

01 October 2025

Maddy Gunethilake, Project Officer  
Housing Delivery Authority  
Department of Planning, Housing and Infrastructure  
Locked Bag 5022  
Parramatta, NSW, 2124

Dear Maddy,

## State Significant Development Application (SSDA) – Request for Industry Specific Housing SEARs and Rezoning Requirements – 754 Pacific Highway, Chatswood

On behalf of our client, Delhij Pty Ltd & Imadli Pty Ltd, this letter has been prepared for Department of Planning, Housing and Infrastructure (the Department) as a formal request for Industry Specific Secretary Environmental Assessment Requirements (SEARs) and Rezoning Requirements for a proposed mixed use development comprising ground floor commercial premises with seniors, independent living units above and concurrent rezoning at 754 Pacific Highway, Chatswood.

On 30 June 2025, the site was subject of a successful Housing Delivery Authority (HDA) expression of interest (EOI) (ref. 252950) and formally declared State Significant Development (SSD) in *SSD Declaration Order (No 10) 2025*. The declaration states:

*(1) The following development is declared to be State significant development:*

*“(k) development specified in EOI application 252950 dated 3 April 2025 including development for the purpose of mixed use development comprising commercial premises and seniors housing with provision of affordable housing at 754 Pacific Highway, Chatswood being Lot 1/DP34965, Lot 2/DP34965, Lot 8/DP653704”.*

The following documents have been prepared to accompany this ISEARs request and concurrent Rezoning Requirements:

- **Appendix 1** – Statutory Considerations
- **Appendix 2** – Architectural Scoping Report, prepared by Buchan
- **Appendix 3** – Government Architect NSW’s Acknowledgement of an Alternative Design Excellence Competition Process
- **Appendix 4** – Survey Plan, prepared by CMS Surveyors Pty Ltd

## 1. The Proponent

The Proponent details are as follows:

Table 1 Proponent details

<b>Proponent name</b>	Delhij Pty Ltd & Imadli Pty Ltd
<b>ABN</b>	332 612 388 51
<b>Address</b>	Suite 604, 180 Ocean Street, Edgecliff, NSW, 2027

## 2. The Site

The site has an address of 754 Pacific Highway, Chatswood and is located within the Willoughby City Council Local Government Area (LGA). The site has an area of 2,184.6sqm and is rectangular in shape. The site is legally described as Lot 1 in DP34965, Lot 2 in DP 34965 and Lot 8 in DP653704.

The site is currently occupied by an existing 4-storey commercial building with at-grade and basement parking. The site has a dual frontage, being to the Pacific Highway and rear lane access on View Lane, see below.

