

6 May 2025

Ian Woods
Planning Officer
4 Parramatta Square,
12 Darcy Street
Parramatta NSW 2150

ATTN: Ian Woods

Dear Ian,

Re: Proponent's Response to Submission to Public Exhibition of PP-2022-4316 for 3 McIntosh Street, 2 Day Street and 40-42 Anderson Street, Chatswood

This Response to Submissions has been prepared in support of a planning proposal at (ref. PP-2022-4316), on behalf of 3 McIntosh Pty Ltd (the **Proponent**) to address the matters raised by Willoughby City Council and the public throughout the public exhibition period.

The proposal was placed on public exhibition for 28 days between 7 March 2025 and 4 April 2025.

There was 1 submission from Willoughby City Council, 4 unique submissions from members of the local community, and 1 from the Proponent requesting a minor administrative post-exhibition amendment. The key issues raised in the submissions can be broadly grouped into the following categories:

- Lots subject to Planning Proposal
- Traffic
- Affordable Housing
- Height and Amenity
- Consideration of planning merits
- Honesty and professional integrity

The matters raised within the submissions received are recognised and noted. However, this planning proposal relates only to the affordable housing contribution that would be required with any future development of the site. It does not alter the site controls for height or FSR controls and will have no impact on the potential capacity of the site. A detailed response to the key matters raised in the submissions is provided as **Appendix 1** to this letter.

With respect to the Proponent's submission, we wish to take this opportunity to again request that DPHI consider amending the site area for the Planning Proposal to include No. 38 Anderson Street under the same rate (7% affordable housing contribution). This amendment will support the feasibility of this important redevelopment project and enable housing to be delivered more quickly.

We also wish to advise that a State Significant Development Application (**SSDA**) for a mixed-use development with shop-top housing and recreational facility (indoor) for 38-42 Anderson Street, 3 McIntosh Street and 2 Day Street, Chatswood (the **site**) has now been formally lodged with DPHI for assessment. The SSDA seeks to provide a local affordable housing monetary contribution equivalent to 7% of the total residential gross floor area, on the basis that the planning proposal is 'certain and imminent' (in accordance with *Planning Circular - PS 24-007: Consideration of proposed EPIs under section 4.15(1)(a)(ii) of the EP&A Act*).



We welcome the opportunity to discuss this matter further with you. Should you have any questions, please contact me at gbassett@mecone.com.au or Jessie Wiseman, Associate at jwiseman@mecone.com.au.

Kind regards,

Gemma Bassett

Associate Director

RTS Response Matrix	
Matters raised by the Public	Response
Traffic <ul style="list-style-type: none"> The proposed development including 2 Day Street and 40-42 Anderson Street will exceed the capacity of existing roads and infrastructure as there is already critical levels of overcrowding and congestion, making it difficult to drive short distances, especially for older residents who cannot easily walk to these places. Chatswood CBD is already infested with several new high-rise residential buildings, causing heavy traffic congestions and imposing safety to pedestrians and students. 	<p>This planning proposal relates only to the affordable housing contribution that would be required with any future development of the site. It does not alter the site controls for height or FSR controls and will have no impact on the potential capacity of the site, or traffic impacts.</p>
Affordable Housing <ul style="list-style-type: none"> The inclusion of Affordable Housing will result in the risk of increasing crime, social issues like substance abuse and domestic violence in this traditionally family-friendly and safe neighbourhood. 	<p>The need to provide affordable housing is recognised as a key objective both politically, and in terms of strategic planning. It is embedded in <i>The State Environmental Planning Policy</i> (Affordable Rental Housing) 2009, and within <i>Willoughby City Local Strategic Planning Statement</i> (February 2020) which identifies the need to increase the supply of affordable housing as Priority 2 which sets a target of 7-10% of GFA of all new developments to be affordable housing by 2026.</p> <p>It is also embedded in <i>Willoughby's Housing Strategy 2036</i>, which identifies a need for low-cost housing that serves households on very low to moderate incomes - particularly key workers (such as those in the police, education or healthcare sectors).</p> <p>The delivery of affordable housing has a variety of benefits for the local area</p> <ul style="list-style-type: none"> Support a mix of income levels to foster a more inclusive and vibrant community which is close to public transport. Helps decrease the effects of the housing crisis and housing stress and offers more stability for certain individuals and families. Reduces displacement of groups and individuals and increases connectivity to employment and essential services.

