

21 July 2026

Ryan White
NSW Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Ryan,

Submission to SSD-87033692 | 815 Pacific Highway Chatswood

1 Summary

Urbis Ltd (**Urbis**) has prepared this submission on behalf of our client, Yixing Capital, in response to the public exhibition of the State Significant Development Application (**SSDA**) at 815 Pacific Highway, Chatswood (SSD-87033692) (herein referred to as "**the SSDA**"). The SSDA was submitted to NSW Department of Planning, Housing, and Infrastructure (**DPHI**) in May 2026 and seeks development consent for a new 61 storey mixed-use residential building, including podium commercial and retail uses and basement parking (**the project**).

Yixing Capital owns the adjacent landholding at **15 Help Street, Chatswood (Lot 1 DP731307)**, which shares a common property boundary with 815 Pacific Highway. The 15 Help Street site was recently subject to a SSD declaration by the Housing Delivery Authority (**HDA**) for a 62-storey mixed use residential development.

Noting the recent HDA declaration for 15 Help Street, this submission requests that DPHI must consider the following key matters in its assessment of the SSDA at 815 Pacific Highway:

1. How the submitted design considers the context of the 15 Help Street being developed for residential in accordance with the HDA declaration.
2. How the non-compliant building setbacks proposed between the SSDA site and our client's site results in fundamental planning and design implications that prevents future development of 15 Help Street.
3. Require the applicant to provide alternative massing options and design amendments to ensure that equitable and economically feasible outcomes can be achieved across both sites.

Whilst we do not object to 815 Pacific Highway seeking to develop its site in accordance with its HDA declaration we submit that the SSD 87033692 in its current form does not promote the orderly and economic use and development of 15 Help Street in accordance with its own recent HDA declaration and as such should not be supported without substantial amendments to the submitted design.

Our client would welcome the opportunity work with DPHI and the applicant of the SSDA for 815 Pacific Highway to establish agreed design principles to enable both sites to develop independent, high amenity mixed use residential developments in accordance with their HDA declarations.

2 Submission to SSD-87033962

2.1 Submission Point 1: Response to HDA Declaration at 15 Help Street

Our client's site at 15 Help Street, Chatswood (Lot 1 DP731307), shares a common boundary with 815 Pacific Highway and is zoned E2 Commercial Centre under the Willoughby Local Environmental Plan 2012 (**LEP**). The site currently contains a nine-storey office building.

On 22 October 2025, Urbis submitted an expression of interest (**EOI**) (305012) to the Housing Delivery Authority (**HDA**) for a project described as follows:

"The proposal comprises an SSDA and concurrent rezoning for a commercially viable 62-storey shop top housing development aligned with Chatswood CBD's transforming character. The proposal comprises a two-storey commercial and retail podium (~ 2,714 sqm), a 60-storey tower containing 379 residential apartments including 15% GFA as affordable rental housing (approximately 60 dwellings), and two levels of residential amenities (at Level 03 and Level 37). The proposal aims to incorporate a new through site link along the eastern boundary connecting Help Street and McIntosh Street consistent with a site specific DCP. The concurrent rezoning will identify 'shop top housing' as an 'additional permitted use' on the subject site (under Schedule 1 of the LEP)"

The EOI included the following details regarding the relationship between the site and 815 Pacific Highway:

"The existing building height development standard which applies to the subject site and the adjoining site at 815 Pacific Highway was established via a site-specific planning proposal which was gazetted in April 2021 (PP-2021-2473). The purpose and intent of the site-specific planning proposal was to facilitate the development of a new commercial office tower (with an indicative height of 33 storeys) on the amalgamated landholding.

On 2 April 2025, the Minister declared a 54-storey shop top housing development on the adjoining site (815 Pacific Highway) as SSD following a positive HDA recommendation to EOI 235229. The owner of 815 Pacific Highway is now progressing an SSDA and concurrent rezoning for a 61-storey mixed use residential development (SSD-87033962). The development will have a maximum building height of RL310.28.

Accordingly, the owner of the subject site at 15 Help Street (Yixing Capital) is left with little option other than to pursue a similar planning pathway under the HDA for a shop top housing. It is critical to the successful delivery of both projects that the two adjoining sites are progressed concurrently to ensure that the redevelopment of 815 Pacific Highway does not unreasonably prevent or thwart the potential redevelopment of 15 Help Street. The concurrent planning progression of the two projects will enable collective coordination and resolution of key design matters such as vehicle access, building separation, and the through-site link as contemplated by the site specific DCP".