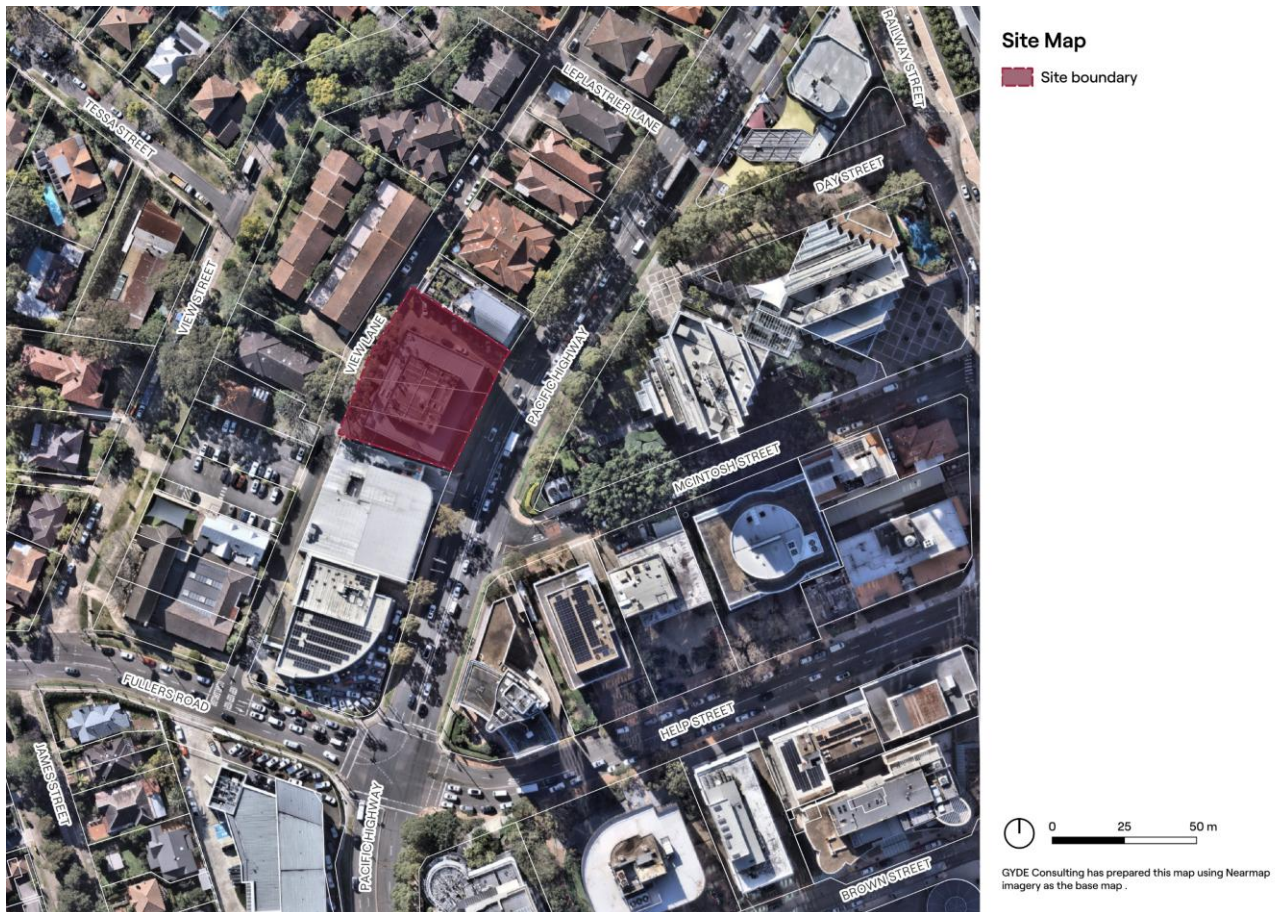


Figure 1 Aerial view of the site, highlighted in red (Source: Gyde)

