

5-9 Gordon Avenue, Chatswood

Statement of Environmental Effects

PREPARED FOR

LFD Chatswood Unit Trust

June 2023

MECONE.COM.AU





Project Director

Ian Cady

Contributors

Gemma Bassett

Stephanie Wu

Revision	Revision Date	Status	Authorised	
			Name	Signature
1	31/05/2023	Draft	GB	
2	05/06/2023	Final	IC	

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

Contact

Mecone
Level 12, 179 Elizabeth Street
Sydney, New South Wales 2000

info@mecone.com.au
mecone.com.au

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Executive Summary

Table 1 Site details	
Site Address	5-9 Gordon Avenue, Chatswood
Real Property Description	SP57091
Total Site Area	1,522m ²
Applicant	LFD Chatswood Unit Trust
Local Government Area	Willoughby
Zoning	B4 Mixed Use

The proposed development involves demolition of all existing structures and construction of shop top housing comprising:

- A two storey non-residential podium comprising:
 - Ground floor: Two retail tenancies (381.9m²).
 - First level: Four commercial tenancies (1,044.8m²).
 - Business identification signage zones.
- A 25-storey residential tower comprising 64 dwellings and communal facilities including open space, swimming pool, outdoor gym, BBQ area and 55.5m² of co-working space.
- Basement car parking for 106 carparking spaces including:
 - 64 residential spaces, including 19 accessible spaces.
 - 10 commercial spaces, including 1 accessible space.
 - 16 retail spaces, including 1 accessible space.
 - 16 visitor spaces, including 1 accessible space.

The proposed design is the result of a competitive design process involving three architects as required by Clause 6.23 of the LEP 2012.

The Jury Comments in relation to the winning scheme from the Architectural Design Competition have been integrated into the design to ensure design excellence is achieved.

The key conclusions of this Statement of Environment Effects (SEE) are:

- The proposed land uses are permissible and consistent with the relevant strategic planning and zone objectives.
- The proposal satisfies the relevant LEP development standards of height, floor space ratio (FSR), affordable housing and active street frontages.
- A written request under Clause 4.6 of the *Willoughby Local Environmental Plan 2012* (LEP 2012) has been submitted for a minor variation to the minimum non-residential FSR development standard that demonstrates compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard.



- Consideration has been given to the Draft Willoughby Local Environmental Plan and the proposal is generally compliant with the relevant draft controls.
- The proposal is consistent with the nine Design Quality Principles outlined within *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65).
- The proposed development is generally consistent with relevant provisions of the Apartment Design Guide (ADG) and Willoughby Development Control Plan (DCP), except for minor variations to the setbacks, and communal space controls, which are justified in this report.
- The proposed development will not result in any unreasonable traffic, overshadowing, visual impact or other environmental effects.
- Design measures have been identified to suitably mitigate road noise, train noise and wind impacts.
- The Detailed Site Investigation (DSI) has been undertaken in relation to groundwater conditions and concludes that the site is suitable for the proposed development, subject to implementation of the recommendations within the report.

The proposal is a result of a design excellence competition which was held from September-December 2022. The proposal will integrate employment-generating commercial and retail space and new residential accommodation in a way that responds appropriately to the Gordon Avenue and Hammond Lane streetscapes and the evolving Chatswood CBD.

The proposal will provide positive public benefits through the provision of affordable housing, public artwork and activated street frontages with ground floor retail premises contributing to a vibrant Chatswood CBD.



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1 Introduction

This Statement of Environmental Effects (**SEE**) supports a Development Application (**DA**) by LFD Chatswood Unit Trust (the applicant) for a mixed-use development at 5-9 Gordon Avenue, Chatswood (the **site**).

The proposed development involves demolition of all existing structures and construction of shop top housing comprising:

- A two storey non-residential podium comprising:
 - Ground floor: Two retail tenancies (381.9m²).
 - First level: Four commercial tenancies (1,044.8m²).
 - Business identification signage zones.
- A 25-storey residential tower comprising 64 dwellings and communal facilities including open space, swimming pool, outdoor gym, BBQ area and 55.5m² of co-working space.
- Basement car parking for 106 carparking spaces including:
 - 64 residential spaces, including 19 accessible spaces.
 - 10 commercial spaces, including 1 accessible space.
 - 16 retail spaces, including 1 accessible space.
 - 16 visitor spaces, including 1 accessible space.

The SEE includes an assessment of the proposed development in terms of the matters for consideration listed under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents. Specifically, this SEE includes:

- Description of the site in its context
- Strategic planning context
- Background to the proposal including the Site Specific Planning Proposal (**SSPP**), Site Specific Development Control Plan (**SSDCP**) and Architectural Design Competition process
- Description of the proposed works
- Consideration of the relevant matters including:
 - Assessment of the project against relevant Environmental Planning Instruments (**EPIs**) and Willoughby Development Control Plan (the **DCP**).
 - Assessment of the potential environmental effects of the project and identification of measures for minimising any identified effects



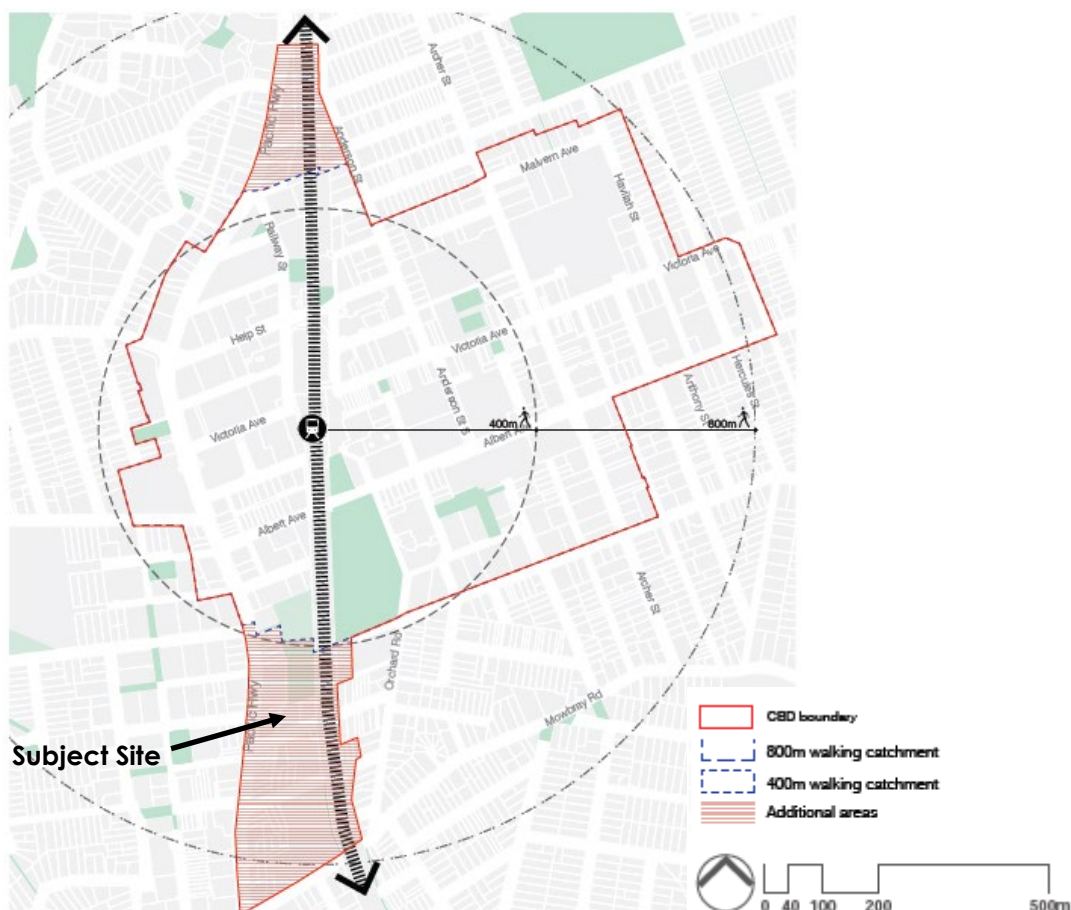


Figure 2 Site Location within the wider Chatswood CBD

Source: Willoughby City Council

2.2 Site Description

Table 2 below provides the legal description, and a brief summary of the site and surrounding context. In addition, a survey plan of the site is provided at **Appendix 1**.

Table 2 Site Description	
Item	Description
Legal Description:	5-9 Gordon Avenue, Chatswood – SP 57091
Total Area	1,522m ²
Street Frontages	43m to Gordon Avenue 48m to Hammond Lane
Existing uses	Residential flat building
Surrounding Context	<ul style="list-style-type: none"> North: Directly north of the site is Chatswood Bowling Club and greens. The bowling club is a single storey building and three storey residential flat buildings at 655a Pacific Highway (also known as Archbold Park). East: East of the site is a 3-4 storey residential flat building at 1-3 Gordon Avenue, beyond which is the pedestrian/cycle link which

Table 2 Site Description	
Item	Description
	<p>runs north-south between Nelson Street and Chatswood CBD, and is adjacent to the north shore railway line. On the opposite side of the railway line is South Chatswood heritage conservation area.</p> <ul style="list-style-type: none"> • South: On the opposite side of Gordon Avenue are three storey residential flat buildings, and two-storey commercial buildings in use as car-repair centres which front Pacific Highway. • West: On the opposite side of Hammond Lane is a four storey residential flat building at 641-653 Pacific Highway. Beyond this building is Pacific highway itself, and areas comprised of further residential flat buildings and single dwellings.
Public Transport	<p>The site is located approximately 500m from Chatswood CBD Centre and transport Interchange transport interchange precinct, which includes Chatswood Rail, bus and Metro Station. Several bus stops are located along Pacific Highway which provide connections south to numerous destinations including Manly, Royal North Shore Hospital and Sydney Olympic Park. Services north terminate at Chatswood transport interchange.</p>

A detailed site analysis plan is provided within the Architectural Plans at **Appendix 1**. The site and its surrounding context are presented in **Figures 3-4** below.

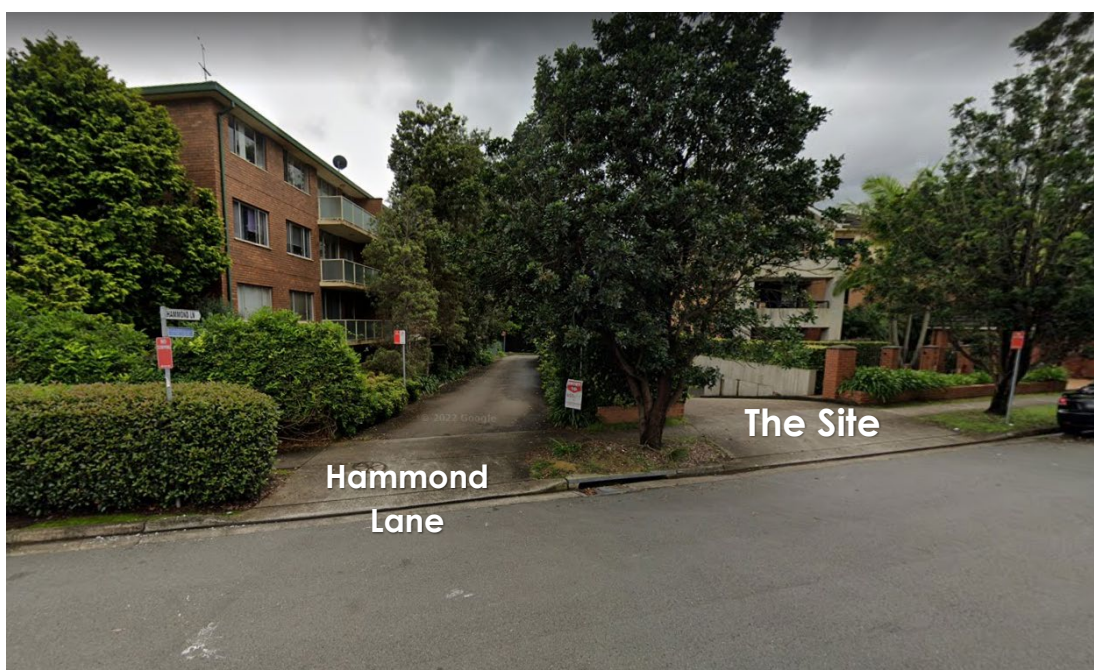


Figure 3 Hammond Lane (site to East)
Source: Google Street View



Figure 4 Site viewed from Gordon Avenue
Source: Google Street View

3 The Proposal

3.1 Development Summary

The proposed development involves demolition of all existing structures and construction of shop top housing comprising:

- A two storey non-residential podium comprising:
 - Ground floor: Two retail tenancies (381.9m²).
 - First level: Four commercial tenancies (1,044.8m²).
 - Business identification signage zones.
- A 25-storey residential tower comprising 64 dwellings and communal facilities including open space, swimming pool, outdoor gym, BBQ area and 55.5m² of co-working space.
- Basement car parking for 106 carparking spaces including:
 - 64 residential spaces, including 19 accessible spaces.
 - 10 commercial spaces, including 1 accessible space.
 - 16 retail spaces, including 1 accessible space.
 - 16 visitor spaces, including 1 accessible space.

Details of the numerical particulars of the proposal are summarised in **Table 3** below.

