Housing Delivery Authority expression of interest submission questions

This document outlines the questions applicants should expect when using the webform to submit an expression of interest (EOI) to the Housing Delivery Authority (HDA) for major housing developments. This document is guidance only to assist in preparing information about your proposal that will be evaluated against the HDA State significant development (SSD) criteria. EOI applications will only be accepted via the webform available on the HDA webpage.

The aim of this HDA SSD EOI form is to encourage and identify major high-yield housing proposals that meet the **HDA SSD criteria**. The criteria are designed to:

- maximise opportunities for well-located housing that can be assessed and delivered quickly
- support the objectives of the EOI process
- be clear, objective and consistently applied.

Important: Before completing an EOI application, applicants should note:

- it is encouraged that the criteria and EOI submission questions are reviewed in advance of submitting an EOI application
- the criteria must be addressed in full in each application
- EOIs must be accurate, truthful and completed in full, or may be deemed ineligible
- EOIs cannot be changed once submitted
- only one EOI application per development site is permitted to be submitted at a time
- an existing EOI must be withdrawn before another EOI for the same development site can be submitted
- EOIs are considered by the HDA generally sequentially and EOI consideration by the HDA cannot be expediated
- applicants will not be advised in advance when their EOI will be considered by the HDA
- EOIs deemed ineligible may be returned to the applicant and not considered by the HDA

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| DPHI-MC-SD-V3

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Proposal information

- **Nominate the type of development. This includes any change to zoning or development standards.**
  - State significant development
  - State significant development and concurrent rezoning

  Provide all full street and suburb addresses. If you have more than one street and suburb address, list them on separate lines. Please make sure to include the suburb.

  Example: 281 - 283 Addison Road and 26 - 28 Audley Street, Petersham
- **Provide all lot and deposited plan numbers as shown on your certificate of title and spatial viewer. Ensure all lot and deposited plan numbers within your EOI are listed on separate lines as they will be registered if your proposal is declared SSD.**

  Please view the spatial viewer on the NSW Planning Portal.

  Example: Lot 123/Sec 2/DP123456
- **Local government area**
- **Upload a map that clearly identifies the extent of the proposed site, including full street address(es), Lot and DPs and total site area (m^2).**

  Should your application be successful, these details will be used to declare your project as SSD. A complete and accurate site description is therefore critical.
- **Applicant company name**
- **Applicant first name**
- **Applicant last name**
- **Landowner/Developer name**
- **Contact first name**
- **Contact last name**
- **Contact phone**
- **Contact email**
- **List the key environmental planning instrument (local environmental plan/state environmental planning policy) relevant to the proposed development.**

- **Description of proposed development**

  Provide a short and clear description of the proposed development. This is important as it will be used should your application be declared SSD. Include details of the built form, the type of residential accommodation, the number of building(s), height in storeys and any other proposed land uses (using defined land use terms) proposed.

  Example: Shop top housing in two 15 storey buildings, with a centre-based childcare facility.

- **Number of new dwellings**

  Indicate the number of new dwellings created by this EOI application (this does not include existing dwellings on the site that will remain, or dwellings approved under an active consent). To meet the criteria, approximately 100 dwellings are required in Greater Sydney, Newcastle and Wollongong, and 40 dwellings elsewhere.

  Note: HDA criteria 1.2 requires that both dwelling yield AND the estimated development cost thresholds are met.

Application information

- **To assist with issuing SEARs, is the development any of the following?**

  Select all that apply.

  - Prohibited use
  - Concept approval
  - Designated development
  - No

- **Is there an existing development consent, refused development application or planning proposal, development application or planning proposal under assessment, or previous HDA EOI that applies to the land?**

  - Yes
  - No

- **Provide the DA/PAN/LEC/Rezoning or Planning Proposal number and/or link to portal, and any previously submitted HDA EOI number.**

  Example: DA (number) (link to portal), previously submitted HDA EOI (number).

- **Provide details of how this proposal technically interacts with an existing consent, or development application or planning proposal under assessment. If there is an interaction, specify whether you are replacing the existing consent, or amending it. Clearly explain how and why you are replacing or amending the existing consent.**

For any previously considered EOI within the same site, that was not supported by the HDA, you must detail how you have positively and materially addressed the reason for the HDA's recommendation.