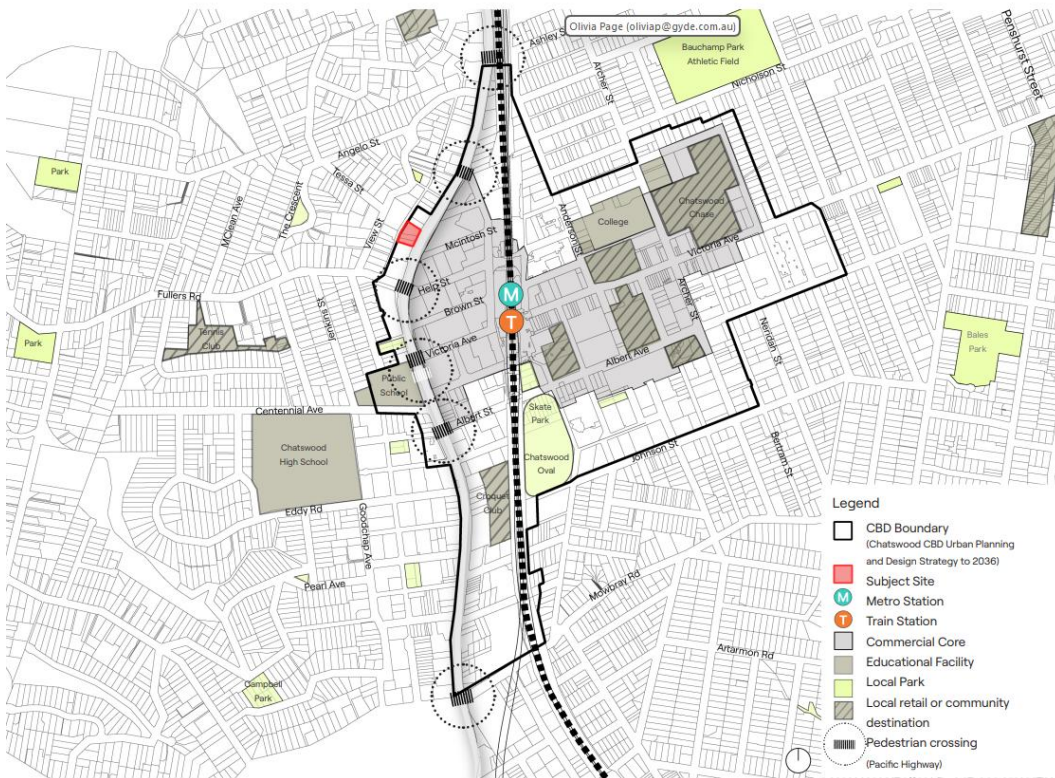




Figure 2 Local pedestrian connectivity and local destinations map (Source: Gyde)

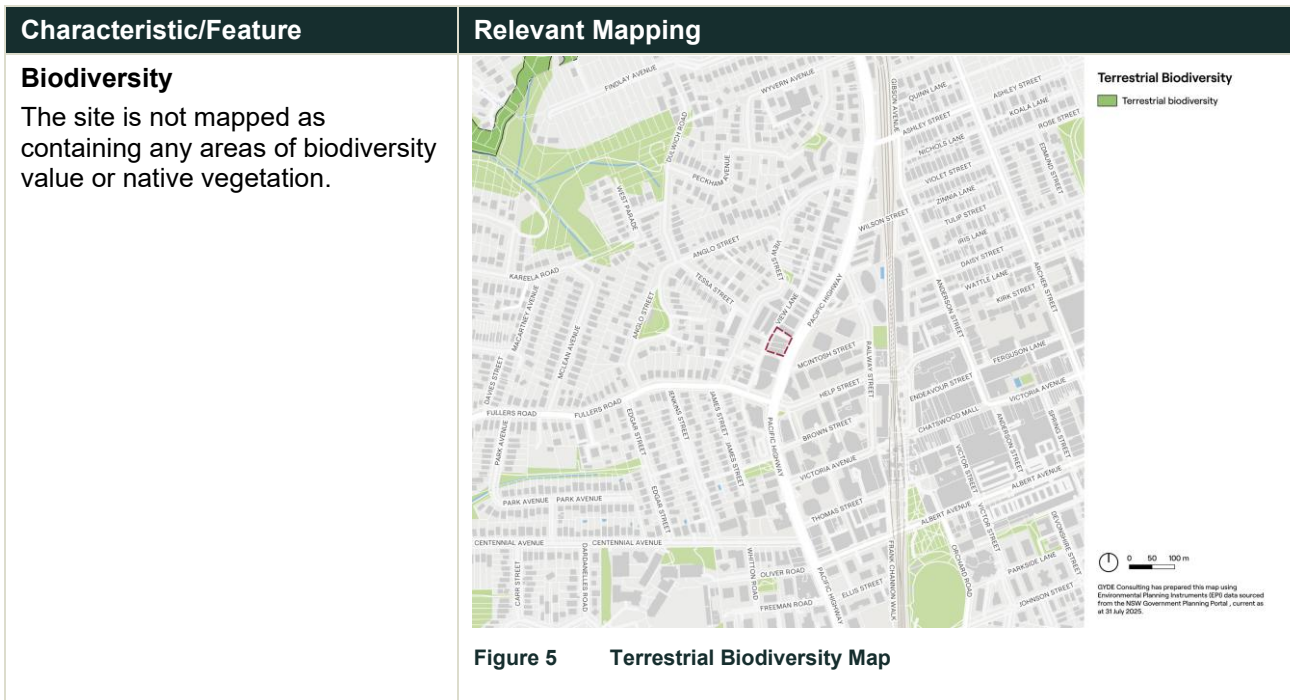
## 2.1 Site Characteristics

Key characteristics and features of the site and wider context are provided below.