Table 3 Numerical Particulars	
Item	Proposed development
Land use	Shop top housing, comprising retail premises, office premises and dwellings
Gross Floor Area	<ul style="list-style-type: none">• Residential: 7,617.2m²• Retail: 381.9m²• Commercial: 1,093.8m²• Total: 9,092.9m²
Total FSR	5.97:1
Number of dwellings	64
Unit mix	<ul style="list-style-type: none">• 4 x 1 Bedroom (6%)• 19 x 2 Bedroom (30%)• 34 x 3 Bedroom (53%)• 5 x 4 Bedroom (8%)• 2 x penthouse (4 Bedroom) (3%)
Unit size	<ul style="list-style-type: none">• 1 Bedroom: 60m²• 2 Bedroom: 80m² - 95m²



Table 3 Numerical Particulars	
Item	Proposed development
	<ul style="list-style-type: none"> • 3+ Bedroom: 100m² – 290m²
Number of storeys	27 storeys with a 25 storey tower and two-storey podium
Height of building	89.9m
Parking	<ul style="list-style-type: none"> • Car parking: 106 spaces (inclusive of 22 accessible spaces) <ul style="list-style-type: none"> ◦ 64 residential spaces ◦ 16 visitor spaces ◦ 10 commercial spaces ◦ 16 retail spaces • Motorcycle parking: 21 spaces • Bicycle parking: 15 spaces
Loading	Located on ground level and accessed via Hammond Lane with a 4.8m height clearance
Communal open space	388.7m ² (25.5% of site area)

Further details of the proposed development are provided in the Architectural Plans prepared by FJC Studio, which are included at **Appendix 1. Figures 5-7** provide a visualisation of the proposal, from the Architectural Design Statement (**Appendix 28**).





Figure 5 Tower photomontage viewed from south west

Source: FJC Studio 2023



Figure 6 Podium photomontage

Source: FJC Studio 2023



Figure 7 Tower photomontage viewed from north east

Source: FJC Studio 2023

3.2 Demolition

The proposed development includes demolition of all existing structures onsite including the existing residential flat buildings. A Demolition Plan has been included within the Architectural Plans (**Appendix 1**) to identify all existing improvements within the site to be demolished.

3.3 Built Form

The built form comprises a 25-storey tower element with a two-storey podium and five basement levels.

The proposed building setbacks are:

Table 4 Proposed setback	
Area	Setback
Podium setback (Up to Level 2)	
Hammond Lane (Northern boundary)	3m (including deep soil planting on ground level)
Gordon Avenue (Southern boundary)	3m
Eastern boundary	Nil
Hammond Lane (Western boundary)	3m
Tower setback (Level 3 to Level 27)	
North	Tower setback to 7.1m varying to 3.17m

Table 4 Proposed setback	
South	Tower setback 7.4 varying to 3m.
East	Tower setback 9m, varying to 5.5m.
West	Tower setback 9m, varying to 5.5m.

3.4 Non-Residential Uses

The ground floor layout has been designed to optimise active street frontage along Hammond Lane to the west and Gordon Avenue to the south, promoting retail uses that will attract pedestrian traffic and improve the visual amenity of the public realm. Specific tenants for each tenancy are yet to be determined.

Commercial uses at first floor will be accessed via a dedicated lift.



Figure 8 Non-Residential Uses (shown blue)

Source: FJC Studio 2023

3.5 Communal Open Space

The proposal provides a 388.7m² communal open space (25.5% of the site area) on the podium roof.

The communal space includes a variety of outdoor facilities including a swimming pool, gym, BBQ area and a series of landscaped seating areas. It has been designed to encourage a sense of shared ownership and social interaction between the residents.

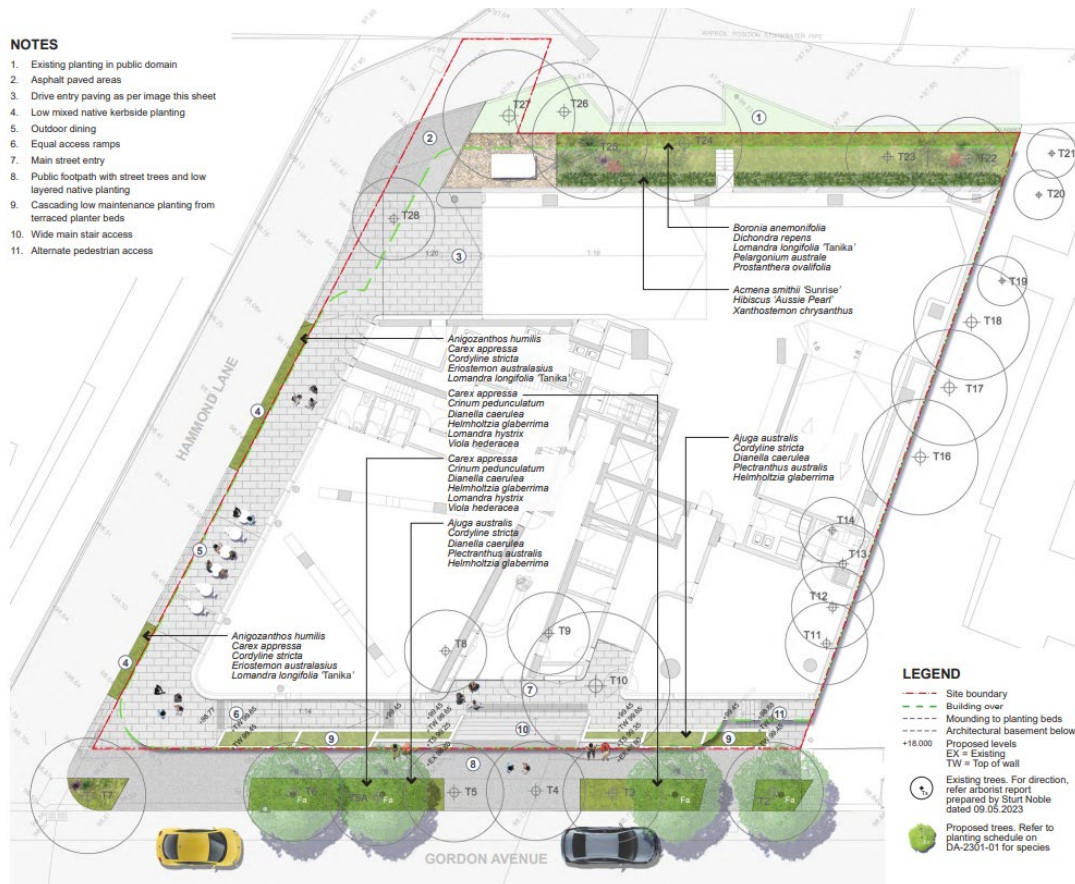


Figure 10 Ground level landscape design

Source: Sturt Noble Associates 2023

A large communal podium courtyard is provided on Level 2 with a variety of layered and cascading native and ornamental species that are aspect specific in each case (refer to **Figure 11**). The podium is paved with pavers and bounded by a raised sculptural planter. An inbuilt island planter is provided on the podium which incorporates low retaining walls to grade to required soil depths from paving level, creating an integrated landscape space and casual seating edges.

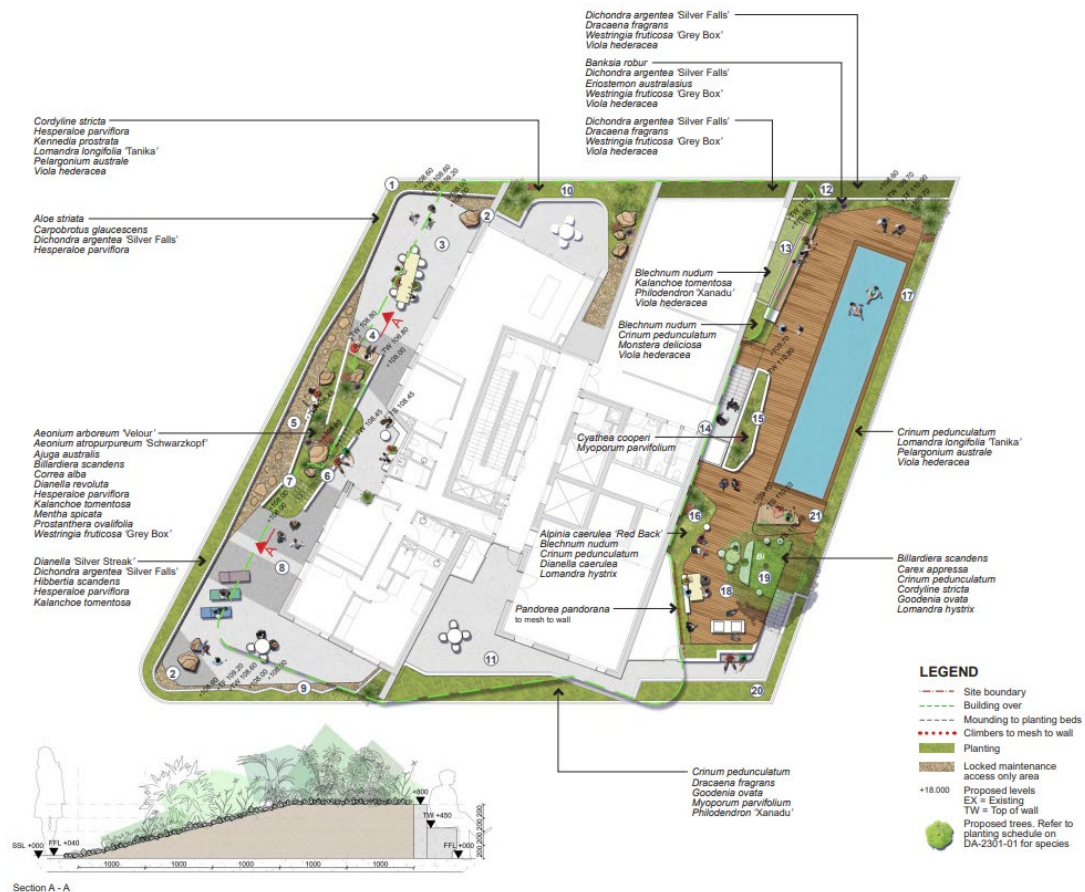


Figure 11 Level 2 landscape design
Source: Sturt Noble Associates 2023

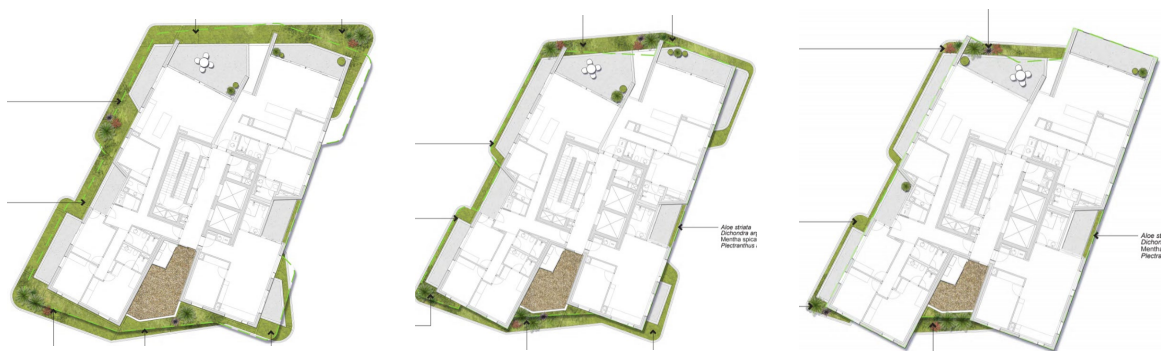


Figure 12 Level 3-5 landscape designs
Source: Sturt Noble Associates 2023

Landscaping at the upper levels (**Figure 12**) is integrated within the perimeter of the building incorporating planting with a wide range of native species, complementing the private and communal open spaces over various levels.

3.7 Parking, loading and access provisions

A five-level basement is proposed to provide:

- 106 carparking spaces, comprising:
 - 64 residential spaces (inclusive of 19 accessible spaces)



- 10 commercial spaces
- 16 retail spaces
- 16 visitor spaces
- 21 motorcycle spaces
- 15 bicycle storage facilities

Separate lift and stair access is provided from the basement to the residential and retail/commercial levels above.

Vehicular access is provided via Hammond Lane to the west with loading facilities located at the rear of ground level. A swept path analysis of the 10.5m Council MRV waste truck has been undertaken by Varga. Further discussion of the loading and access arrangements is provided in **Section 7.6** and Traffic Impact Assessment in **Appendix 5**.

3.8 Signage

The proposal seeks consent for the location of three under awning signs for the retail tenancies on ground level. The proposed signage will be used for business identification purposes to identify the businesses operating the retail tenancies. The location of the proposed signage is provided within the Architectural Plans at **Appendix 1**.

The detailed design of the proposed signs is to be developed once the tenants have been confirmed. It is expected that the content of the signs will comprise the logo and name of the future tenants.

3.9 Public art

Public art opportunities have been incorporated in the façade articulation at the top of the south tower as a leaf motif. This presents a unique opportunity to integrate a significant artwork into the detailed façade articulation (soffits) on the south façade of the tower. The leaf motif expression will be highly visible in the public domain and the surrounding area, becoming an iconic feature in the suburban landscape of Chatswood.

Further public art opportunities will continue to be explored throughout detailed design development. Further details of the preliminary public art strategy are provided in the Architectural Design Statement at **Appendix 28**.



4 Strategic Planning Context

4.1 Greater Sydney Regional Plan

The Greater Sydney Region Plan – *A Metropolis of Three Cities* sets a 40-year vision (to 2056) for the Greater Sydney Region and establishes a 20 year plan to manage the Growth of Greater Sydney in the context of social economic and environmental matters.

The Plan states that Greater Sydney is growing and that by 2036, the NSW Government will need to deliver over 725,000 new homes for an additional 1.36 million people, and places for 817,000 additional jobs.

The plan:

- Providing housing supply, choice and affordability with access to jobs, services and public transport;
- Delivering integrated land use and transport for a 30-minute city;
- Creating and renewing great places and local centres;
- Increasing urban tree canopy and delivering Green Grid connections;
- Growing targeted economic sectors and preserving;
- Reducing carbon emissions and managing energy, water and waste efficiently; and,
- Planning for a city supported by infrastructure.

The site is situated in the Northern District of the Greater Metropolitan Sydney. Chatswood is identified as a Strategic Centre and major asset along the well-connected Eastern Economic Corridor from Macquarie Park to Sydney Airport.