At its briefing held on 27 May 2026, the HDA recommended to the Minister that the project (EOI 305012) be declared State Significant Development (SSD) as it adequately satisfied the HDA objectives and criteria.

The project was declared in the State Significant Development Declaration Order (No 6) 2026 at Part 2, Schedule 4 (1)(u) (dated 9 June 2026). This declaration provides an SSD pathway for our client to seek development consent for a 62-storey shop top housing development via a concurrent site-specific rezoning.

At the point of lodgement of the SSDA at 815 Pacific Highway (**in May 2026**), the land at 15 Help Street was zoned E2 Commercial Centre and the urban design of the interface between the two sites was based on the existing commercial office building. As such the Environmental Impact Statement (**EIS**) submitted with the SSDA describes the rationale for the proposed interface between the two sites as follows:

"Given that there are currently no SEARs, Development Applications, SSDAs or Planning Proposals lodged for 15 Help Street, any future redevelopment scenario remain hypothetical. Assessment of the interface should therefore reasonably be based on the site's current zoning, which permits commercial office development. It is also noted that 15 Help Street is currently within the commercial core, and without a Planning Proposal or similar HDA pathway, is unlikely to transition to a residential outcome."

Whilst the above statement was correct at the time of lodgement, the recent HDA declaration of EOI 305012, means that both sites (815 Pacific Highway and 15 Help Street) are now subject to the same SSD planning approval pathway for residential development with concurrent rezoning to permit shop top housing, with increased building height to +60 storeys.

As a residential development on the adjacent site at 15 Help Street no longer hypothetical, it is reasonable that DPHI require the applicant for 815 Pacific Highway to now consider this revised planning context for 15 Help Street as part of its response to submissions (**RTS**) and make amendments to its design to reflect this residential context.

Submission 1 The floorplate planning for 815 Pacific Highway must consider the revised residential context and make substantial amendments to reflect the HDA declaration at 15 Help Street for a 62-storey shop top housing development.

2.2 Submission Point 2: Impacts of Non-Compliant Building Separation

Figure 1 identifies the proposed building setbacks (as per the Design Report submitted with the SSDA).

- 24m between habitable rooms / balconies
- 18m between habitable and non-habitable rooms
- 12m between non-habitable rooms

Operating in tandem with ADG Section 2F (Building separation), Objective 3F-1 states as follows:

“Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy”

The proposed building separation distances and interface to 15 Help Street is justified in the EIS as follows:

- The site is currently occupied by a commercial building and zoned E2 Commercial Centre.
- The design incorporates measures that collectively achieve the intent of the ADG (screening and façade modulation, orientation of habitable rooms and windows, articulated façade elements etc).

The SSDA was subject to pre-lodgement engagement with the State Design Review Panel (**SDRP**).

Notwithstanding that 15 Help Street was zoned E2 Commercial Centre at the time of the SDRP reviews, the SDRP expressed clear and consistent concern that the proposed building separation distances were non-compliant with the ADG, did not demonstrate adequate amenity outcomes, and did not enable future redevelopment of 15 Help Street for residential development.

Specifically, the SDRP provided the following written feedback in the first and second sessions:

- *“General massing and design principles are supported, but **the overall building envelope is causing adverse impacts, particularly at the interface with 15 Help Street due to inadequate setbacks.***
- **Side boundary setbacks should be increased and the interface with 15 Help Street redesigned to meet ADG objectives, considering future redevelopment, including privacy, outlook, solar access, cross-ventilation, and overall amenity.**
- *The revised building envelope has not adequately demonstrated potential adverse amenity impacts, particularly with reduced side setbacks (4.2 m → 3 m) and podium adjustments affecting pedestrian wind comfort and the interface with 15 Help Street.*
- **The proposal must allow for future redevelopment of 15 Help Street, showing how a residential scheme there could meet ADG objectives for solar access, privacy, and outlook.”**

In short, the reduced setbacks provided to the boundary with 15 Help Street were not support by the SDRP.