Table 2 Site Characteristics and Features

Characteristic/Feature	Relevant Mapping
<p><b>Access and Location</b></p> <p>Vehicular access to the site is via View Lane to the rear of the site and primary pedestrian access is via Pacific Highway.</p> <p>The site is located within the boundary of the CBD as defined in the Chatswood CBD Planning and Urban Design Strategy 2036.</p> <p>The site is 450 metres walking distance from the entrance of Chatswood Railway and Metro Station.</p>	<p>See figure 2 above.</p>

Characteristic/Feature	Relevant Mapping
<p><b>Topography</b></p> <p>The site is located on the ridgeline on the western side of Pacific Highway. The land falls steeply away from the Highway to the west. On the eastern side of the Highway, land falls east, on the eastern side of the railway line.</p>	 <p><b>Figure 3</b> Local landform and indicative slope analysis based on GIS contours (Source: Gyde)</p>
<p><b>Heritage</b></p> <p>The site does not contain any heritage items, nor is the site located within a heritage conservation area. The Blue Gum Conservation Area resides down the hill to the west in the low-density residential area.</p>	 <p><b>Figure 4</b> Heritage Map, site outlined in red (Source: Gyde)</p>



### 3. Planning History

There are no relevant approvals or applications that apply to the site.

### 4. The Proposed Development

The site was declared SSD in the *SSD Declaration Order (No. 10) 2025* for a mixed-use development comprising commercial premises and seniors housing including the provision of affordable housing.

The proposed development comprises:

- Demolition of the existing site structures.
- Construction of a mixed-use development containing:
  - A 3-storey podium with:
    - Ground floor and first floor commercial, health services facilities and an indoor recreation facility in the form of hydrotherapy pool which may be used by residents and the community.
    - Second floor residential uses containing apartments and residential amenities
  - 20-storey tower with residential apartments and residential amenities.

Approximately 147 apartments are proposed with 10% proposed as affordable housing.

- Excavation and site preparation works to create an approximately six-level basement with parking, storage and services.
- Landscaping and provision of site-specific infrastructure and utilities, including rooftop plant.

The proposed changes to the development standards are as follows:

**Table 3: Changes to the height and floor space development standards**

Development standard	Current standard	Proposed standard	Exceedance
Height	12 metres	85 metres	73 metres
Floor space	2:1	9.1:1	7.1:1

This request letter seeks ISEARs and Rezoning Requirements.