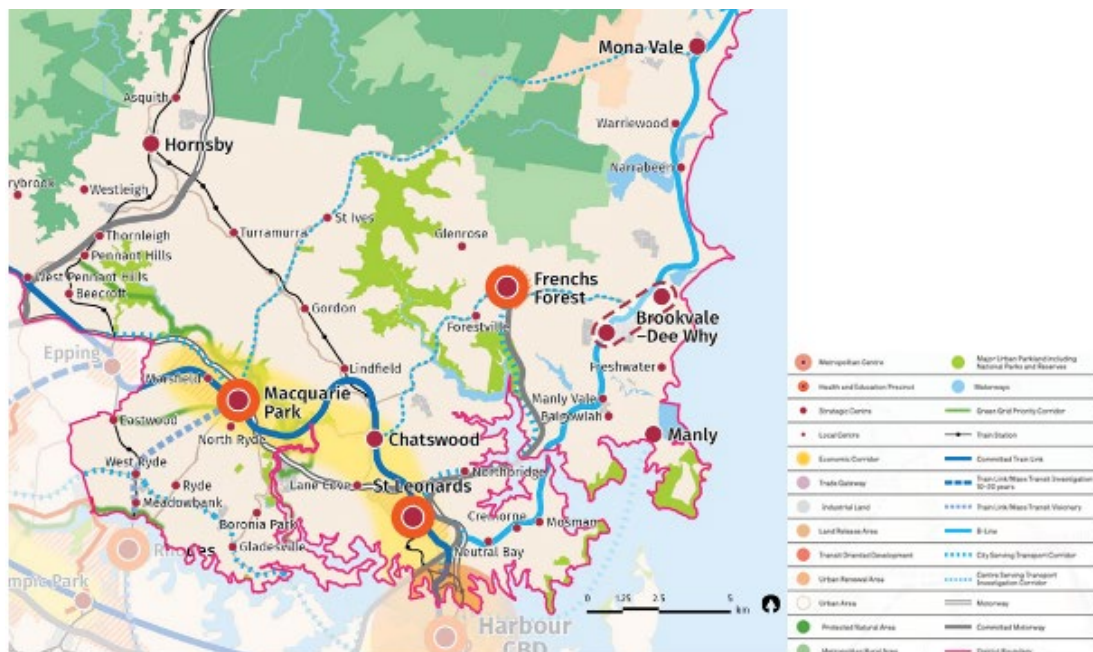


Figure 13 Greater Sydney Regional Plan

Source: Greater Sydney Commission



4.2 North District Plan

In March 2018, the Greater Sydney Commission released the North District Plan setting out priorities and actions for Greater Sydney's North District.

The proposed priorities and actions for a productive and liveable North District focus on planning a city of people and of great places as well as a supply of a range of housing and employment opportunities. It is guided by the aim of establishing 30-minute cities, where people are 30 minutes from jobs and services by public transport and 30 minutes from local services by active transport. This is projected to be achieved by responding to the planning priorities outlined in the District Plan.

Chatswood is identified in the District Plan as a Strategic Centre with a highly successful retail focus and vibrant night-time economy. A five-year housing target is provided for each local government area in the North District Plan. Willoughby LGA is set a target for 2016 – 2021 of 1,250 additional dwellings. A target of 92,000 additional dwellings for the District has been set as a minimum target over the next 20 years. This equates to an average annual supply of 4,600 new dwellings per year to be delivered in the District over the next 20 years. Actions set to strengthen Chatswood include:

- Protect and grow the commercial core;
- Maximise the land use opportunities provided by Sydney Metro;
- Promote the role of the centre as a location for high quality, commercial office buildings and a diverse retail offering;
- Enhance the role of the centre as a destination for cultural and leisure activities;
- Promote and encourage connectivity, and upgrade and increase public open spaces;
- Investigate interchange operations on both sides of the railway line to increase capacity and efficiency of modal changes; and
- Improve pedestrian connectivity between the eastern and western side of the rail line.

4.3 Willoughby Local Strategic Planning Statement

The Willoughby City Council Local Strategic Planning Statement (LSPS), dated March 2020, sets out the 20-year vision for land use in the LGA, the special character and values that are to be preserved and how change will be managed into the future.

The LSPS contains a number of planning priorities relevant to the site and proposal including:

- Increasing housing diversity to cater to families, the aging population, diverse household types and key workers
- Increasing the supply of affordable housing
- Developing Chatswood CBD as a key commercial centre and integral part of the Eastern Economic Corridor.
- Augmenting local infrastructure and using existing infrastructure more intensively and efficiently to accommodate planned growth.



- Co-ordinating economic development for Chatswood and St Leonards

Relevant to the subject site, Council's LSPS supports the delivery of the key elements of the Chatswood CBD Planning and Urban Design Strategy as this is the key driver for housing, jobs and investment within the Willoughby LGA. The Chatswood CBD Planning and Urban Design Strategy discussed in **Section 4.4** below.

4.4 Chatswood CBD Planning and Urban Design Strategy 2036

The Chatswood CBD Planning and Urban Design Strategy 2036 guides future private and public development as the Chatswood CBD grows over the next 20 years. It aims to provide capacity for future growth and employment, achieve exceptional design and a distinctive, resilient and vibrant CBD.

The Strategy informs changes to *Willoughby Local Environment Plan 2012* and Willoughby Development Control Plan that directly affect the subject site, such as:

- Rezoning some residential land to mixed use
- Increasing maximum building heights and floor space ratios
- Provisions relating to:
 - affordable housing
 - minimum commercial floor spaces in developments
 - design excellence

A number of site-specific planning proposals have since been supported on individual sites (including the subject site) within the Chatswood CBD in response to the strategy. The CBD strategy, seeks value uplift sharing to fund public domain improvements. Sites within the CBD extension areas benefit from an increase in building height to 90m.

4.5 Council's Comprehensive Review of LEP 2012 and DCP 2012 (PP-2021-6242)

The comprehensive review of LEP 2012 and DCP 2012 is at an advanced stage and seeks to implement the Chatswood CBD Strategy which seeks to extend the existing CBD. The draft LEP and draft DCP were on public exhibition from 5 March – 7 June 2022. The final Draft Local Environmental Plan (the **Draft LEP**) and Development Control Plan (Draft DCP) are expected to be finalised in the second half of 2023, if no further exhibition is required.

The draft LEP is a matter for consideration in the determination of this application under Section 4.15(1)(a)(ii) of the EP&A Act. Refer to **Section 6.9** for further discussion.

5 Site-Specific Planning

5.1 Site-specific Planning Proposal (LEP Amendment No. 20)

Site Specific Planning Proposal (**SSPP**) PP-2021-2417 was proponent-led and was approved on 2 March 2022. The planning proposal was publicly exhibited from April to May 2021, and sought amendments to LEP 2012 and approval for a site-specific



DCP primarily in response to the outcomes of the Chatswood CBD Planning and Urban Design Strategy. The LEP 2012 amendments for the site achieved:

- Rezoning of the site from R3 Medium Density Residential to B4 Mixed Use.
- Increase of the maximum permitted building height from 12m to 90m.
- Increase of the maximum FSR from 0.9:1 to 6:1.
- Include a minimum commercial FSR component of 1:1.
- Amend the special provisions area map to include the site in Area 9 (affordable housing) to provide 4% of the residential floor space as affordable housing units.
- Amend Clause 6.8(2) to include Area 9 on the special provisions area map.
- Amend Clause 6.8(7) 'affordable housing' to include reference to Area 3 and Area 9

The amendment was gazetted on 25 March 2022 as Amendment No 20 and has been incorporated into LEP 2012. A full compliance table assessment of the proposal against the LEP (site-specific amendments) is provided in **Section 6.8**.

5.2 Site-Specific Development Control Plan

The site is also subject to a site-specific DCP (**SSDCP**), which was approved as part of a Planning Proposal for the site (PP-2021-2417) and has been incorporated to DCP 2012 and the Draft DCP. The proposal's compliance with the SSDCP is addressed in **Section 6.11**. A full compliance table assessment is provided in **Appendix 24**.

5.3 Architectural Design Competition

An Architectural Design Competition (**ADC**) was undertaken for the site between 23 September 2022 and 23 December 2022. This was in response to the SSPP which requires the site to undergo an ADC process under Clause 6.23 of LEP 2012.

Attached at **Appendix 28** is the Architectural Design Competition Report which was prepared at the conclusion of the competition. The report outlines the ADC process, architectural submissions, and the competition jury's deliberations, decision, and recommendations.

The ADC was undertaken as an invited process where the proponent sought three competitors to respond to a Competitive Process. The entrants who were invited to participate in the process were selected based on their reputation for delivering high quality and sustainable architecture with experience in high density mixed use residential and commercial development. The three selected architectural competitors were:

- Koichi Takada Architects
- Rothelowman
- FJMT (now FJC Studio) (Winning scheme)

The process was undertaken in full consultation and disclosure with Willoughby City Council officers. The winning scheme proposed by FJMT is illustrated in at **Figure 14**.





Figure 14 Winning scheme by FJMT

Source: FJMT 2022

Of the three schemes assessed by the Jury, the FJMT scheme was identified as the preferred design (**Figure 14**). The Jury unanimously considered that this scheme provided the best response to the Design Competition Brief and concluded it was capable of achieving design excellence.

Further details of the ADC are provided in the Design Competition Report at **Appendix 28**.

The Jury also provided feedback identifying a range of matters that required further consideration prior to the submission of the detailed Development Application. FJC have refined the scheme and provided the following response to the comments raised by the Jury.

Table 5 Response to matters identified for further consideration

Comment	Response
Reconsider the white colour of the elements at the top of the northern blocks (glazing, aluminium detailing and sunshades), and explore the use of a tone that is more consistent with the precedent example of Block 11(FJMT) and the material palette for the proposed building including brickwork, precast and GRC.	The façade colour to the top of the northern tower is maintained with a light (non-white) finish to differentiate this from the overall tower form and colour (brick/earth-tones). Final colour selection will be determined through prototype and samples testing/review.
Continue to refine the balustrade expression of precast/GRC edges with landscaped edges. Ensure that the balustrades behind have a suitably considered bespoke expression if landscape intermittently fails or is replaced over time	Detailed drawings have been provided for landscaped edges. Balustrades will maintain their design integrity and expression.
Consider further simplifying the rectangular elements within the southern articulated inset zone by removing the chevron pattern to the to capture the clarity of the sketch.	This has been identified as an opportunity for the provision of public art. The Pattern to the balcony soffits will be subject to further detailed articulation and fabrication.
In the revised southern façade windows, carefully consider the relationship, proportion and alignment of the operable sash windows in relation to the larger openings to not detract from the clarity of the fenestration composition.	The fenestration size and composition of windows has been adjusted to provided consistency across the masonry facade. Further detailed consideration has been given to the opening size and buildability.
Work to strengthen the architectural expression of the podium through greater consideration of the detailing of the precast/GRC edges, the brick and glazing detailing to the street and the proportion and hierarchy of the structural expression so that its character is not reliant on the landscape infill, but develops an independent architectural integrity.	The podium facade is expressed as horizontal banding that provides for the planting around the podium perimeter and base of the tower form as consistent with the design concept.
Develop the Connecting with Country strategy to inform and enrich the architecture and landscape including the integration of public art and naming opportunities in the public and private domains.	Connecting with Country will form an important part of the public art strategy and landscape.

Table 5 Response to matters identified for further consideration

Consider including suitable electrical charging points in every car space, metered to the owner's energy usage, allowing any type of EV to be charged overnight using their own equipment. The slower draw on overnight electricity is also generally an easier load to manage. The proponent should assume that all residents' cars will eventually be electric. The location of the substation within the building envelope provides a good urban outcome and consideration should be given to the capacity and space required to provide EV charging to each parking space.	This has been carefully considered by the services engineer. Details of the proposed substation are provided in Section 7.5 .
Pursue the refinements to the freeboard levels on the corner of Gordon Avenue and Hammond Lane. The solution that removes the corner entry is preferred over the solution with multiple ramps – but subject to the advice of a qualified Access/DDA consultant.	Given the requirements and provisions for flooding and existing RLs it is necessary to maintain primary access including ramp access along Gordon Avenue. Details of the DDA assessment are provided in Section 7.13 and the Access Report at Appendix 17 .
Given the complexities of freeboard levels around the site, ensure that the ramp, steps and terraces are well integrated with the surrounding public domain profiles of Hammond Lane and Gordon Avenue.	Careful consideration has been given to the location and length of ramps relative to their location along Gordon Avenue, and their positioning with integrated landscaping.
Landscape is an integral element to the architectural concept, and it is important that planting thrives. The design team should work with a qualified landscape consultant to ensure edge planter boxes are well provisioned with soil, drainage and irrigation, and plant species are selected that are best suited to each elevation and microclimate.	The design team has been working closely with a landscape architect to maintain the design integrity of the landscape and integration of this within the building. Details of the proposed landscaped design are provided in Section 3.6 and Appendix 2 .
Develop maintenance/access/irrigation strategies to ensure the good health of balcony vegetation in privately owned and strata areas	This will continue to be developed as part of the design development phase.

Table 5 Response to matters identified for further consideration

Continue to refine equitable access strategies to the common outdoor area. The ramp solution is not favoured by the jury, but subject to the advice of a qualified Access/DDA consultant.	Common areas have been carefully designed with accessibility and amenity as an important focus.
Review the wind conditions and usability of the pool area on the podium to provide high level of comfort and amenity for residents throughout the year.	<p>The pool area and outdoor common areas have been designed to try to mitigate the impacts of the rain and wind, being conscious that it is preferable for this space to be maintained as outdoor space and so will always be subject to natural conditions.</p> <p>Design measures have been recommended in the Wind Assessment for mitigation. Further details are provided in Section 7.10 and at Appendix 11.</p>
Pursue the refinements to the projecting canopy over the eastern common space to ensure that there is sufficient privacy between the common space and the apartments on the level above. The jury favours a robust architectural language for this canopy that unites it with the precast language of the other projecting elements in the scheme, rather than the introduction of a new, lighter, language.	The adjustment to the extent of the podium articulation has addressed issues of privacy.
The availability of light and outlook from the common circulation corridor is supported and the design team is encouraged to explore whether natural ventilation of this corridor is possible.	View and natural ventilation have been provided and maintained.
Where possible, consider refinements to accommodate the detailed brief requirements for separate laundry rooms and provision of baths in 2 bedroom units.	This has been provided where possible.
Further refine apartment planning where the inset balconies, or the rotation of the western wing in relation to the core, create shifts in plan geometries.	Apartment planning has accommodated the shift in geometry.
Continue to explore the generosity of relationship in section and degree of	The proposal includes an operable facade along Hammond Street to align with internal floor level to connect the street frontage



Table 5 Response to matters identified for further consideration	
operability to the retail frontage to Hammond Lane.	along Hammond Lane. The facade will not be operable at pavement level.
Continue to explore the presented refinements to structure to the loading dock that facilitate vehicle turning movements.	Swept paths for Council's 10.5m MRV waste truck at the loading dock have been provided within the Traffic Report (Appendix 5).
In developing building services, ensure that sufficient rainwater storage is provisioned to support landscape irrigation.	Rainwater storage is provided to support landscape irrigation.