We concur with the commentary provided by the SDRP and reinforce this point in our submission. The submitted design includes setbacks that, if approved, would disproportionately burden our client’s sites to provide increased setbacks to achieve ADG compliant separation. If these setbacks were to be supported the only alternative would be for our development to provide a similar approach, further reducing the building separation which would not be a desired urban design or amenity outcome.

The proposed setbacks fundamentally thwart the ability for 15 Help Street to achieve:

- compliant ADG building separation distances;
- efficient floorplate configurations;
- acceptable internal amenity outcomes (solar access etc);
- viable apartment yield; and
- economically feasible development.

The excessive floorplate dimensions and non-compliant side setbacks create a built form outcome that maximises yield on 815 Pacific Highway at the cost of materially constraining redevelopment potential on 15 Help Stret. This is contrary to the principle of "reasonable development expectation" which reflects a balance between a landowner's right to develop and an adjoining landowner's reasonable expectation to be able to develop their land commensurate with the applicable statutory planning framework. The non-compliant building setbacks 815 Pacific Highway thwart the ability of our client to achieve an efficient, economically feasible, and high amenity residential development commensurate with the HDA declaration.

Good planning practice requires development to:

- contribute equitably to development distribution and building separation with adjoining land;
- maintain reasonable redevelopment flexibility for adjoining land (in terms of existing planning framework and reasonable future changes, such as HDA declarations);
- avoid sterilisation or unreasonable constraints or obligations to adjoining land; and
- facilitate coordinated urban form outcomes capable of achieving acceptable amenity standards

The SSDA in its current form is contrary to established planning principles and the objects of the *Environmental Planning and Assessment Act 1979* to facilitate "orderly and economic use and development of land".

Submission 2 The non-compliant building setbacks proposed between the SSDA site and our client's site results in fundamental planning and design implications that prevents the future redevelopment of 15 Help Street. Development at 815 Pacific Highway must preserve the reasonable ability for our client to achieve feasible redevelopment at 15 Help Street.

3 Alternative Massing Options

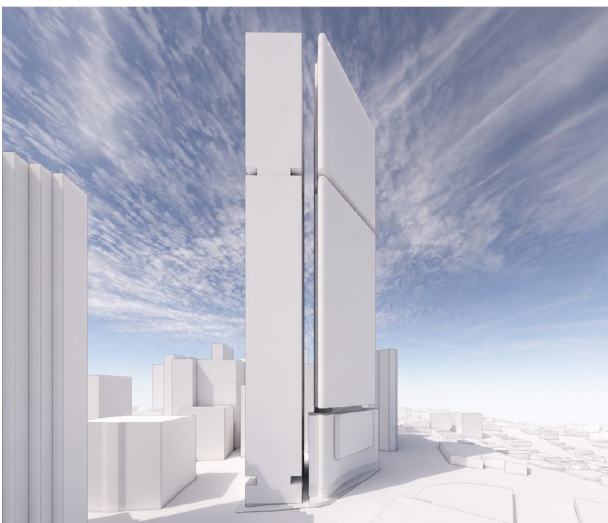
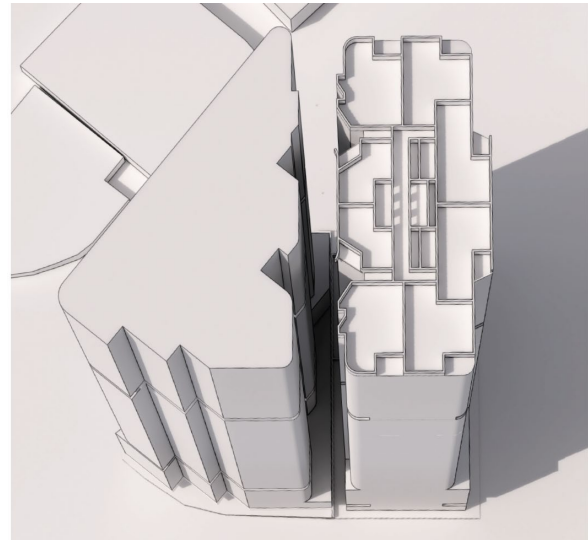
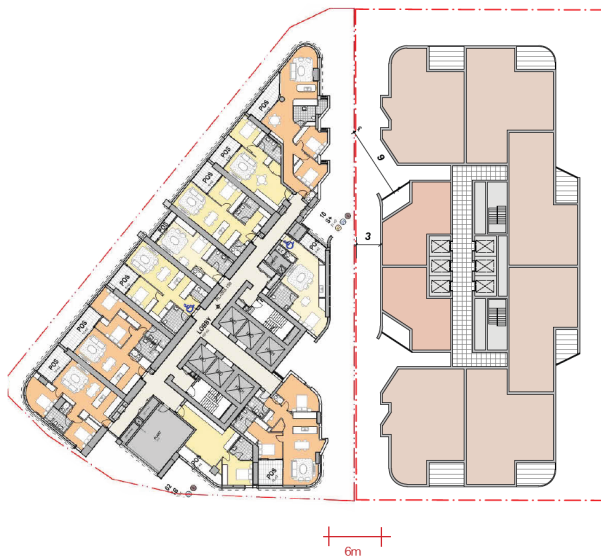
Our client has engaged PTW Architects to prepare a preliminary massing study that tests potential built form interface options between 815 Pacific Highway and 15 Help Street. These options are explored as follows.