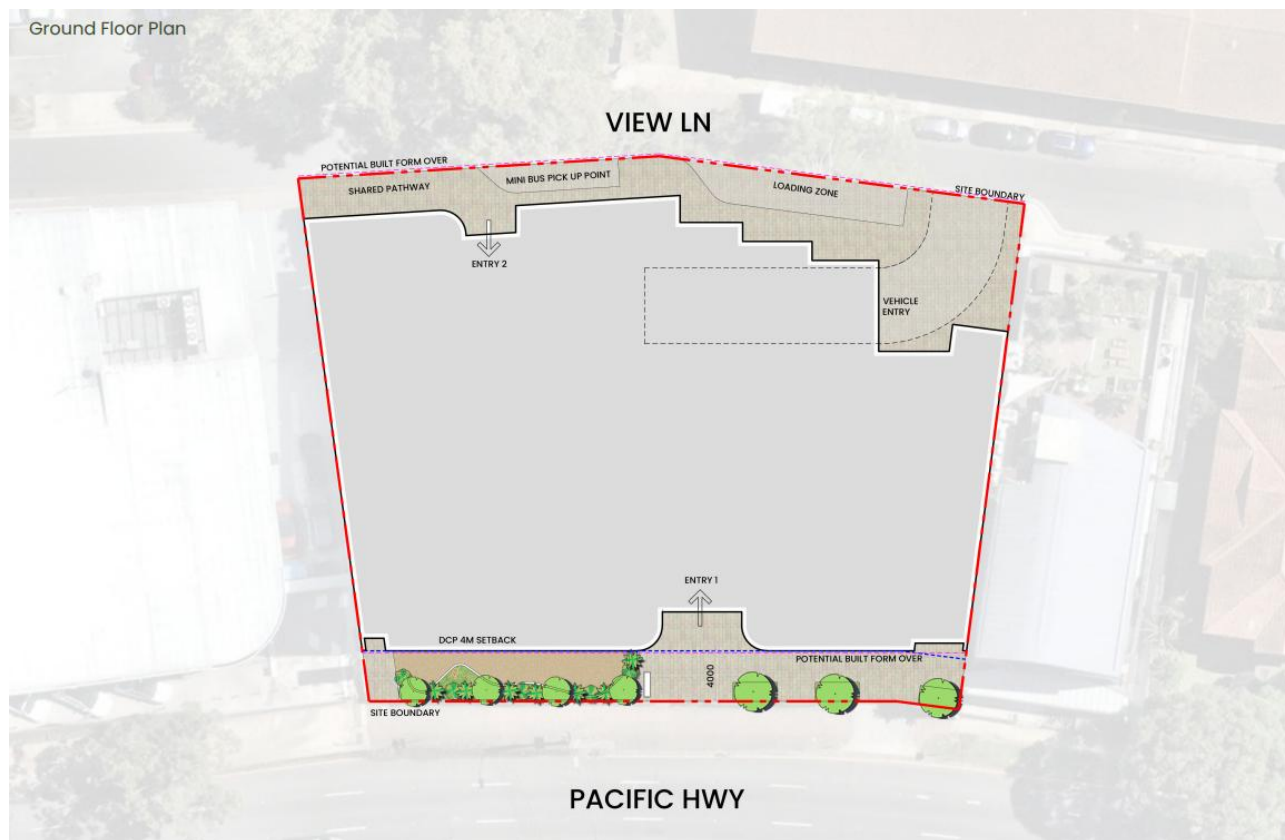


Figure 6 Preliminary ground floor plan (Source: Buchan)

## 5. Statutory Planning Context

An overview of the Statutory Planning Context is provided in Appendix 1. In summary, the proposed development is a SSDA pursuant to section 4.36(3) of the *Environmental Planning and Assessment Act 1979* (the Act). As noted earlier, the site was declared SSD by the Minister in *State Significant Development Declaration Order 2025* (No 10).

The site is zoned E3 Productivity Support. Schedule 1, clause 14 of the *Willoughby Local Environmental Plan 2012* (WLEP 2012) permits shop top housing on the site. The E3 land use table permits indoor recreation facilities being the ground floor hydrotherapy pool with development consent. The proposed changes to the height and floor space development standards are detailed in the above table.

## 6. Proposed Assessment of Impacts and Key Site Considerations

In accordance with Planning Circular 21-005, Industry Specific Housing SEARs (ISEARs) should be issued for the development as the proposal is not:

- Designated development;
- Partly or wholly prohibited; or,
- A concept development application.

Notwithstanding that ISEARs are appropriate for this project, in accordance with section 1.3 of the *“Preparing a Scoping Report of the SSD Guidelines”*, the following key matters are anticipated to inform the final design of the development and will require more detailed assessment in the EIS. The purpose of considering these factors at this stage is to inform the preparation of the ISEARs and Rezoning Requirements cover letter.

## **Biodiversity**

The site is not mapped as containing biodiversity values or native vegetation. Accordingly, a waiver request for the Biodiversity Development Assessment Report will be lodged.

## **Heritage**

As noted, the site is not heritage listed, nor is it located within a heritage conservation area. The site is within close proximity to the Blue Gum Conservation Area. In line with the WLEP Clause 5.10, the EIS will assess the development's impact on the heritage conservation area.

## **Visual and View Impact**

The EIS will demonstrate that the site is suitable for the proposed bulk and scale of development, inclusive of the anticipated/proposed height and FSR controls to be captured in the concurrent rezoning.