5.4 Post-Design Competition Consultation and Pre-lodgement Meeting

Following the design competition, a formal Pre-DA meeting was held between the Proponent, FJMT, Mecone and Council. The meeting was held online on 24 November 2022.

The Pre-DA notes and response are summarised in **Table 6**.

Table 6 Pre-DA Meeting Notes and Response	
Matter	Response
Easement The owners should satisfy themselves via title search as to whether there are any more easements, covenants or other restrictions which may limit use or development of the land.	A Survey Plan (Appendix 20) has been prepared to identify the site details including easements, services and trees within and surrounding the site.
Willoughby Local Environmental Plan (WLEP) Given the nature of the meeting, a detailed review was not undertaken. Compliance with FSR and Building Height should be compliant.	The proposal is compliant with the 90m height limit and 6:1 FSR control. Further details of the LEP assessment are provided in Section 6.8 .
Willoughby Development Control Plan (WDCP) Parts C and D of the DCP contain provisions relevant to a new dwelling house and dual occupancies. The key matters to be considered in designing the proposal and preparing a development application include: <ul style="list-style-type: none"> - C.4 Transport requirements for development - C.5 Water management - C.9 Vegetation management - C.1.2 Fencing 	A DCP Compliance Table has been prepared addressing the relevant sections of WDCP. Refer to Appendix 24 .



Table 6 Pre-DA Meeting Notes and Response

<ul style="list-style-type: none"> - E.3.7 – 5-9 Gordon Ave, Chatswood (Site specific Controls) <p>Plans need to be detailed to demonstrate compliance (or otherwise) with LEP development standards (building height and floor space ratio) and DCP guidelines as discussed above.</p>	
<p>Planner Comments</p> <p>Issues discussed as follows:</p> <ul style="list-style-type: none"> - The design was still subject to the final stages of the Design Excellence competition. Therefore, only generic comments provided. 	Noted.
<ul style="list-style-type: none"> - Fencing matter is not for council discussion. This is to be discussed between you and the Chatswood bowling club. 	Noted. A landscape buffer is proposed to the north boundary.
<ul style="list-style-type: none"> - The new substation kiosk is to be integrated into the design and is not to be within the active street frontage. The design possibly allows for an area to the north not on the street frontage for it to be located. No objections raised to this subject to compliance with landscaping and other controls. 	<p>The substation is proposed to be located at the north western corner of the site adjoining the deep soil zone. The substation is discussed further at Section 7.5.</p> <p>Further details of the proposed landscape design are provided in Section 3.6 and Landscape Plans at Appendix 2.</p>
<ul style="list-style-type: none"> - SOHO style office/homes would create amenity and BCA issues and is not suitable for RFB style developments. Council will not endorse as proposed. 	No SOHO style office/homes are proposed.
<ul style="list-style-type: none"> - The draft ground floor design with loading access at level is generally support if all the required turning circles and heights can be achieved. 	Vehicular access and loading have been reviewed by Varga Traffic (Appendix 5) who have confirmed there are sufficient turning paths.
<ul style="list-style-type: none"> - 4.5m headroom at ground for loading area is non-negotiable. 	A 4.8m of floor to floor height will be provided for ground level, which will accommodate the 4.5m height clearance required for Council's 10.5m waste truck.
<p>Development Engineering</p> <p>Issues discussed as follows:</p> <p><u>Flooding and Stormwater Drainage</u></p>	A flood assessment has been undertaken and is provided within the Stormwater Management Report prepared by S&G Consultants (SGC).

Table 6 Pre-DA Meeting Notes and Response

<ul style="list-style-type: none"> - The site is classified as "Flood Affected – Overland Flow Study (Major)". A flood impact study will be required, which must address the following issues: - Confirm that the proposed development will have no impact on existing flood levels and velocities, as per the requirements of Technical Standard 3. - The minimum floor levels required to achieve the required freeboard for the building, including entry points into the basement. For habitable floor levels, a minimum freeboard of 500mm is required for the 1% AEP storm event. For access points to the basement parking area, the minimum levels is to the 500mm above the 1%AEP flood level or the PMF, whichever is greater. - Details of how the flood risk on the site will be managed. - The report is to be in accordance with the requirements of Technical Standard 3, available on Council's website. - On-site stormwater detention (OSD) is to be provided in accordance with the requirements of Part C.5 of the Willoughby DCP and Technical Standard 1. An overland flow path must be provided for the overflow from the tank / basin. Overflow into an internal chamber with an outlet pipe is not acceptable, as it is not visible and is also subject to blockage. The OSD tank / basin and outlet must be above the 1%AEP flood level. Calculations are to be provided to confirm that the outlet / orifice for the OSD system is draining freely and is not affected by the downstream water level. For direct connections to a Council pit, the downstream water level adopted must be no lower than the grate level of the pit. Discharge from the site will need to be to a Council pit, and details of the proposed connection point shown on the DA drawings. - Water quality improvement measures are to be provided as part of the stormwater management system. They are to meet the target requirements detailed in Technical Standard 1. A MUSIC analysis is to be undertaken to confirm targets are reached and a summary of the analysis provided, including parameters used in the model and the catchment plan. 	<p>Refer to Section 7.5 and Appendix 3 and 4.</p>
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Table 6 Pre-DA Meeting Notes and Response

<p><u>Access and Parking</u></p> <ul style="list-style-type: none"> - Access and parking is to be in accordance with AS/NZS 2890.1, AS2890.2 and AS/NZS2890.6. - Visitor parking associated with the development needs to comply with the requirements of Class 2 parking (medium term) as per AS/NZS 2890.1. Visitor parking is to be readily accessible, and not located behind doors, gates etc. - Parking spaces for adaptable units need to comply with the requirements of AS/NZS2890.6. - Bicycle storage lockers and rails are to be provided in accordance with the requirements of Part C.4 of the Willoughby DCP. Rails are to be located in a visible location, where they are available for visitors. - In accordance with Part C.4 of the Willoughby DCP, provision must be made for removalist trucks (MRV) to park, load and unload on-site for all residential developments in excess of 12 units. Access is to be provided for appropriate service /maintenance vehicles, including grocery delivery vehicles. - Provision is to be made for waste collection vehicles. Please contact Council's waste division for requirements for the proposed development. We note that Council's waste vehicles are 10.5m long. Swept paths must be provided to demonstrate that the waste vehicle can enter and leave the site in a forward manner. - Minimum headroom required for the loading area and access to and from the loading area is 4.5m. Non-negotiable. - A Traffic Report will be required for the development. It is to detail the impact of the development on surrounding roads and address the items raised above. Sufficient dimensions are to be provided on drawings to confirm that parking and access comply with the relevant standard. This includes aisle widths and typical parking space sizes. 	<p>Refer to Section 7.3 and Traffic Impact Assessment at Appendix 5.</p>
<p>Environmental Health</p> <p>Issues discussed as follows:</p> <ul style="list-style-type: none"> - The SEE needs to address potential contamination and SEPP (Resilience & Hazards) 2021. The current use is residential so it is unlikely 	<p>Refer to Section 6.4 and Detailed Site Investigation at Appendix 8.</p>

Table 6 Pre-DA Meeting Notes and Response

to be significantly contaminated but there could be fill material if they are excavating a basement.	
- Acoustic report by a member of the AAAC to assess road and rail noise intrusion, commercial tenancies, mechanical plant equipment and construction noise, & provide mitigation measures and recommendations	Refer to Section 7.6 and Noise and Vibration Impact Assessment at Appendix 6 .
- Base building to include provision of means to discharge exhaust ventilation for food premises vertically through the building to atmosphere	Sufficient provisions will be made for the retail tenancies, which will be subject to future fitout and use DAs.
<p>Urban Design</p> <p>Issues discussed as follows:</p> <ul style="list-style-type: none"> - Make clear reference to non-compliance that Design Excellence Jury referenced, noting the process is not complete 	<p>The Design Competition was completed on 23 December 2022. During the competition, a request for supplementary information was made by the Jury relating to flood planning levels, waste and loading, communal open space, alternate scheme and elevations. Additional information was supplied by FJMT to address the request.</p> <p>Further details of the request for supplementary information and response from FJMT are provided in the Architectural Design Competition Report at Appendix 28.</p>
<ul style="list-style-type: none"> - Unlikely that Hammond Lane will ever become a formally recognised 'Shared Zone' <ul style="list-style-type: none"> o Can become a high quality paved pedestrian friendly street 	Noted. Paving has been provided along Hammond Lane to create a pedestrian friendly street.
<ul style="list-style-type: none"> - Precinct wide Public Domain <ul style="list-style-type: none"> o High level at the moment o Acknowledge that each development may have its own identity and character o There is no 'pave it all with bluestone' approach o Council would prefer to work 'pro-actively/cooperatively' with developers to deliver a coordinated/integrated yet diverse public domain <ol style="list-style-type: none"> 1. Partnering and joint ownership 	Noted.

Table 6 Pre-DA Meeting Notes and Response	
<ul style="list-style-type: none"> o Reference to the source of Scotts Creek as a narrative, that flows through the CBD and then to Middle Harbour o Endemic vegetation o Recent robust examples Council has recently implemented: Post Office Lane, Charlotte Land and Spring Place (off Spring St), in the CBD. 	
<p>Other key points that they raised were:</p> <ul style="list-style-type: none"> - Traffic in Hammond Lane 	Refer to Section 7.6 and Appendix 5 .
<ul style="list-style-type: none"> - Waste removal <ul style="list-style-type: none"> o Council vehicle longer (10.5) than an MRV 	The loading dock on ground level has been designed to accommodate Council's 10.5m waste collection truck.
<p>Delegations</p> <p>This type of application will likely be a Regionally Significant Development application and will need to be determined by the North Sydney Planning Panel. A Detailed Cost Summary Report noting the CIV for the project should accompany the development application.</p>	<p>Noted. A QS Report has been prepared and is provided at Appendix 19.</p> <p>The CIV is \$67,089,187. As this exceeds \$30M the application will be determined by the SNPP – see Section 6.2.</p>



6 Statutory Planning Context

This section provides a summary of statutory planning considerations of the application.

6.1 Environmental Planning and Assessment Act 1979

Section 4.46 of the EP&A Act defines 'integrated development' as matters which require consent from Council and one or more authorities under related legislation. Prior to granting development consent to an application that is integrated development, the consent authority must obtain the General Terms of Approval from the relevant approval body.

Given the presence of groundwater above the bulk excavation level at the site, temporary dewatering during construction and the construction of a drained basement connected to a sump-and-pump system in the long term will be required. This has been based on a bulk excavation to a depth of approximately 18m below the existing ground level.

As stipulated in the Geotechnical Investigation (**Appendix 9**), a Water Supply Works approval will be required for the construction stage and a Water Access License is also likely to be required for the water take of more than 3ML/year under the *Water Management Act 2000*. According, the proposal constitutes integrated development and will require approval from WaterNSW.

6.2 State Environment Planning Policy (Planning Systems) 2021

Schedule 6 Clause 2 of *State Environmental Planning Policy (Planning Systems) 2021* (SEPP Planning Systems) states that "development that has a capital investment value of more than \$30 million" constitutes 'regionally significant development'.

As the proposal has a capital investment value (CIV) of more than \$30 million, it is identified as regionally significant development and will be determined by the Sydney North Planning Panel.

6.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

The site is located in proximity to the railway corridor to the east and Pacific Highway as a classified road to the west. Therefore, the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP T&I) are applicable to the proposed development as set out below.

Clause 2.100 Impact of rail noise or vibration on non-rail development

The proposal involves residential accommodation adjacent to a rail corridor which is likely to be affected by rail noise or vibration and hence Clause 2.100 is applicable. The proposal is required to address the acoustic levels prescribed in subclause (3). A Noise and Vibration Impact Assessment has been prepared by Resonate and is further discussed in **Section 7.6** and **Appendix 6**.

Clause 2.120 Impact of road noise or vibration on non-road development



The site is located close to Pacific Highway and the proposal involves residential accommodation. Subclause 3 specifies that in any bedroom noise levels must not exceed 35 dB(A) at any time between 10 pm and 7 am and anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) must not exceed 40 dB(A) at any time.

This is addressed in the Noise and Vibration Impact Assessment in **Appendix 6** and **Section 7.9** of this SEE.

Clause 2.122 Traffic-generating development

Schedule 3 of SEPP T&I outlines thresholds for traffic-generating development, which will require referral to TfNSW. The relevant referral thresholds are as follows:

Table 7 Traffic-generating development referral thresholds	
Purpose of development	Size or capacity – site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)
Residential accommodation	75 or more dwellings
Commercial premises	2,500m ² in gross floor area

The site is located within 90m of the Pacific Highway, which is a classified road. Nevertheless, the proposal only involves 64 dwellings and 1,552m² of non-residential floor space. The proposal therefore does not require referral to TfNSW in this regard.

6.4 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

Chapter 4, Clause 4.6(1) of *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP), requires that a consent authority must not consent to the carrying out of development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

A Detailed Site Investigation has been prepared by Douglas Partners to assess the suitability of the site for the proposed development. The findings of the investigation concluded that the site can be made suitable for the proposed development subject to the following:

- Post demolition inspection and clearance for hazardous building materials by a suitably qualified consultant;
- Additional sampling and testing in the demolished building footprint areas;



- If the above scope identifies the presence of soil contaminants, then some form of soil remediation and / or management will be required, with the process outlined in a remediation action plan or contamination management plan;
- Formal waste classification to be undertaken to confirm classification prior to any fill material or soil being removed from the site; and
- An unexpected finds protocol should be prepared and implemented during site works to address any potentially impacted fill (including asbestos contamination).