[Disclaimer: The massing study and illustrations below are indicative only and are provided for illustrative purposes. They are not to be relied upon for assessment, approval, compliance, or certification purposes]

3.1.1 Option 1. Mirror the building separation distances and setback principles

Option 1 tested applying the same building separation and setback principles across both sites.

Figure 2 Option 1



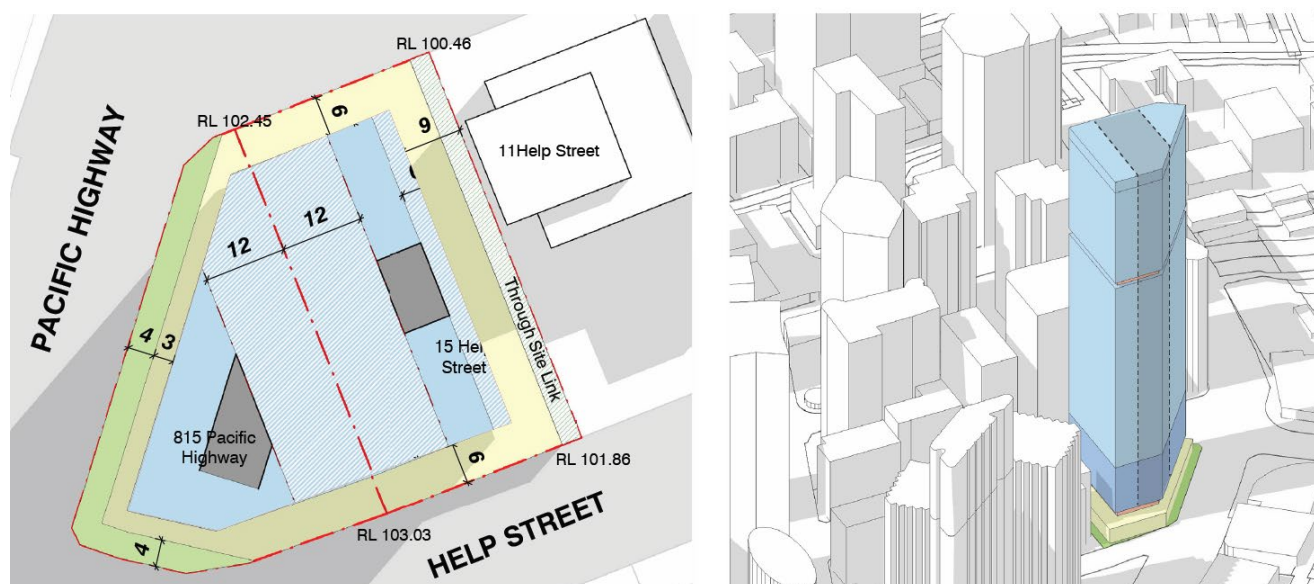
Source: PTW Architects

As illustrated in **Figure 2**, developing both sites with mirrored podium setbacks at Level 4 – Level 10 (nil – 4.05m) and tower setbacks at Level 10 – Level 60 (3m – 4.15m) would result in demonstrably poor urban design and amenity outcomes in terms of perceived bulk and scale, visual and acoustic privacy impacts, access to sunlight and ventilation, and outlook. **Option 1 was discounted on this basis.**

3.1.2 Option 2. Apply ‘compliant’ ADG building separation to both sites

Option 2 tested applying compliant ADG building separation design criteria to the common boundary between the two sites (and in the case of 15 Help Street, to the common boundary with 11 Help Street).