Whilst the proposal will sit at a height that is greater than what is anticipated by Councils controls, it will represent a development that has been subject of vigorous urban design testing and is reasonable in the context of the Chatwood CBD density to the east of the site and the allowable low and mid-rise density to the west of the site. The site, as do other sites on the western side of the Highway, play an important role in transitioning height/density east to west.

An assessment of the bulk and scale will consider impacts on the surrounding locality in relation to overshadowing, views, visual bulk, building setbacks and street presentation, in an existing and future development context.

The development introduces a new 23-storey development and will therefore change the visual composition of the catchment in which it is located. A visual analysis of the proposed development will be undertaken and considered as part of the EIS and the Rezoning.

## **Traffic and Vehicle Access**

A six-level basement is proposed, with access via View Lane to the rear of the site.

A Transport and Accessibility Report will support the application.

## **Housing Industry Specific SEARs**

Housing Industry Specific SEARs are being requested for this project.

## **Rezoning Requirements**

Rezoning Requirements are being requested for this project.

## 7. Conclusion

We trust the information provided in this cover letter and accompanying appendices is sufficient to enable Industry Specific Housing SEARs and Rezoning Requirements to be issued for this project.

Should you wish to discuss the content of this letter, please do not hesitate to contact the undersigned or Kate Cooley (Assistant Planner) on [katec@gyde.com.au](mailto:katec@gyde.com.au).

Yours sincerely,



Olivia Page  
Associate Director  
[oliviap@gyde.com.au](mailto:oliviap@gyde.com.au)

## Appendix 1 – Statutory Context

### Power to Grant Approval

Division 4.7 of the Act establishes a specific framework to consider projects classed as SSD. SSD is development deemed to be of State significance and includes certain classes of development above a certain value, that is regarded as important to the NSW Government.

Section 4.36(3) of the EP&A Act states that:

*“The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development.”*

The Minister by a Ministerial planning order *SSD Declaration Order (No 10) 2025* declared the site SSD dated 30 June 2025. Therefore, the development is declared SSD in accordance with section 4.36(3) of the Act.

### Other Approvals

Section 4.41 of the Act identifies certain authorisations that are not required for SSD and section 4.42 of the Act identifies certain authorisations that cannot be refused if they are necessary for carrying out SSD, see Table 4 below.

Table 4: Summary of other approvals

NSW Legislation	Requirement for subject application
Approvals that do not apply to State Significant Development	
<i>Fisheries Management Act 1994</i>	No
<i>Heritage Act 1977</i>	No
<i>National Parks and Wildlife Act 1974</i>	No
<i>Rural Fires Act 1997</i>	No
<i>Water Management Act 2000</i>	No
Legislation that must be applied consistently	
<i>Fisheries Management Act 1994</i>	No
<i>Mine Subsidence Compensation Act 1961</i>	No
<i>Mining Act 1992</i>	No
<i>Petroleum (Onshore) Act 1991</i>	No
<i>Protection of the Environment Operations Act 1997</i>	No
<i>Roads Act 1993</i>	Unlikely, will be confirmed in EIS stage.
<i>Pipelines Act 1967</i>	No

**Pre-conditions to exercising power to grant approval**

Table 5 identifies the pre-conditions to be fulfilled by the consent authority prior to exercising their power to grant development consent.