- **If this project is an existing SSD application, provide the SSD application number.**
- **Have you made contact with the relevant council?**
  For example, pre-lodgement meeting or discussion on infrastructure contributions regarding this development proposal? If you have, provide details of any discussions and details, particularly about contributions, public benefit, planning agreements and infrastructure capacity/provision.
  - Yes
  - No
- **Provide details about council discussions.**
- **Provide details of any offsite infrastructure requirements associated with the development proposal and advise if there is adequate capacity in enabling infrastructure such as water, sewer and access.**

Development information

- **What type of residential accommodation is the residential component of the proposed development?**
  Please note that subdivision without high yield dwellings will not meet the criteria
  - Multi dwelling housing
  - Residential flat building
  - Seniors housing
  - Shop top housing
  - Co-living (student housing) that involves renewal of existing student housing or on a university campus
  - Other
- **Provide detail about the type of residential accommodation.**
- **What is the estimated development cost of the residential component?**
  The estimated development cost is defined in accordance with Planning Circular PS 25-004. Note: HDA criteria 1.2 requires that both dwelling yield AND the estimated development cost thresholds are met.
  - Equal to or greater than $60 million in Greater Sydney, Newcastle and Wollongong

  - Equal to or greater than $30 million elsewhere

- **What is the estimated development cost (in millions) of the proposed residential component of this proposal, excluding any other proposals that have consent and will be acted upon?**

  Enter only the number in millions. I.e. $100 million = 100

Development detail

- **Is this proposal currently prohibited by an environmental planning instrument but accompanied by a suitable rezoning proposal?**
  - Yes
  - No

  Are you proposing to vary any applicable development standards? e.g. height and FSR?
  - Yes
  - No
- **Provide percentage of proposed variation to a development standard(s) to be made under clause 4.6 (for variations less than 20%).**

  If it is greater than 20%, insert N/A below and answer the next question instead.
- **Where greater than a 20% variation is proposed, the proposal should include a concurrent rezoning proposal.**

  Provide the percentage of the proposed increase to the development standard(s) and details of any other changes sought. If the variance is less than 20% insert N/A below and answer the above question instead.
- **Demonstrate capability to lodge an application quickly – within 9 months of SEARs issued.**

  Proposals declared SSD under the HDA SSD pathway must lodge applications within 9 months of SEARs originally being issued. Failure to do so may result in SSD status revocation.
- **Demonstrate capability to commence development quickly – within 12 months of approval.**

  For example, a deployable workforce, plans and developers already available and confirmed, and existing council engagement.
- **Provide details of ownership or option to purchase for all land parcels to which the proposal applies.**

Detail must be provided for each individual site / lot number. Reponses must specify if the land is owned by the applicant, and if it is not, who owns it, and what arrangements / reassurances the applicant has to purchase the land. It is essential this information is accurate and transparent, and the Department may contact applicants for proof of responses. Misleading or inaccurate information may result in an EOI being deemed ineligible or a declared EOI being revoked.

- **Demonstrate that contributions will be paid as per council's existing contributions plans (or equivalent). If no contribution applies, are you proposing a public benefit offering, and if so, provide details of the offering.**
- **Is the proposed development based on a previously refused proposal that was determined within the past 5 years?**
  - Yes
  - No
- **Provide details of refused application (DA/PAN/LEC number and/or link to rezoning review or planning proposal in portal) and provide details of how the proposal has addressed previous reasons for refusal.**

Well-located

- **Proposal site has good access to transport and services:**
  - Land is in an **accessible area** within Greater Sydney, Central Coast, Cessnock, Lake Macquarie, Maitland, Newcastle, Kiama, Shellharbour and Wollongong local government areas
  - Elsewhere, land is within 800 m walking distance of land in a **relevant zone**
  - Other

Accessible area

Within Greater Sydney, the Central Coast, Cessnock, Lake Macquarie, Maitland, Newcastle, Kiama, Shellharbour and Wollongong local government areas, land means within:

1. 800 m walking distance of —
   - a public entrance to a railway, metro or light rail station, or
   - for a light rail station with no entrance — a platform of the light rail station, or
   - a public entrance to a wharf from which a Sydney Ferries ferry service operates, or

2. 400 m walking distance of a bus stop used by a regular bus service, within the meaning of the Passenger Transport Act 1990, that has at least one bus per hour servicing the bus stop between—
    - 6 am and 9 pm each day from Monday to Friday, both days inclusive, and
    - 8 am and 6 pm on each Saturday and Sunday.

Relevant zone

E1, E2 or MU1 zones or an equivalent zone (PDF, 376 KB).

- **Provide any additional information about the proposed development site.**
- **Is the proposed development site located on any of the following lands?**

  Select all that apply.
  - In an environmentally sensitive area of state significance as defined in the EP&A Regulation.
  - On bushfire prone land as designated by the Commissioner of the NSW Rural Fire Service under section 10.3 of the EP&A Act.
  - On land in a flood planning area as defined in the NSW Government's Flood Risk Management Manual.
  - On land affected by hazards (including land slip, mine subsidence, contamination and underground high-risk infrastructure)
  - I don't know
  - None of the above
- **Provide any additional information on environmental hazards or constraints for the site.**

Well-serviced

- **Demonstrate how the proposal has adequate capacity in enabling infrastructure such as water, sewer and access.**

Affordable Housing

- **Demonstrate how the proposal will contribute to a measurable quantity of affordable housing (as defined in s1.4(1) of the EP&A Act) and align to the NSW Affordable Housing Guidelines and existing State or council policies. Where a concurrent rezoning is sought, provide detail as to how the proposal will exceed affordable housing requirements under current council or State policy,**

or where a concurrent rezoning is significant, provide detail of affordable housing to be provided in perpetuity.