RTS Response Matrix	
Matters raised by the Public	Response
	<ul style="list-style-type: none"> • Supports the local workforce and stimulates local economy. • Affordable housing near public transport would reduce traffic congestion and emissions. • Aids sustainable growth and more resilient and diverse communities. <p>Future development proposals would be required to demonstrate design excellence and therefore be designed to the highest standards. Proposals would also need to demonstrate alignment with Crime Prevention Through Environmental Design (CPTED) principles.</p>
<ul style="list-style-type: none"> • The NSW Government needs to find more sustainable ways of solving the housing crisis such as building new housing in undeveloped areas and improving transport infrastructure – high-rise developments and affordable housing in established areas is not the solution. 	<p>The scope of this Planning Proposal is limited to the site at 3 McIntosh Street, 2 Day Street, and 40-42 Anderson Street, Chatswood and aligns with the relevant strategic planning policies.</p>
<ul style="list-style-type: none"> • As substantial tax and rate payers to both NSW and Federal Governments, we should be given stronger preference, and our views need to be given stronger weight in these planning proposals. 	<p>The Planning Proposal has been exhibited in accordance with the NSW Government's LEP Making Guidelines and Schedule 1 of the <i>Environmental Planning and Assessment Act 1979</i>. Each submission has been equally and fairly considered throughout the exhibition process as required by legislation.</p>
<ul style="list-style-type: none"> • “Affordable Housing” in Chatswood is misleading as it is not actually affordable or cheap. • The proposed developments by private developers are profit motivated and can never be affordable. 	<p>It is important to note that ‘affordable housing’ and ‘housing affordability’ are two distinct concepts. Affordable housing is defined in the EP&A Act as “<i>housing for very low income households to moderate income households</i>” and is lower than usual market price, to support households in affording other basic living costs.</p> <p>Individuals in these income thresholds are not eligible for social housing, but are typically key-workers who still struggle to afford the average market price of homes close to employment and essential services.</p> <p>This proposal addresses Council's affordable housing requirements for development, in accordance with <i>Willoughby City Local Strategic Planning Statement</i> (February 2020) and <i>Willoughby's Housing Strategy 2036</i>.</p>

RTS Response Matrix

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Matters raised by the Public	Response
Height and Amenity <ul style="list-style-type: none"> Demolition of existing homes and erection of high-rise buildings is unfair to existing nearby residents who did not anticipate large scale high-rise towers which would infringe their privacy. 	<p>This planning proposal relates only to the affordable housing contribution that would be required with any future development of the site. It does not alter the site controls for height or FSR controls.</p> <p>A detailed assessment of environmental impacts relating to built form, character, privacy, solar access and wind impacts will be required as part of any future detailed development application.</p>
<ul style="list-style-type: none"> The high-rise building will cause inadequate sunlight to residents. 	
<ul style="list-style-type: none"> High-rise buildings will rob the beauty from Chatswood CBD from its low and lovely shopping buildings. 	
<ul style="list-style-type: none"> No more high-rise buildings in and around Chatswood CBD will boost cleanliness of air flows and keep residents healthy with fresh air and a reduction of wind tunnels. 	
Miscellaneous <ul style="list-style-type: none"> The Planning Department should consider allowing new 5-6 storey residential buildings be built instead of the proposed high-rise developments at McIntosh Street, Day Street and Anderson Street. 	<p>This planning proposal relates only to the affordable housing contribution that would be required with any future development of the site. It does not alter the site controls for height or FSR controls.</p>
<ul style="list-style-type: none"> Ensure honesty and professional integrity are kept at arm's length with developers – this must be safe guarded at all times. 	<p>The proponent has engaged in good faith with Willoughby Council and DPHI with a strong commitment to integrity and transparency.</p>
<ul style="list-style-type: none"> The merit of the planning proposal should be determined on the basis of its planning merit, rather than administrative process and merit relating to affordable housing. 	<p>In accordance with the NSW Government's LEP Making Guidelines, a planning proposal must demonstrate it has both strategic and site-specific merit. For a planning proposal to proceed through Gateway determination, the Minister (or delegate) must be satisfied that the proposal has both strategic and site-specific merit and that identified potential impacts can be readily addressed during the subsequent LEP making stages.</p> <p>The LEP Making Guideline also sets our specific assessment criteria for Planning Proposals. These criteria have been clearly addressed in the Planning Proposal and subsequent Rezoning Review Request.</p>

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	It has been determined that the proposal has strategic and site-specific merit, as evidenced through the issuing of a Gateway Determination for the proposal.
<ul style="list-style-type: none">It is requested that DPHI consider amending the site area for the Planning Proposal to include No. 38 Anderson Street under this same rate (7% affordable housing contribution). This amendment will support the feasibility of this important redevelopment project and enable housing to be delivered more quickly.<ul style="list-style-type: none">This is requested on the basis that:<ul style="list-style-type: none">It would make the development more feasible and enable a quicker delivery of the project.will expedite the delivery of this significant site, enhance housing supply and range of housing options the proposed redevelopment will deliver significant benefits, including approximately 26,677m² of gross floor area, which will enhance housing supply and the range of housing options, and contribute to the local economy,the proposed 7% rate across the entire site provides a balanced and consistent (with other nearby sites) approach with minimal impact on affordable housing delivery.	Noted and supported.

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Matters raised by Council	Response
Affordable Housing Contribution <ul style="list-style-type: none">Council noted its original objection to the affordable housing contribution amendments and noted that no further comments are raised.	Noted.