**Table 5: Pre-conditions to exercising power to grant approval**

<b>Legislation</b>	<b>Pre-condition and Response</b>
<i>Biodiversity Conservation Act 2016</i>	Pursuant to section 7.9 of this instrument, SSDAs must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head, and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. This determination is referred to as a BDAR Waiver. A preliminary assessment will be undertaken and if acceptable by the Proponent’s expert, a BDAR Waiver request will be prepared and submitted to the Department.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Section 2.122 of the Transport and Infrastructure SEPP requires the consent authority to provide Transport for NSW with written notice of the development application for ‘traffic-generating development’ and take into considerations any response.  In accordance with Schedule 3 of the Transport and Infrastructure SEPP, the development will constitute traffic generating development as more than 75 dwellings are proposed to be delivered on the site with access to a classified road.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Chapter 4, Clause 7 requires that a consent authority is not to consent to the carrying out of development unless it is satisfied that the land is suitable, or can be made suitable, for its future intended use.  A contamination investigation(s) will be undertaken and submitted with the EIS demonstrating the site is suitable in its current condition or is capable of being made suitable for its proposed use.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Chapter 6, section 6.6(2) and 6.7(2), 6.9(2) of the BCSEPP note that development consent must not be granted for development on land in a regulated catchment unless the consent authority is satisfied that the development satisfies the matters set out with respect to water quality, impacts on biodiversity, availability of recreation uses.  The development is located in the Sydney Harbour Catchment, a regulated catchment. The matters referenced will be addressed in the EIS.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	Chapter 2 Section 2.1 notes that development consent must not be granted to certain BASIX development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.  The development is defined as BASIX affected development under the EP&A Regulations and this section applies. The embodied emissions will be quantified as part of the EIS.
Willoughby Local Environmental Plan 2012	The pre-conditions in the Willoughby LEP are considered further below.

## Mandatory Matters for Consideration

Table 6 identifies relevant matters that the consent authority will be required to consider in deciding whether to grant consent to the SSDA and PP. These matters will each be addressed in the EIS.

**Table 6** Relevant Matters for Consideration

<b>Legislation</b>	<b>Matters for Consideration</b>	<b>Comment</b>
<b>Environmental Planning and Assessment Act 1979</b>		
Section 1.3	<i>Objects of the Act.</i>	An assessment against the objects of the Act will be provided in the EIS.
Section 4.15	<ul style="list-style-type: none"> <li>a) <i>the provisions of:</i> <ul style="list-style-type: none"> <li>i) <i>relevant environmental planning instruments</i></li> <li>ii) <i>any proposed instrument that is or has been subject of public consultation under the Act</i></li> <li>iii) <i>any development control plan</i></li> <li>iv) <i>any planning agreement</i></li> <li>v) <i>the regulations</i></li> </ul> </li> <li>b) <i>likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i></li> <li>c) <i>suitability of the site for the development</i></li> <li>d) <i>any submissions made in accordance with the Act or Regulations</i></li> <li>e) <i>the public interest.</i></li> </ul>	Section 4.15 of the Act will be assessed in the EIS and supporting documentation for the SSD.
<b>Environmental Planning and Assessment Regulations 2021</b>		
Section 61	(1) <i>In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.</i>	Demolition will be undertaken in accordance with the relevant Australian Standards.
<b>State Environmental Planning Policy (Housing) 2021</b>		
Chapter 3, Part 5 – Housing for people with a disability	<b>79(c) Land to which Part applies</b>	
	<i>This Part applies to land in the following zones –</i> (e3) <i>Zone E3 Productivity Support</i>	The site is zoned E3 Productivity support. The proposed development is permitted with consent.
	<b>97 Design of seniors housing</b>	
	(1) <i>In determining a development application for development for the purposes of seniors housing, a consent authority must consider the Seniors Housing Design Guide, published by the Department in December 2023.</i>	Noted.

Legislation	Matters for Consideration	Comment
	<p>(2) <i>Development consent must not be granted to development for the purposes of seniors housing unless the consent authority is satisfied the design of the seniors housing demonstrates that adequate consideration has been given to the design principles for seniors housing set out in Schedule 8.</i></p>	
	<p><b>108 Non-discretionary development standards for independent living units—the Act, s4.15</b></p>	
	<p>(1) <i>The object of this section is to identify development standards for particular matters relating to development for the purposes of independent living units, that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i></p> <p><i>Note—</i>  <i>See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</i></p>	<p>Noted.</p>
	<p>(2) <i>The following are non-discretionary development standards in relation to development for the purposes of independent living units -</i></p> <p>(a) <i>no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,</i></p>	<p>Not applicable, rezoning to be prepared.</p>
	<p>(b) <i>servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m—</i></p> <p>(i) <i>is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</i></p> <p>(ii) <i>is limited to an area of no more than 20% of the surface area of the roof, and</i></p> <p>(iii) <i>does not result in the building having a height of more than 11.5m,</i></p>	<p>Not applicable, rezoning to be prepared.</p>
	<p>(c) <i>the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</i></p>	<p>Not applicable, rezoning to be prepared.</p>
	<p>(d) <i>a minimum landscaped area that is the lesser of—</i></p> <p>(i) <i>35m<sup>2</sup> per dwelling, or</i></p> <p>(ii) <i>30% of the site area,</i></p>	<p>To be demonstrated at the EIS stage.</p>
	<p>(f) <i>a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i></p>	<p>To be demonstrated at the EIS stage.</p>