Further details of the contamination assessment are provided in the Detailed Site Investigation at **Appendix 8**.

6.5 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to NSW and aims to ensure consistency in the implementation of the BASIX scheme throughout the State. The Building Sustainability Index (BASIX) aims to deliver equitable, effective water and greenhouse gas reductions across the state.

Consistent with SEPP (BASIX) 2004, the application is accompanied by a BASIX Certificate (**Appendix 15**).

6.6 State Environmental Planning Policy (Industry and Employment) 2021

Any development application for proposed signage must give consideration to the provisions of Chapter 3 of the *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP). Clause 3.1(1) provides the following aims and objectives as follows:

- (1) *This Chapter aims—*
 - (a) *to ensure that signage (including advertising)—*
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
 - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
 - (c) *to provide time-limited consents for the display of certain advertisements, and*
 - (d) *to regulate the display of advertisements in transport corridors, and*
 - (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

Schedule 5 outlines the assessment criteria to which any development application for signage must give consideration. **Table 8** below provides an assessment against the Schedule 5 assessment criteria.



Table 8 Schedule 5 Assessment Criteria

Criteria	Assessment	Compliance
1. Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is generally consistent with the mixed-use character of the surrounding area and the Chatswood CBD.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with the future character of the area and will inform the future signage theme of the Chatswood CBD.	YES
2. Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	<p>The proposed signage would not impose adverse amenity or visual impacts in the area.</p> <p>The site is not in proximity to any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes.</p> <p>The proposed signage will be located within a mixed-use area with active uses at street level. The proposed signs will be used for business identification purposes and hence will not detract from the visual quality of the area.</p>	YES
3. Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signs will be located at street level and will not obscure or comprise any views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signs will be located at street level and will not dominate the skyline or reduce the quality of vistas.	YES
Does the proposal respect the viewing rights of other advertisers?	The proposed signs have been designed to respect the viewing rights of other advertisers. There is currently no neighbouring signage.	YES
4. Streetscape, setting or landscape		

Table 8 Schedule 5 Assessment Criteria		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The size of the proposed signage is consistent with the commercial character of the streetscape.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed will be designed by a reputable designer to create visual interest.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is minimal will not create visual clutter. There is no existing advertising on site.	YES
Does the proposal screen unsightliness?	The proposed signage will not be used to screen unsightliness.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage will not protrude above buildings, structures or tree canopies.	YES
Does the proposal require ongoing vegetation management?	No ongoing vegetation management is required.	YES
5. Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is compatible with the scale and design of the proposed building.	YES
Does the proposal respect important features of the site or building, or both?	The proposed signage has been suitably located and logically positioned to ensure that important features are not obscured.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The high-quality design of the signage shows innovation and imagination in the relationship with the site and its context.	YES
6. Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	<p>Details of the proposed signs are illustrated in the Architectural Plans at Appendix 1.</p> <p>The proposed signs will include the logo and name of the business occupying the commercial tenancies.</p> <p>No lighting devices are proposed for the signage.</p>	YES

Table 8 Schedule 5 Assessment Criteria		
7. Illumination		
Would illumination result in unacceptable glare?	No illumination is proposed.	N/A
Would illumination affect safety for pedestrians, vehicles or aircraft?		
Would illumination detract from the amenity of any residence or other form of accommodation?		
Can the intensity of the illumination be adjusted, if necessary?		
Is the illumination subject to a curfew?		
8. Safety		
Would the proposal reduce the safety for any public road?	The proposed signage will not reduce the safety of any road users on any road users on any public road as the signs will be adequately set back from the public road, and have a minimal design.	YES
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage will not reduce the safety for pedestrians or cyclists as the signs will provide adequate clearance from the footpath, and have a minimal design.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obscure sightlines from public areas.	YES

6.7 State Environmental Planning Policy 65 – Design Quality of Apartment Development and the Apartment Design Guide

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65) aims to improve the design quality of residential apartment development in New South Wales. It recognises that the design quality of residential apartment development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high-quality design.

The design of the proposed development was assessed against the provisions of the SEPP 65. Part 2 of SEPP 65 lists the design principles that need to be considered in



achieving good design. These design principles have been addressed at page 30 and 31 of the Architectural Design Statement at **Appendix 28**.

As the proposal involves erection of a new building that is more than 3-storeys in height and contains at least 4 dwellings, SEPP 65 applies. Clause 28 of the SEPP provides that the application is **not required to be referred to the relevant Design Review Panel**, stating:

A consent authority is not required to obtain the advice of a relevant design review panel under subclause (1) if an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development.

The ADG is a resource that seeks to achieve better design and planning for residential apartment development, by providing benchmarks for designing and assessing developments. SEPP 65 also refers to some parts of the ADG that must be applied when assessing development applications.

Consistent with SEPP 65, the application is accompanied by Architectural Plans (**Appendix 1**) and an ADG compliance assessment (**Appendix 25**).

6.8 Willoughby Local Environmental Plan 2012

6.8.1 Zoning

LEP 2012 is the principal planning instrument applying to the site and Amendment 20 recently incorporated revised provisions specifically for the site (see **Section 5.1**). The key development standards applicable to the site under the LEP are outlined below.

The site has recently been rezoned to B4 Mixed Use under LEP 2012 (**Figure 15**). The objectives of the B4 Mixed Use zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To allow for city living on the edges of the city centre of Chatswood, which supports public transport use, shopping, business and recreational services that contribute to the vitality of the centre, without undermining its commercial role.*

The proposal is consistent with the B4 zone objectives as it would integrate suitable commercial uses with residential development in an accessible location which would encourage the use of public transport and active transport modes. The proposed shop top housing would provide housing opportunities on the edges of the Chatswood CBD and support public transport use and day to day needs that contribute to the vitality of the centre.



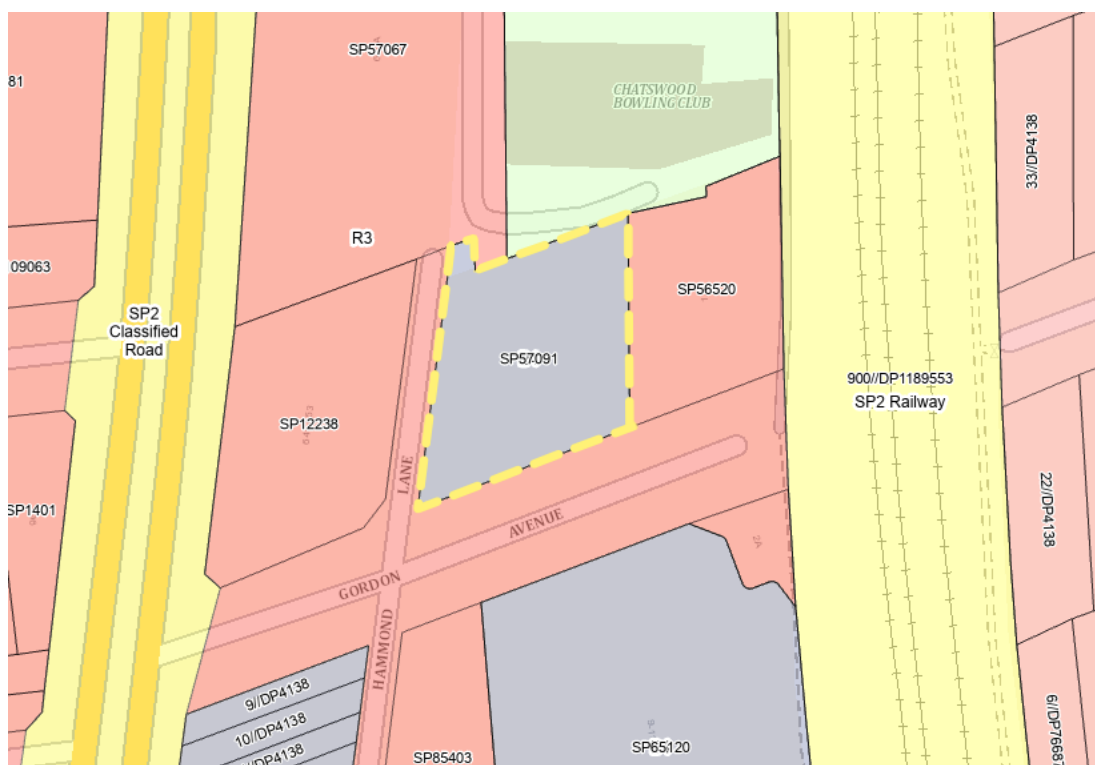


Figure 15 Zoning Map

Source: NSW Government 2023

6.8.2 Permissibility

The proposed residential accommodation and retail and office premises (i.e. commercial premises) is defined as 'shop top housing'. Specifically, shop top housing is defined as:

"one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities".

'Shop top housing' is specifically permitted with consent in the B4 Mixed Use zone.

6.8.3 Employment Zones Reform

While the Employment Zones Reform came into force on 26 April 2023 across NSW and provides updates to the standard instrument, it is noted Willoughby LGA is **exempt until 26 April 2025** under the savings provisions at Schedule 1, Part 2, Clause 6.

According to the preliminary translation of the employment zones land use tables for the LEP published by NSW Government, the **B4 Mixed Use zone will be translated to MU1 Mixed Use** and shop top housing will continue to be permitted with consent in the zone.



6.8.4 Compliance Assessment

An assessment against the relevant development standards and provisions of LEP 2012 is provided in **Table 9** below.

Table 9 LEP 2012 Assessment		
Clause	Compliance	Assessment
Clause 2.7 Demolition requires development consent The demolition of a building or work may be carried out only with development consent.	YES	The proposal seeks consent for demolition of the existing building and structures on site.
Clause 4.1 Minimum subdivision lot size The site is subject to a minimum lot size of 1,500m ² .	YES	The site has an area of 1,522m ² and hence is compliant.
Clause 4.3 Height of buildings The site is subject to a maximum height of 90m.	YES	The proposed building height is 89.9m.
Clause 4.4 Floor space ratio The site is subject to a maximum FSR of 6:1.	YES	The proposal has an FSR of 5.97:1.
Clause 6.1 Acid sulfate soils The site is identified to contain Class 5 acid sulfate soils.	YES	The proposal involves excavation and construction of basement levels. As indicated in the Detailed Site Investigation (Appendix 8), the NSW Acid Sulphate Soil Map does not identify to be within an area of known acid sulfate soils and hence the potential presence of acid sulfate soils is considered to be low. This is consistent with the site's elevation (approximately 99m AHD) and the geological mapping.
Clause 6.2 Earthworks <i>Before granting development consent for earthworks, the consent authority must consider the following matters—</i> <i>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality,</i>	YES	(a) Stormwater Plans (Appendix 4) have been prepared by SGC to address drainage patterns and soil stability. (b) The future use of the site as shop top housing forms part of this proposal. (c) The Detailed Site Investigation (Appendix 8) addresses the suitability of the site for the



Table 9 LEP 2012 Assessment

<p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>proposed development. It confirms that the site can be made suitable for the proposed shop top housing development.</p> <p>(d) Appropriate construction management and mitigation measures will be implemented during construction stage to alleviate the construction impacts of the proposal.</p> <p>(e) As demonstrated in the Geotechnical Investigation (Appendix 9), all excavated materials will be disposed of in accordance with the Waste Classification Guidelines (EPA, 2014), including fill materials and naturals that may be removed from the site.</p> <p>Environmental testing will be carried out to classify soil prior to transport from the site.</p> <p>(f) The site is not identified as a heritage item nor is located within a heritage conservation area. There is unlikely to be any archaeological material contained on the site. In the event that human remains or relics are encountered, NSW Police and Heritage NSW will be contacted in accordance with the relevant legislations.</p> <p>(g) The site is not in proximity to any watercourse, drinking water catchment or environmental sensitive area.</p> <p>(h) Appropriate measures during and following development have been made in relation to earthworks, erosion and sediment controls during construction/earthworks in accordance with the <i>Managing Urban Stormwater: Soils and</i></p>
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Table 9 LEP 2012 Assessment

		<i>Construction – Volume 1: Blue Book (the Blue Book).</i>
<p>6.7 Active street frontages</p> <p>Active street frontage is required on Gordon Avenue to the south and Hammond Lane to the west.</p> <p>All ground floor premises facing the street are to be used for non-residential purposes, except for parts of the building being used for:</p> <p>(a) entrances and lobbies (including as part of mixed use development),</p> <p>(b) access for fire services,</p> <p>(c) vehicular access.</p>	YES	<p>The proposal will provide active street frontages to Hammond Lane and Gordon Avenue through the provision of two café (retail) premises.</p> <p>While activation of the northern end of the Hammond Lane frontage will be interrupted by vehicular access, this is specifically provided for by subclause 6.7(4).</p>
<p>6.8 Affordable housing</p> <p>The site is identified to be located in "Area 9" on the Special Provisions Area Map and hence is subject to the affordable housing provisions.</p>	Capable of complying	<p>With a residential GFA of 7,617.2m², 4% is equal to 304.688m². Affordable housing is to be dedicated in accordance with future discussions with Council.</p>
<p>6.23 Design excellence at certain sites at Willoughby</p> <p>The site is identified to be located in "Area 12" on the Special Provisions Area Map, in which the development is required to exhibit design excellence.</p> <p>An Architectural Design Competition is required to be held for a building that exceeds 35m in height.</p> <p>The design of the development is to be the winner of the architectural design competition.</p>	YES	<p>As demonstrated in Section 5.3, an Architectural Design Competition was held in accordance with Clause 6.23 and the design of the proposed development is carried out by the winner of the competition – FJC Studio (formerly FJMT).</p>
<p>6.25 Shop top housing at certain sites at Chatswood</p> <p>At least 17% of the building's gross floor area is to be used for non-residential purposes.</p>	NO	<p>The proposal includes 1,475.7m² of commercial GFA, which is approximately 16.23% of the building's total GFA.</p> <p>A Clause 4.6 Variation Request accompanies this report (Appendix 27).</p>

6.9 Draft Willoughby Local Environmental Plan

The provisions of the site-specific Planning Proposal have been incorporated into the Draft LEP and hence the key provisions applicable to the proposal relating to permissibility, height of building, FSR and active street frontages remain unchanged. The proposal will continue to achieve compliance with the key provisions under the Draft LEP.