Figure 3 Option 2



Source: PTW Architects

As illustrated in **Figure 3**, applying strict ADG compliant setbacks to 815 Pacific Highway and 15 Help Street results in a significantly reduced and inefficient floorplates, rendering any future development on both sites economically unfeasible. Even if setbacks were reduced along the Pacific Highway frontage and boundary to 11 Help Street, the tower floorplates would remain very narrow. **Option 2 was discounted on this basis.**

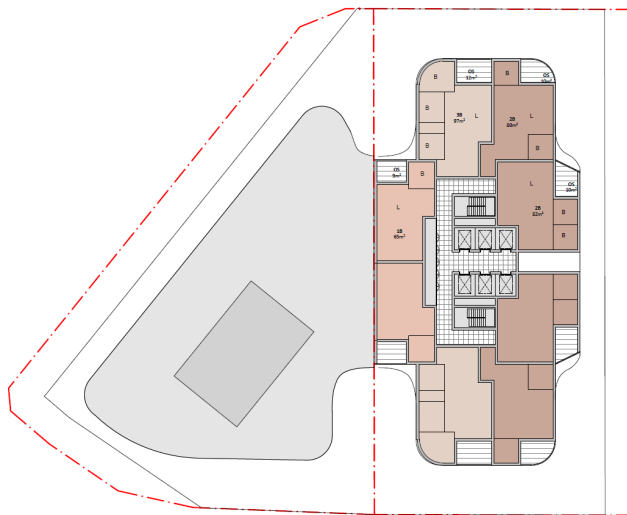
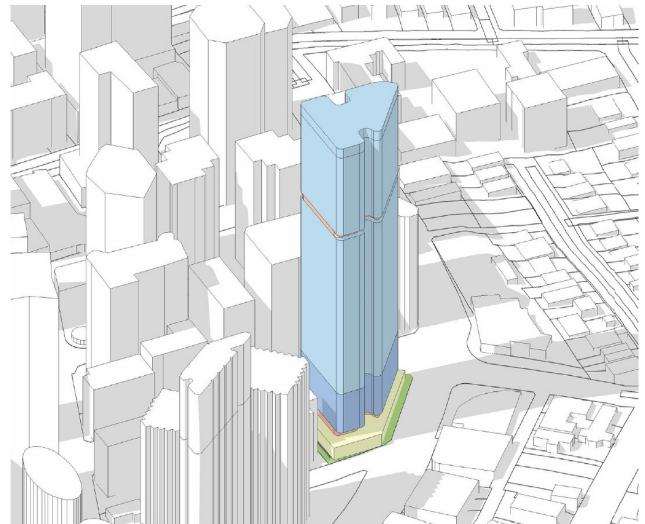
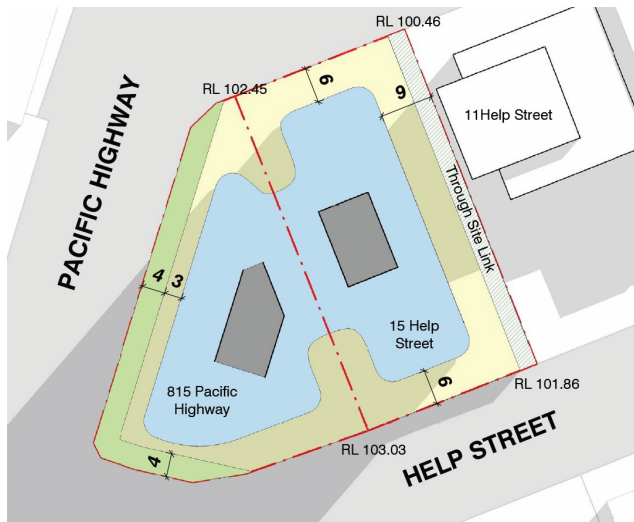
3.1.3 Option 3. Nil setback to common boundary between both sites