Legislation	Matters for Consideration	Comment
	<i>(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces,</i>	To be demonstrated at the EIS stage. Preliminary envelope analysis confirms this is achievable.
	<i>(h) for a dwelling in a single storey building or a dwelling located, wholly or in part, on the ground floor of a multi-storey building— (i) at least 15m<sup>2</sup> of private open space per dwelling, and (ii) at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,</i>	Not applicable - the proposed development is a multi-storey development. No dwellings proposed on the ground floor.
	<i>(i) for a dwelling in a multi-storey building not located on the ground floor—a balcony accessible from a living area with minimum dimensions of 2m and— (i) an area of at least 10m<sup>2</sup>, or (ii) for each dwelling containing 1 bedroom—an area of at least 6m<sup>2</sup>,</i>	The proposal will achieve at least the minimum non-discretionary standards set out in the Housing SEPP.
	<i>(k) if paragraph (j) does not apply—at least 0.5 parking spaces for each bedroom.</i>	The final car parking provision will be agreed as part of the design development and is anticipated to comply with this requirement.
Chapter 4 Design of Residential Apartment Development	<b>142 Aims of chapter</b>  <i>142 Aims of chapter – 149 Apartment Design Guide prevails over development control plans</i>	Compliance with the relevant standards (i.e. s108 non-discretionary standards, where relevant) and the ADG will be demonstrated in the EIS and supporting documentation.
<b>Willoughby Local Environmental Plan 2012</b>		
2.2 Zoning of the land to which this Plan applies		The site is zoned E3 Productivity Support.  Shop top housing is permissible with consent under Schedule 1, clause 14 of the WLEP.  Indoor recreation facilities (hydrotherapy pool) are permissible with consent in the E3 zone.
2.3 Zone objectives and Land Use Table	<ul style="list-style-type: none"> <li><i>To provide a range of facilities and services, light industries, warehouses and offices.</i></li> <li><i>To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.</i></li> <li><i>To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.</i></li> </ul>	To the extent the objectives are relevant, the proposal is consistent with the zone objectives by delivering permissible land uses which complement the commercial centre, provide business opportunities and deliver new seniors housing including affordable housing in an accessible area.

Legislation	Matters for Consideration	Comment
	<ul style="list-style-type: none"> <li>• <i>To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.</i></li> <li>• <i>To provide opportunities for new and emerging light industries.</i></li> <li>• <i>To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.</i></li> <li>• <i>To accommodate businesses and other uses of land if the access requirements of, and the traffic generated by, the uses do not interfere with the safety and efficiency of the road network.</i></li> </ul>	
Clause 4.3 Height of Buildings	The applicable building height is 12 metres.	The project will be supported by a concurrent rezoning to vary the height standard as discussed in the body of the letter.
Clause 4.4 Floor Space Ratio	The applicable FSR is 2:1.	The project will be supported by a concurrent rezoning to vary the height standard as discussed in the body of the letter.
Clause 6.7 Active Street Frontages	<i>(2) This clause applies to land identified as “Active Street Frontages” on the <u>Active Street Frontages Map</u>.</i>	The proposal will provide an activated ground floor frontage to Pacific Highway.
Clause 6.23 Design Excellence	<p><i>(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on the following land—</i></p> <p><i>(a) land identified as “Area 5” on the <u>Special Provisions Area Map</u>,</i></p>	<p>In accordance with the Department’s Advisory Note, released in May 2025, a design competition exemption will be granted, and an alternative design process will be undertaken in lieu of a Design Excellence Competition.</p> <p>Refer to the Department’s acknowledgement of pursuing an alternative process in Appendix 3.</p>