Environment Operations Act 1997 and any additional relevant legislation
Construction Impacts	12	 15.2% of submissions raised concern with construction related impacts including: Air quality Noise Traffic Pedestrian hazards 	 Appropriate construction mitigation measures will be employed at the development application stage through the submission of a construction management plan. 	 The Department considers that construction related impacts such as noise, dust and hours of operation can be managed and conditioned appropriately at the development application stage.
Light Spill	13	 16.5% of submissions raised concern that the development will lead to light spill to the apartments of the Sebel building. 	 The Sebel building is located within the Chatswood CBD and surrounded by tall buildings that would generate light spill Issues relating to light spill can be appropriately addressed following detailed design at the development application stage. 	 Due to the sites location in a developing CBD context that some levels of light spill are anticipated. Issues related to light spill can be better addressed at the development application stage when the detailed design of the

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Key Issue Infrastructure and Public Benefit		 12.66% of submissions raised concern relating to pressure placed on existing infrastructure A further 7.6% raised concern with the lack of public benefit to offset the pressure placed on existing infrastructure Specifically, infrastructure pressures were raised in 	 The proponent's RtS Report does not explicitly comment on the pressures the proposed development will place on existing infrastructure. the RtS outlines the public benefits that will be delivered to assist Council in funding upgrades to facilities within the surrounding area. The applicant states that the proposal provides significant public benefit including: 	-
		 relation to the following: Open space. Schools. Council facilities. 	 A minimum of 4% of dwellings as affordable housing. 860m² of floor space to be utilised for community use such as; childcare, after school care, other education related uses and health and wellness. Weather protected through site links that will connect Albert Avenue with the Chatswood Transport Interchange. Upgraded retail areas which will provide increase publicly accessible mall areas. The proponent notes that these components of the proposal will 	

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			benefit residents in Chatswood and the wider community.	Contributions Plan (section 7.11/7.12 contributions).
Mental and Physical Health	15	 18.9% of submissions raised concern that the amenity impacts caused by the proposal will lead to adverse mental and physical health impacts for neighbouring residents. 	 An alternative development concept built in accordance with the Chatswood CBD strategy, would result in a commercial tower that could achieve the same height with lesser setbacks and a commercial floor plate of up to 2,000m². The proposal strikes a balance between light, air, setbacks and privacy impacts. 	 The Department is of the view that sufficient mitigation measures have been employed in the preparation of the proposal to demonstrate that development potential is shared equitably whilst simultaneously ensuring that impacts on neighbouring properties are minimised. A development built in accordance with Council's strategy would be likely to have greater amenity and subsequent health impacts.
Property Devaluation	37	 46.8% of submissions raised concern with the loss of property values. Submissions generally raise that property devaluation is expected to occur due to the loss of district and Sydney CBD skyline views and other 	 The proponent notes that loss of property values is not a planning consideration, particularly within a CBD context in an area planned for significant change and development uplift. The proponent is of the view that the planning proposal has demonstrated that appropriate mitigation measures have been introduced to ensure 	 The Department notes the concerns raised by submitters and that the key concerns relating to property devaluation derive from the loss of views. There are a range of variables that impact on property values over time.

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		amenity impacts such as privacy.	impacts to the Sebel building are limited.	 Sufficient steps have been taken to incorporate view sharing principles in its consideration of the proposal, whilst also ensuring that development potential is equitably shared and economically viable within Chatswood as a growing key strategic centre in the North District.
Overpopulation/ Overcrowding	18	 Concerns about population density and crowding. Specific concern was raised in terms of limited resources, risk management and overcrowding/crowd control. Present infrastructure cannot cope with the increased population 	No comments provided.	 The Chatswood CBD is well serviced in terms of jobs, retail, services and transport infrastructure and capable of accommodating the proposed 158 apartments The Department notes that the Chatswood CBD is identified for development uplift including both residential and commercial uses under Council's Chatswood CBD Strategy.