Table 10 below includes an assessment against the new provisions proposed in the Draft LEP.

Table 10 Draft LEP Assessment		
Clause	Compliance	Assessment
<p>Clause 6.8 Affordable housing</p> <p>The site is identified to be located in "Area 3" on the Special Provisions Area Map in which an affordable housing contribution of 10% is applicable.</p>	N/A	The Draft LEP has not been gazetted, therefore the 4% affordable housing contribution rate applies from the LEP 2012, pursuant to the savings provision under Draft Clause 1.8A.
<p>Clause 6.20 Sun access</p> <p>Development on B3 or B4 zoned land is not to result in additional overshadowing in mid-winter between 12 noon and 2pm on:</p> <ul style="list-style-type: none"> • Victoria Avenue between the Interchange and Archer Street • Concourse Open Space • Garden of Remembrance • Tennis and croquet club <p>The development is also not to reduce solar access to any individual property within the South Chatswood Conservation Area to less than 3 hours between 9am and 3pm mid-winter.</p>	YES	<p>The proposal will not result in additional overshadowing to the listed public and recreational places in mid-winter.</p> <p>The proposal also will not reduce solar access to any individual property within the South Chatswood Conservation Area to less than 3 hours between 9am and 3pm.</p> <p>Therefore, the proposal is compliant with Clause 6.20.</p>
<p>Clause 6.21 Urban Heat</p> <p>In deciding whether to grant development consent, the consent authority must consider whether:</p> <p><i>(a) the facade and roof of the proposed building and paved surfaces are designed to reduce</i></p>	YES	<p>(a) Landscaping is integrated on the façade and roof terrace to reduce the heat island effect.</p> <p>(b) An awning is provided on ground level to provide shading and improve public comfort at street level.</p>



Table 10 Draft LEP Assessment

<p>adverse effects of solar heat on the surrounding land, including private open space and the public domain, and</p> <p>(b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and</p> <p>(c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and</p> <p>(d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and</p> <p>(e) the development accommodates sufficient tree canopy, open space and deep soil zones to achieve urban cooling benefits, and</p> <p>(f) the building is designed to achieve high passive thermal performance.</p>		<p>(c) The heating, ventilation and air condition systems have been designed to minimise the release of heat in the direction of private open space and public domain.</p> <p>(d) Deep soil planting, planters and tree planting will be provided as part of the development to support a good quality of life in an urban environment.</p> <p>(e) The proposal has optimised the provision of landscaping and deep soil planting with the site. Additionally, street tree planting will be provided on the public footpath to increase urban canopy coverage and mitigate urban heat island effect.</p> <p>(f) As demonstrated in the ESD Report (Appendix 13), the windows and glazed elements will have appropriate performance glazing and well-designed shading to control solar gain. Minimum performance glazing and insulation values are determined by NatHERS thermal simulation modelling to ensure the design reaches and exceeds BASIX heating and cooling load limits for residential spaces.</p>
<p>Clause 6.22 Minimum lot sizes for commercial and mixed use development in Chatswood CBD</p> <p>Minimum lot size for mixed use development in the B4 Mixed Use zone is 1,200m².</p>	YES	<p>The site has an area of 1,522m² and hence is compliant.</p>

6.10 Employment Zones Reform

While the Employment Zones Reform came into force on 26 April 2023 across NSW, and updates the standard instrument, it is noted that the Willoughby LGA is **exempt until 26 April 2025** under the savings provisions at Schedule 1, Part 2, Clause 6.



According to the *Preliminary translation of the employment zones land use tables* for the Willoughby LEP published by NSW Government, the **B4 Mixed Use zone will be translated to MU1 Mixed Use** and shop top housing will continue to be permitted with consent.

6.11 Willoughby Development Control Plan

DCP 2012 supplements LEP 2012 to provide detailed design and environmental controls to guide development within the Willoughby LGA. Particularly, Part E 3.7 of the DCP provides site-specific controls for mixed use development on the subject site. An assessment of the relevant controls under the DCP is provided in **Appendix 24**.



7 Planning and Environmental Assessment

Mecone has undertaken an assessment of the proposal against the relevant planning legislation, instruments and guidelines, in addition to reviewing potential environmental effects and necessary mitigation measures.

7.1 Building Setbacks

The building envelope on Levels 3 to 5 protrudes into all setback areas. This is primarily due to the provision of landscaped open space terraces provided as a design feature to taper between the podium and the tower, bring vegetation up the façade. The largest encroachments are at Level 3 – with setbacks ranging from 3m to 6.3m. These landscaped terraces formed part of the winning architectural design and were commended by the jury who specifically noted:

*"Landscape is an integral element to the architectural concept...
The extent and integration of landscape and the communal gardens is significant in terms of the proposal's appearance, character and residential amenity and should be retained."*

Strict compliance with the DCP setback controls would require deletion of these landscape terraces which are proposed for positive design and landscape purposes (refer to **Figure 16**) and which were considered to contribute to design excellence by the design competition jury.



Figure 16 Landscape Terraces to levels 3-5

Source: FJC Studio 2023

Figure 17 below identifies where the proposed residential tower development further encroaches into the DCP setback controls. These encroachments are minor (totalling an area of 13.2m²) and limited to corners of the building. They arise in response to the unusual trapezoidal shape of the site and the design concept of two intersecting modules. While this results in minor intrusions into the required setbacks, as can be seen in **Figure 17**, these are more than offset by other areas where significantly greater setbacks are provided. Furthermore, owing to their north and south orientation they will not result in adverse overshadowing, visual or privacy impacts as adequate separation will be maintained between the subject site and neighbouring properties.

The tower also presents a maximum floorplate of just 318.7m², which is significantly below the maximum permitted floorplate of 700m² under the DCP.

On balance, the proposed development provides, on average, greater total setback than required by the DCP. Strict compliance would undermine the expression of the key design concept, without achieving any material public benefit. The variations are therefore considered reasonable.

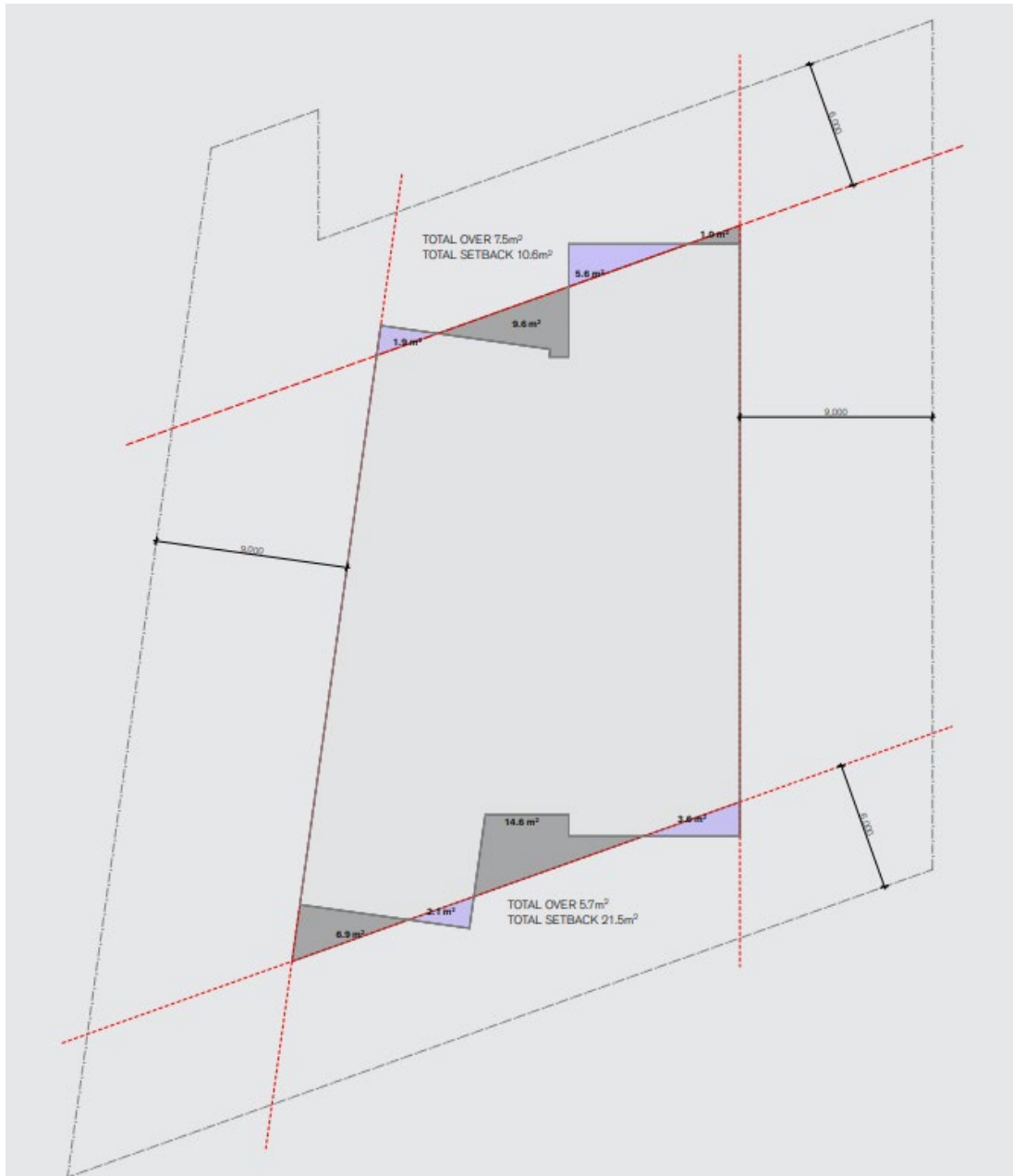


Figure 17 Setback Relationship

Source: FJC Studio 2023

Furthermore, there are also minor encroachments into the western and eastern setback areas from Level 22 up (refer to **Figure 18**).

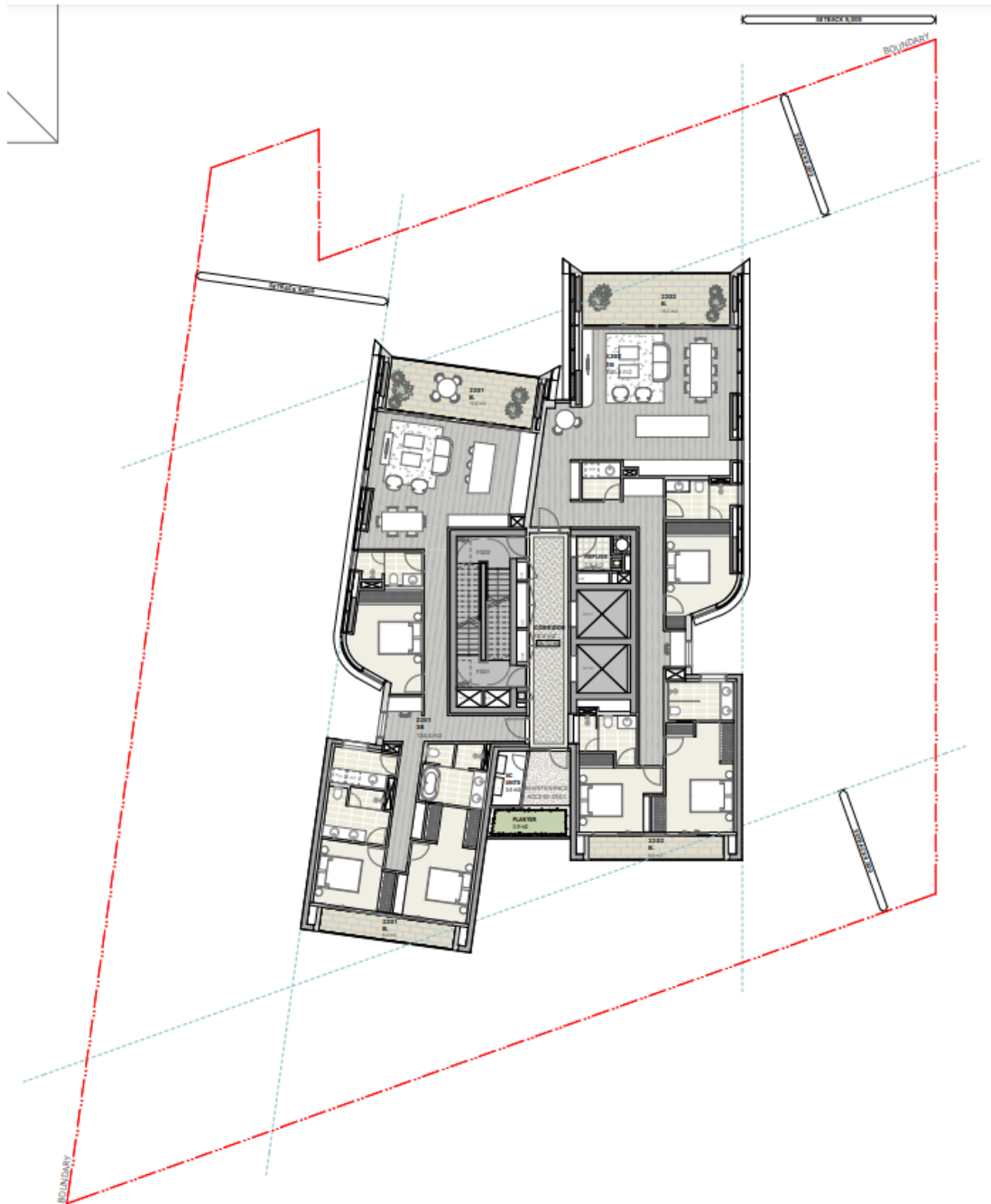


Figure 18 Penthouse levels setback encroachment

Source: FJC Studio 2023

This is due to the provision of aluminium louvres on the façade for shading purposes. These serve a positive sustainability function by providing passive heat control and mitigate, rather than exacerbate the perceived bulk of the upper part of the building and are therefore also considered reasonable in the circumstances.