Option 3 tested a nil setback to the common boundary between the two sites, whereby the two projects shared a common wall but were designed, progressed, and capable of construction independently. This option was in part informed by the following principles and performance criteria of the site-specific chapter of the Willoughby Development Control Plan (Part L) which applies to 815 Pacific Highway and 15 Help Street:

- The requirement for the two sites to be amalgamated to achieve an optimum development outcome;
- The requirement for the buildings to demonstrate a high design quality viewed from the public domain and surrounding area (including Pacific Highway, Help Street, and McIntosh Street); and
- The requirement to provide a publicly accessible through site link from Help Street to McIntosh Street.

Figure 4 provides a series of indicative visual illustrations of the nil common boundary setback option.

Figure 4 Option 3



Source: PTW Architects

Option 3 presents the following benefits and opportunities to both 815 Pacific Highway and 15 Help Street:

- **Efficient floorplates.** Option 3 allows both schemes to achieve efficient and logical tower floorplates which in turn enables high amenity apartments (in terms of floorplates, layout, size, and orientation).
- **ADG consistency.** The redevelopment of each site has the potential to satisfy relevant ADG design criteria relating to setbacks and building separation, noting ADG Section 2F provides: *"No building separation is necessary where building types incorporate blank party walls. Typically, this occurs along a main street or at podium levels within centres"*. Option 3 allows both schemes to achieve equitable amenity outcomes in terms of views, outlook, privacy, solar access, and natural ventilation.
- **Provision of the through site link along eastern boundary.** Option 3 allows the redevelopment of 15 Help Street to accommodate a north-south publicly accessible through-site link along the eastern boundary to 11 Help Street. This is consistent with our client's HDA EOI submission which signalled the commitment to provide a through-site link, as per the site-specific DCP and Chatswood CBD Strategy.
- **Architectural expression.** The two-part composition presented in Option 3 allows the two buildings to be read as a uniformed, single form yet capable of achieving distinct architectural expression. With each project being designed independently, clear visual interest and variation will be achieved through architectural expression, individualism, and distinction, contributing to a dynamic skyline.
- **Slender tower form.** A common zero side setback and an equitable distribution of complementary built form elements enable greater podium and tower setbacks to Pacific Highway, Help Street, and Macintosh Street. This will deliver highly modulated and slender tower forms. A slender tower form incorporating an indent provides a superior urban design outcome in comparison to two tall towers separated by a narrow 6 metre void. Given its extreme proportions (approximately 200 metres high and 50 metres long), the gap would not read as meaningful separation or provide effective visual relief. The indent achieves a more coherent built form and better articulation of building mass.
- **Concurrent yet separate progression.** Whilst there would be the need to establish general principles of agreement between the two parties, the common zero boundary option does not prevent each development to be designed, progressed, determined, staged, and / or constructed independently.

Submission 3 Given the intrinsic relationship and interface between 815 Pacific Highway and 15 Help Street, it is critical that both parties establish general urban design principles of agreement to ensure that each site is capable of achieving economically feasible and equitable outcomes and delivering successful development consistent with their respective HDA declarations.

4 Conclusion

This submission has been prepared to identify the fundamental impacts of the proposed built form and design of the publicly exhibited SSDA at 815 Pacific Highway on our client's landholding at 15 Help Street.

Given recent HDA declaration at our client's site, it is critical that the proposed built form, specifically the setbacks to the eastern boundary, are amended to ensure that the project does not unreasonably hinder or thwart the orderly and economic use and development of 15 Help Street.

In its current form, the project at 815 Pacific Highway, does not preserve this fair and equitable redevelopment right to our client's landholding at 15 Help Street.

Given the interrelationship between the two landholdings, it is critical that both parties establish general principles of agreement to ensure that both developments are capable of achieving economically feasible and equitable outcomes and deliver successful outcomes consistent with their respective HDA declarations.

We would welcome the opportunity to engage with the Department further to discuss this submission and establish general design principles of agreement with the applicant of the SSDA at 815 Pacific Highway.

If any further information is required to inform consideration of this submission, please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink that reads "R. Battersby". The signature is written in a cursive, flowing style.

Rob Battersby
Associate Director
+61 2 8233 9936
rbattersby@urbis.com.au