Applicant is to specify how the above requirements are met and provide detail of the proposed nature of any offering including percentage rate, form, ownership and tenure.

Concurrent spot rezonings

- **Are you proposing a concurrent rezoning due to over 20% proposed variation to development standards and/or a change to LEP provision?**

  Note: You cannot select 'No' if you've selected 'Yes' to the first question on page 4, or are seeking a significant variation to a development standard

  - Yes
  - No

- **Is the proposed development site on land that is zoned:**

  Select all that apply.

  - C2 Environmental Conservation
  - C3 Environmental Management
  - RE2 Private Recreation
  - RU1 Primary Production
  - RU2 Rural Landscapes
  - RU3 Forestry
  - RU Primary Production Small Lot

- **Is the proposed development site on land that is:**

  *Note: * Regionally significant industrial land * is as identified in the Sydney Plan including draft versions.*

  Select all that apply.

  - Regionally significant industrial land*
  - Within commercial core of the Parramatta (land identified as “Area B” on the Special Provisions Area Map under Parramatta LEP 2023), North Sydney and Sydney CBDs (land zoned E2 Commercial Centre or SP5 Metropolitan Centre under the respective Local Environmental Plans)
  - Subject to a dwelling cap under an environmental planning instrument
  - Subject to an active State-led rezoning which is yet to be exhibited

Provide a summary of the rezoning proposal and how it addresses strategic merit.

Please note: Detail should demonstrate strategic plan alignment or how it responds to circumstantial changes not recognised by the existing planning framework. Applicants must demonstrate that there is no other SSD pathway available for the proposals and where there are inconsistencies with an exhibited but unfinalised State-led rezoning, or development standards/zoning set for the site through a State-led rezoning completed since the beginning of the National Housing Accord period, or local masterplan which replaces the TOD planning controls in State Environmental Planning Policy (Housing) 2021 (the Housing SEPP). Detail about development standard/set site zonings including the proposed FSR and height, and any variations above base control that excludes bonus height, must also be included in this response.

- **If you are proposing significant changes to development standards, are you intending to lodge a concurrent rezoning application?**
  - Yes
  - No
- **Provide details of these changes, including if it is in addition to existing bonuses (eg. in-fill affordable housing under the Housing SEPP).**
- **If the development is partially or entirely prohibited are you intending to lodge a concurrent rezoning application to amend the zoning or include an Additional Permitted Use?**
  - Yes – Additional Permitted Use
  - Yes – amend the zoning
  - No
- **Provide a summary of any of the above changes.**

  Please provide clear, defined details as to proposed changes to zoning and/or development standards (eg proposed heights of buildings or floor space ratio)
- **Is there anything else you would like us to know?**

Political donation disclosure

- **Have you or any other person with a financial interest in this application made a reportable political donation or gift as per the *Electoral Funding Act 2018*?**
  - Yes
  - No

If you answered yes to the above question, you must complete and attach the Political donations disclosure form (PDF, 43 KB) to this application. Please note that in accordance with s10.4(12) of the EP&A Act, disclosures of reportable political donations and gifts are to be made available to the public within 14 days. For further guidance read the Disclosure of political donations and gifts guideline (PDF, 133 KB).

- **Upload your file.**

Rezoning conceptual plan

- **Is the proposal inclusive of a concurrent rezoning?**
  - Yes
  - No

  If you answered yes, you must include a concept scheme to demonstrate the proposed scale of development sought. The concept scheme should include site area, site context, envelope massing and envelope comparisons (current vs proposed controls).
- **Upload your file.**

Feedback

- **How did you find this EOI form submission process?**
  - Very complicated
  - Complicated
  - Manageable
  - Straight forward
  - Very straight forward
- **Provide further feedback about the EOI submission process.**
- **The information provided in this EOI application is accurate, correct and truthful to the best of my knowledge. I acknowledge that any deliberate misrepresentation of information contained in this EOI, may result in EOI ineligibility or the revocation of any SSD declaration.**
  - Yes

The Department will review this EOI application and share all information with the HDA for their consideration, the Department will be in touch should further information be required. It is requested that applicants not contact HDA members directly as this will potentially conflict members and limit their capacity to consider the EOI application.

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