7.2 Non-Residential Uses

The proposed non-residential floor space would comprise 16.23% of the total proposed GFA. Whilst this is below the minimum requirement of 17% under Clause 6.25 of LEP 2012, the non-compliance is minor (70m²), and is a result of the inherent constraints of the site.

While no objective for the standard is stated, it is understood the intent was:

- To require the podium to be wholly non-residential;
- Maintain service and employment floor space within the Chatswood CBD; and
- Mixed use vibrancy.

The proposed development has a wholly non-residential podium and the amount of floorspace therein has been optimised within the constraints of the required setback and vehicular access requirements, specifically the accommodation of onsite waste loading by Council's 10.5m MRV truck.

Compliance could only practicably be achieved by:

- Designing out the proposed podium articulation;
- Providing waste collection from the street; or
- Providing non-residential space within the residential tower.

Each of these options would, respectively:

- Undermine the design excellence of the scheme.
- Be inconsistent with Council's preference for on-site waste loading.
- Provide commercial access into secure residential levels of the building and the likely land use conflict that would arise.

The proposed non-compliance is minor (70m² - 0.77%), and notwithstanding the non-compliance, the proposal remains consistent with the underlying intent of the control. That is, the podium will be fully non-residential and the shortfall of non-residential floorspace will be imperceptible in the context of the broader CBD.

7.3 Common Open Space

The proposal includes 388.7m² of common open space which is equivalent to 25.5% of site area. Part 3D-1 of the ADG seeks common open space to be equivalent to 25% of the site area. The numerical departure of just 2% from the ADG objective is considered to be minor. The proposed common open space is consolidated into one area which is well designed and provides a variety of usable spaces which will provide significant amenity to residents.

The provision of common open space is appropriate given the constraints of the site, and the setback and podium requirements of the DCP.

7.4 Deep Soil

Section 3E of the ADG acknowledges that achieving the 7% deep soil provision may not be possible on some sites including where:

- *the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)*
- *there is 100% site coverage or non-residential uses at ground floor level*

The site is considered to align with the description above as the site is located on the edges of the Chatswood CBD, which is envisaged to revitalise into a high-density mixed-use area under the Chatswood CBD Strategy.



The site is also subject to a minimum non-residential floor space requirement of 17% under Clause 6.25 of LEP 2012.

The proposal has designed to provide non-residential floor space on ground and first level in accordance with LEP 2012, and has also responded to DCP clause E.3.5.9 requirements to provide active frontage and non-residential uses at ground floor. Cumulatively, the site controls and constraints have reduced the potential area available for deep soil landscaping on ground floor, resulting in a landscaped area at a width of less than 6m (as required in the ADG definition of deep soil zone).

The proposed development is capable of providing an appropriate stormwater drainage solution. This involves the drainage of stormwater through the 3m deep northern landscaped area within the site to larger areas of unobstructed deep soil to the north. The proposal includes:

- Unobstructed Deep soil zone: 38.1m² (2.5% of site area)
- Total ground level landscape area: 104m² (6.8% of site area)

In light of the above, the proposal is compliant with Section 3E of the ADG.

7.5 Substation

DCP clause E3.5.11 states:

Substations are to be provided within buildings, not within the streets, open spaces or setbacks and not facing key active street frontages. Substations are to be designed to ensure protection of residents from Electro Magnetic Radiation (EMR) emissions.

Given the loading and basement access requirements which are provided at ground level, in accordance with the winning design competition scheme. And given the setback controls, and active frontage controls for the site, the opportunity for locations for the substation to be integrated within the building are limited to Hammond Lane or Gordon Avenue. Both of these frontages are designated as active frontages in accordance with clause E.3.5.9 of the site-specific DCP.

The substation is proposed to the north west corner of the site, on Hammond Lane, to allow the development to maximise the extent of active street frontage to Gordon Avenue and Hammond Lane, and to maximise the delivery of non-residential floorspace. It will be screened from view by existing landscaping to the north and proposed landscaping to the east, and accessible from Hammond Lane itself.

It is considered that the proposed substation location is optimal given the constraints of the site, and competing DCP controls.

7.6 Traffic and Transport Assessment

Varga have undertaken a traffic and transport assessment in order to assess the existing traffic conditions against the potential impacts generated by the proposed development and can be found at **Appendix 5**.

7.6.1 Public Transport Access

The site is located approximately 650m walking distance south of Chatswood Railway Station providing train and Metro services. The Chatswood Bus Interchange also



provides an extensive range of bus routes, providing connectivity to the surrounding region.

7.6.2 Car Parking Provision

The relevant car parking rates under Part C.4 of the DCP applicable to the proposed development are as follows:

Table 11 Parking Assessment			
Type	Parking Rate	Required Spaces	Proposed Spaces
Shop top housing	Studio – 0.5 space Other than studios – 1 space per dwelling	64 spaces	64 spaces
Visitors	1 per 4 dwellings	16 spaces	16 spaces
Retail	1 space per 25m ²	16.2 spaces	16 spaces
Office/business premises within Railway Precincts and Major Public Transport Corridors	1 space per 110m ²	9.7 spaces	10 spaces
Total		105.9 spaces	106 spaces*

*includes 22 accessible car spaces

The proposed carparking provision is therefore compliant with the DCP requirements.

7.6.3 Bicycle Parking Provision

A total of 15 bicycle spaces are required for the proposed development. The proposed development provides a total of 15 bicycle spaces in a Class B room, plus a substantial amount of private storage cages, which are also suitable for bicycle storage. Therefore, the proposal is compliant with the DCP requirements.

7.6.4 Motorcycle Parking Provision

The DCP requires a motorcycle parking provision of 4 spaces. The proposal provides a total of 21 motorcycle spaces and hence is compliant with the DCP requirement.

7.6.5 Access Arrangements

Loading/servicing for the proposed development will be undertaken by light commercial vehicles (such as vans, utilities and the like) up to and including Council's 10.5m long MRV truck. A dedicated loading area is provided on ground level, adjacent to the bin holding room. Swept path analysis of the 10.5m MRV truck has been included in the Traffic Report, which confirms that the truck can enter and exit the site in a forward direction at all times.



Given the modest scale of the proposed commercial/retail tenancies, and the relatively infrequent need for residential users to access the loading dock, the proposed retail/commercial parking spaces will be more than sufficient to accommodate the day-to-day loading requirements generated from the commercial tenancies.

7.6.6 Traffic Generation

The proposal yields a traffic generation potential of approximately 36 vph during the morning commuter peak period and approximately 27 vph during the afternoon commuter peak. The projected level of traffic activity is consistent with the FSR and height limitations on the site which has been considered by Council as part of the rezoning process and is consistent with the Chatswood CBD Strategy. Therefore, the proposal is not anticipated to have any unacceptable traffic implications in terms of road network capacity.

7.7 Geotechnical

A Geotechnical Investigation has been prepared by Douglas Partners to provide information on the subsurface conditions for planning and design of excavations, shoring, groundwater management and footings.

It is anticipated that the proposed basement will require an excavation to a depth of approximately 18m below the existing ground level. Excavation for the basement is expected to require the removal of soil, very low to low strength siltstone, through to medium to high strength siltstone.

Some seepage may occur from within the soil profile from depths of below 3 m to 6 m during bulk excavation. It may become necessary to direct seepage to a low point (ie. 'sump') at different stages of bulk excavation and progressively remove the accumulated water by pumping to either stormwater, sewer or detention pond, as dictated by the contamination status of the water.

It is considered likely that during construction and in the long term, seepage into the excavation could be controlled by perimeter and subfloor drainage connected to a sump-and-pump system. A 'drained' basement is considered technically feasible to be constructed for the site without any significant adverse impacts to surrounding groundwater systems.

Further details of basement construction and excavation are provided in the Geotechnical Investigation at **Appendix 9**.

7.8 Stormwater Management Provisions

A Stormwater Management Report has been prepared by S&G Consultants Pty Ltd (SGC) to outline the stormwater strategy for the proposed development.

7.8.1 Internal drainage

The roof drainage system is a conventional rainwater outlet system designed to cater for 20-year ARI storm event. The system is a series of outlets and downpipes to be coordinated with the architectural layout in future detailed design stages.



The runoff from the buildings and open areas will be directed to the on-site detention (OSD) systems and the water quality treatment measures prior to discharging into the receiving street infrastructure.

The subsoil discharge and any runoff from the basement carpark ramps will be collected in pump-out pits inside the basement level 5 prior to being pumped into the OSD systems.

7.8.2 On-site detention

An OSD system will be provided in accordance with Council's volume and flow rate requirements. The existing Council drainage pipe runs along Hammond Lane and traverses towards the rear of the site. An existing Council drainage pit at the rear of the property has been nominated as the proposed discharge location from the OSD tank.

The 1% AEP flood level has been identified as RL 98.00m AHD. Hence, the outlet from OSD tank has been proposed at IL 98.00.

7.8.3 Water quality

A stormfilter chamber has been proposed with 4 x 460 PSORB stormfilter cartridges for water treatment. Two ocean guard baskets will also be fitted at the inlet connection to OSD. The pollutant load reduction results are compliant with Council's requirements.

7.8.4 Flood management

A flood study has been conducted as part of the stormwater assessment. In summary, the proposed development does not have any major adverse impacts on the flooding elsewhere in the floodplain. The flood impact map (post and pre site conditions) shows that the proposal does not increase the flood levels and hazards elsewhere in the floodplain. There is also no change in the flood conveyance and no loss in flood storage.

The proposed habitable areas are raised at or above the Flood planning Level (FPL). The basement entry driveway is provided within a crest set at the 1% AEP flood level plus 300mm freeboard. The flood requirements of the DCP shall be implemented to the proposal.

7.8.5 Soil and water management

A Soil and Water Management Plan (SWMP) has been prepared in accordance with the NSW Department of Housing publication "Managing Urban Stormwater: Soils & Construction" (The Blue Book) and Sections 6.3 & 6.4 of Part A of the DCP. The SWMP outlines the erosion and sediment control processes for the project, which aims to minimise the extent of erosion of the site, restrict movement of soil particles and mitigate the impacts of the works on the natural environment.

Further details of the proposed stormwater management are provided in the Stormwater Management Report and Plans at **Appendix 3** and **4**.



7.9 Noise

A Noise and Vibration Impact Assessment has been prepared by Resonate to undertake an acoustic assessment of the proposed development.

In order to mitigate road traffic noise intrusion to the worst affected building facades, typical glazing types have been recommended to achieve compliant internal noise levels.

While there will be an increase in noise levels due to additional vehicles on Pacific Highway and Gordon Avenue from the traffic generation associated with the proposal, the increase in noise levels is predicted to be no greater than the 2 dB(A) screening test of the DECCW NSW Road Noise Policy 2011 (RNP) and therefore no further assessment or mitigation is required.

A number of recommendations have been included for internal acoustic separation.

In relation to mechanical noise emission, given the methods of noise emission control recommended in the assessment are adopted, no exceedance of the NSW EPA Noise Policy for Industry 2017 (NPI) criteria is expected.

A detailed review of the proposal will be undertaken at the detailed design stage to ensure compliance with the relevant noise requirements.

Further details are provided in the Noise and Vibration Impact Assessment (**Appendix 6**).

7.10 Wind

A Wind Impact Assessment has been prepared by CPP Wind Engineering Consultants to assess the impact of the proposed development on the local wind environment in and around the site.

The assessment identifies that the wind environment around the development is likely to be generally suitable for pedestrian standing or walking activities from a comfort perspective with reference to the Lawson criteria. These pedestrian comfort levels would be suitable public accessways, and for short-term exposure activities. The proposed development is not anticipated to result in adverse impacts to pedestrian comfort or amenity. All areas around the site are expected to pass the safety/distress criterion during winds from the north east, south and west.

Areas intended for long term stationary activity such as seating and dining are likely to require treatment to ensure they are suitable for their intended use. All areas in the public domain in the vicinity of the subject site are expected to satisfy the relevant wind safety criterion.

While the podium terrace within the building is expected to have relatively windy conditions, the use of awnings around the perimeter of the tower and the partitioning of terraces will reduce the impact of downwash and accelerated direct flows on this area. However, the pool deck area remains relatively exposed, particularly during winds from the north east. Localised mitigation measures such as vertical screens, booth style seating or cabanas can be included for sitting or dining type activities to ensure areas of relative calm.



Wind conditions on most residential balconies are expected to be generally mild as they are recessed into the eastern and western facades, and effectively partitioned on the northern and southern facades and are thus protected from strong cross flows that often create undesirable conditions on elevated balconies.

Most areas of the rooftop terrace are expected to be relatively calm due to the protection provided by the high perimeter balustrade, small awnings, landscaping and massing of the plant and lift overrun in the centre. No specific requirement for mitigation measures is foreseen for normal discretionary use in this area.

Wind tunnel testing will be undertaken during detailed design stage to confirm the qualitative assessment provided herein. Further details of the qualitative assessment are provided in the Wind Impact Assessment at **Appendix 11**.

7.11 Arboricultural

An Arboricultural Impact Assessment Report has been prepared by Sturt Noble Arboriculture to assess the existing trees and provide recommendations for tree removal, retention and protection.

The proposal requires removal of all existing trees within the site due to the major encroachments from the proposed carpark basement construction, building footprint and associated works.

In addition, Trees No. 16-18 (Shiny xylosma) (refer to **Figure 19**) on the adjoining property at 1-3 Gordon Avenue to the east will be adversely impacted by major encroachments on their Tree Protection Zones (TPZ) and Structural Root Zones (SRZ). While Trees No. 16-18 have been assessed as trees, it is only by virtue of their height as they are likely to be overgrown hedge specimens from the Xylosma hedge planted within the boundary of the neighbouring site, rather than high quality/high value trees. These trees are not an endemic or native species and appear to be located in a narrow planter above the neighbours basement access. With the removal of deep soil on the subject site, there may be insufficient deep soil for longevity. The removal of trees 16-18 does not form part of the proposed works subject to this development application. Consent will be sought separately.



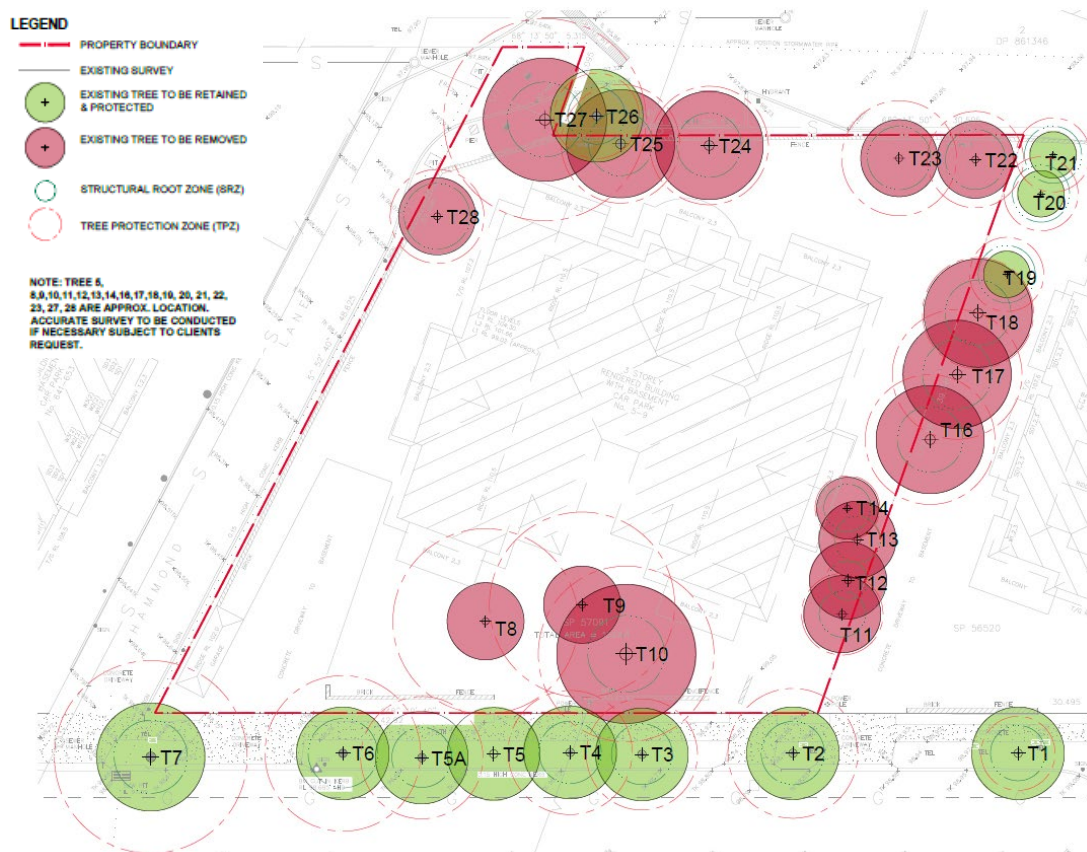


Figure 19 Tree Retention Plan

Source: Sturt Noble Arboriculture 2023

All other trees in adjacent properties are to be retained. Whilst Council street trees 2,4 and 6 will have RPZ encroachments, these are at the low end of the scale at 11.4%, 12.5% and 18.6% and are not anticipated to be adversely impacted.

A number of tree protection measures have been provided within the assessment to minimise any adverse impacts on the TPZs. Further details are provided in the Arboricultural Impact Assessment Report at **Appendix 7**.

7.12 Sustainability

An Ecologically Sustainable Design (ESD) Report has been prepared by Efficient Living to outline the sustainability initiatives proposed for the development.

The proposal is in line to achieve a 4-star Green Star rating.

The project will comply with the latest National Construction Code 2022 Section J inclusions for building fabric and energy requirements, which apply to the retail, and commercial tenancies as well as the co-working spaces on Level 2.

The building will have a weighted-area average of NatHERS 5.8 stars with at least NatHERS 4.8 stars for each sole-occupancy unit.

Further details of the proposed sustainability initiatives are provided in the ESD Report, BASIX Certificate and Section J Report at **Appendices 13, 14 and 15**.



7.13 BCA and Access Requirements

A BCA Report has been prepared by Matt Shuter + Associates to identify any non-compliances with the deemed-to-satisfy provisions of the National Construction Code (NCC) / Building Code of Australia (BCA).

Subject to compliance with the recommendations of the report, the proposed development can readily comply with the relevant requirements of the BCA. Details of the recommendations are provided in the BCA Report at **Appendix 16**.

An Access Report has been prepared by Projected Design Management to assess the proposal against the requirements for access by people with a disability. The Access Report concludes that the proposed design is readily capable of complying with the requirements of the NCC 2022, Disability (Access to Premises) Standards 2010 and the Disability Discrimination Act 1992 subject to detailed assessment at Construction Certificate stage. Further details are provided at **Appendix 17**.

7.14 Waste Management

A Waste Management Plan has been prepared by Leigh Design to outline the waste management measures for the proposed development.

In relation to residential waste, garbage shall be disposed by residents via the chute with recyclables to be placed into collection bins (available at apartment levels). For all other materials, residents shall transfer sorted waste directly to their bin store (accessed via lift/stairs).

Commercial tenants shall dispose sorted waste into collection bins located within the bin store (if required, using a suitable trolley and the lift).

Waste will be placed within collection bins and stored in designated onsite areas on ground level.

Council shall provide waste services for the residential component of the development. The ground floor loading area has been designed to accommodate Council's 10.5m MRV truck for waste collection.

A private contractor shall be engaged to collect the commercial waste. Private waste collection is to occur at a different time to Council's.

Further details are provided in the Waste Management Plan at **Appendix 12**.

7.15 Construction Management

A Preliminary Construction Management Plan has been prepared by Binah for the proposed development.

7.15.1 Construction hours

The hours of work will be confirmed and in accordance with the DA consent conditions. The hours of work are anticipated to be:

- Monday to Friday: 7am to 7pm
- Saturday: 8am to 5pm
- Sunday/Public Holiday: no work allowed



Access to the site, material movement and hours of work will be in accordance with the approval of the DA.

7.15.2 Site establishment

Site establishment will be provided in three separate phases:

- Phase 1: Demolition and enabling works
- Phase 2: Piling and substructure groundworks site accommodation
- Phase 3: Main works site accommodation

The site accommodation will be established to provide necessary site amenities for the project management team and subcontractors.

7.15.3 Site access

Site access will be restricted to dedicated entrances with signage stating that access is for authorised persons only. The construction workforce will be required to undertake site specific safety induction training and will be issued with project specific identification to confirm this has been completed.

The general public will not be allowed access to the site. Hoardings will be established during the early works stage and will ensure they are fitted with appropriate directional signage.

A detailed Traffic Management Plan will be developed prior to establishment on site by an accredited traffic engineer. A construction zone is proposed on Gordon Avenue along the site boundary, which will be utilised for loading/unloading of materials and concrete pumping.

During the demolition of bulk excavation stages, trucks will reverse into the site under the supervision of a traffic controller for loading of demolition waste and excavated spoil. **Figure 20** below illustrates the truck loading location during early works.



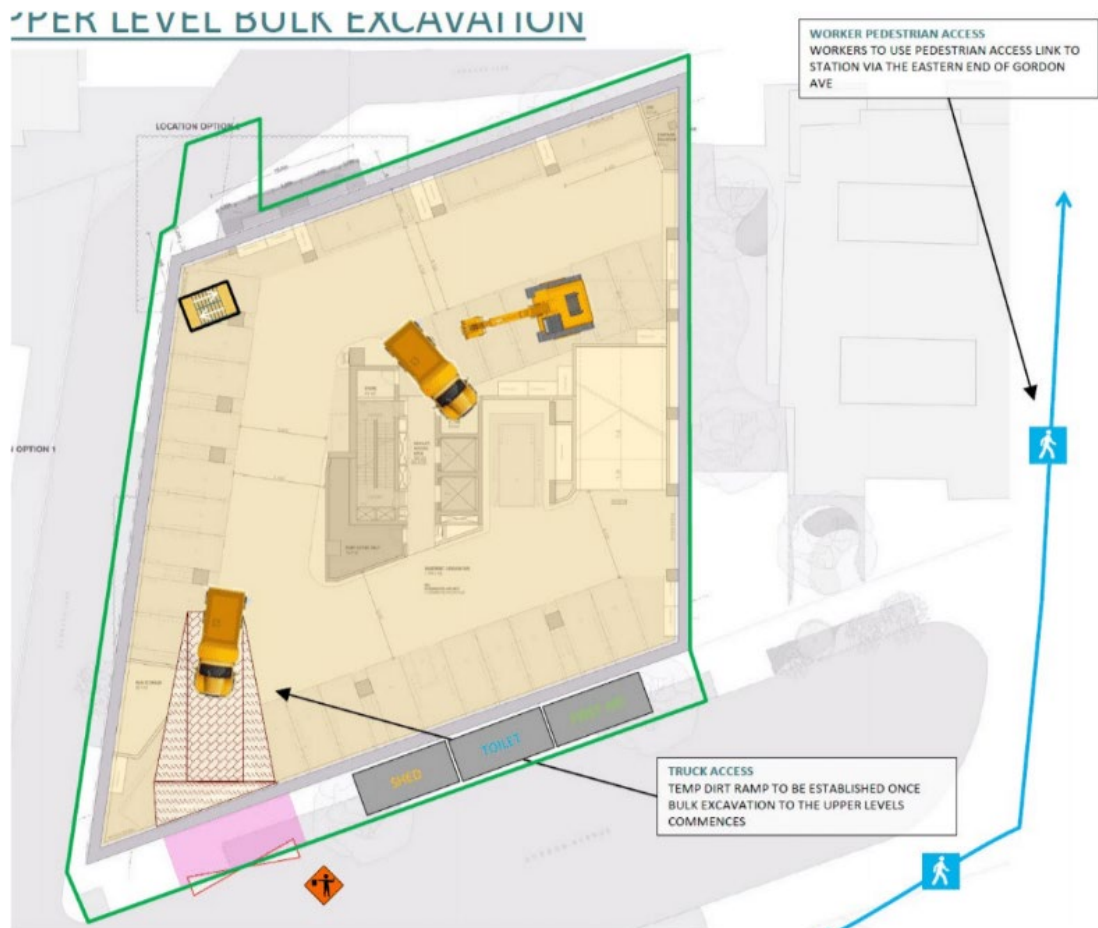


Figure 20 Truck loading location during early works

Source: Binah 2023

7.15.4 Construction staging

The indicative staging of the development and potential durations are stipulated below. This is likely to be adjusted once the DA is further reviewed and the detailed design progresses.

- Site establishment and demolition: 5 weeks
- Bulk earthworks and retention: 19 weeks
- Construction works: 2 years
- Overall construction duration expected: 2.5 years

7.15.5 Mitigation measures

An Environmental Management Plan (EMP) will be developed prior to commencement of works on site. The EMP will address the following:

- *Sediment laden water that may potentially flow into the stormwater*
- *Stormwater collected in excavations and requiring disposal*
- *Groundwater entering excavations and requiring disposal after dewatering*
- *Vehicles leaving the site depositing dirt/mud on public roads after rain periods*
- *Removal of materials off site escaping from vehicles and polluting roadways*
- *Debris and litter collecting along roads and in catch drains and consequently*

In addition, a Health, Safety and Environment Management Plan will be finalised prior to commencement of works on site. It will address how the Principal Contractor intends to manage health and safety during construction and will be further developed and implemented prior to contract award.

Further details are provided in the Construction Management Plan at **Appendix 18**.

7.16 Site Suitability

As demonstrated throughout this SEE, the site is suitable for the proposed development as it is consistent with the objectives of the B4 Mixed Use zone, specifically relating to providing high density mixed use development in the periphery of the Chatswood CBD, which supports public transport use, commercial and recreation services that contribute to the vitality of the centre. The proposed development's height, scale and bulk are also consistent with the envisaged building envelope in the Chatswood CBD Strategy and site-specific DCP.

The proposed development would not result in any unreasonable environmental or amenity impacts to the surrounding properties, including the existing and future residential / mixed use developments. Therefore, the site is considered suitable for the proposed development.

7.17 Public Interest

The proposal will facilitate the delivery of mixed-use development providing 64 residential accommodation and commercial/retail uses at the site. The proposed development will contribute to the offering of high-density residential accommodation and employment floor space in the Chatswood CBD. The proposal also capitalises on the proximity to the Chatswood train and metro stations and bus interchange, which encourages public transport patronage and the use of active transport modes. The provision of retail uses on ground level also facilitates street activation and enhance the visual interest of the public domain.

Therefore, the proposal will deliver significant public benefits to the Chatswood CBD and the wider Willoughby LGA.



8 Conclusion

This SEE has been prepared on behalf of LFD Chatswood Unit Trust to support a development application to Willoughby City Council for a proposed mixed-use development involving 64 dwellings and commercial/retail uses at the site.

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to section 4.15(1) of EP&A Act.

The proposed development is considered to warrant a suitable development for the following reasons:

- The proposal facilitates the redevelopment of the site for residential and commercial uses through the provision of a 27-storey mixed use development.
- The proposal was subject to the competitive design process and exhibits design excellence.
- The proposal is permitted with consent and is consistent with the objectives of the B4 Mixed Use zone under LEP 2012.
- The proposal is generally consistent with the provisions of the DCP.
- The proposed mixed use development responds to the vision and principles of the Chatswood CBD Strategy.
- The proposal is highly compatible with the surrounding land uses within the locality and positively contributing to the future mixed use character of the area.
- The proposal will deliver significant social and economic benefits including the provision of residential accommodation in a highly accessible location, creation of employment opportunities and facilitating street activation.
- The proposal will not have any adverse environmental impacts.

This SEE has been prepared with consideration of the following items:

- The site and surrounding context;
- The relevant heads of considerations under Section 4.15(1) of EP&A Act;
- The strategic planning context of the site;
- The objectives and provisions of the relevant planning instruments; and
- The public interest.

Accordingly, the proposal warrants support by Council and the Sydney North Planning Panel.



