

Our Ref: M220250

10 June 2025

Ms Amy Watson
Director – Affordable Housing Assessments
Department of Planning, Housing and Infrastructure
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Watson,

**Scoping Letter - Request for Secretary's Environmental Assessment Requirements
625 Hunter Street, Newcastle**

Planning Ingenuity acts on behalf of the applicant, *Trinium Group*, in relation to this State Significant Development proposal at No 625 Hunter Street, Newcastle.

This project was considered by the Housing Delivery Authority on 15 April 2025. The response provided by the Authority states:

"Your project has not been recommended as State significant development as it did not meet the EOI Criteria and objectives.

- *Objective 1: Deliver more homes within the Housing Accord period*
- *Criteria 1.2: Development is State significant*

In making their recommendation, the HDA noted that, the applicant be advised there remain alternative approval pathways in the NSW planning system for development on this site including a development application utilising incentive bonus provisions provided under the Housing SEPP.

The HDA also noted that the EOI would be for an amending development application therefore the net additional dwellings did not meet the dwelling yield of the EOI criteria"

In response, the SSD project has been submitted to the Department relying upon the existing State Significant Development provisions set out in the *State Environmental Planning Policy (Planning Systems) 2021*.

This scoping letter has been prepared in response to the Department's email of 6 May 2025, which states:

"Before the Department can consider your SEARs request, we require that you submit a brief scoping report/letter and attend a scoping meeting with the affordable housing team. This is consistent with the Guide to Faster SSD Assessments for Affordable Housing - <https://www.planning.nsw.gov.au/sites/default/files/2023-12/guide-to-the-faster-assessment-program-for-affordable-housing.pdf>

Can you provide a brief scoping report/letter and provide a copy of any preliminary concept plans to us via email? The information should broadly address the requirements in this document <https://www.planning.nsw.gov.au/sites/default/files/2023-12/scoping-meeting-requirements-for-applicants.pdf>

Also attached to this letter are preliminary concept plans prepared by *BKA Architecture* and form part of this SSD proposal.



The project details for the development are current development are provided in the table below.

Project Details	
Detail Requested	Applicant's Response
Site address	<p>The subject site comprises the following land parcel:</p> <p><i>625 Hunter Street, Newcastle West (Lot 104 DP1274597)</i></p>
Confirmation of SSD pathway	<p>In fill Affordable Housing is declared State Significant Development in Schedule 1 of SEPP (Planning Systems) 2021. Development with an EDC greater than \$30 million on land outside the Six Cities Region (clause 24A) (1)(a)(ii). We are advised that the total EDC of the project will exceed \$30 million.</p>
A brief description of the proposal	<p>The proposal involves the construction of a seventeen (17) storey residential flat building comprising forty-eight (48) residential dwellings including seven (7) affordable housing dwellings, being 15% of the total development's GFA. The development provides for a mix of housing types and tenures to meet the housing needs of the Newcastle local government area.</p> <p>Given the site's location and constrained dimensions, no car parking is proposed. The proposal also involves the retention of the façade of the previous theatre building that occupied the site.</p> <p>The proposal is shown in architectural plans prepared by <i>BKA Architecture</i>.</p>
Details of the site's zoning and permissibility	<p>The site is entirely within Zone MU1 Mixed Use under <i>Newcastle Local Environmental Plan 2012</i>.</p> <p>Development for the purpose of a Residential Flat Building is permissible with consent in the MU1 Mixed Use zone.</p>
Brief details of all provisions and development standards which apply to the site under any environmental planning instrument, including height, floor space ratio, design excellence and any other site-specific requirements.	<p>The <i>Newcastle LEP 2012</i> provides the following development standards:</p> <p>Clause 4.3 Height of buildings – 45 metres.</p> <p>Clause 4.4 FSR – The following FSR applies – 3:1 (refer to clause 7.10A)</p> <p>Clause 7.4 Building Separation – 24m for any part of building above 45m.</p> <p>Clause 7.5 Design Excellence clause applies.</p> <p>Clause 8.4 Minimum building street frontage – 20m</p>

Project Details

The incentives (30% FSR and height) provided under Clause 16 of the *Housing SEPP* provide for a maximum FSR of 3.9:1 and a maximum building height of 58.5m.

The proposal involves a FSR of 4.49:1 (which is a non-compliance of 0.59:1 or 15.3%) and a building height of 56.3m (compliant).

Whether or not the site is within an accessible area and intends to use the Housing SEPP bonuses under Chapter 2, Part 2, Division 1 of the Housing SEPP.

Yes, the site is located within an accessible area, being within 200 metres walking distance of the Honeysuckle light rail stop.

Details of compliance with development standards or any anticipated variations.

The proposal is reliant on the incentives under clause 16 of the Housing SEPP (30% GFA and Height) that apply for provision of 15% of the development as affordable housing.

No variations to the building height or building separation development standards will be required.

The SSD proposal will be supported by a variation to the FSR development standard by way of the submission of Clause 4.6 Variation Request. As indicated above, the proposal will exceed the maximum 3.9:1 FSR by 0.59:1 which represents a variation of 15.3%.

Further to the information provided above and the scoping meeting held on 5 June 2025, the following details are provided to the Department following the recent scoping meeting;

Planning History

DA2020/00621 was submitted to Newcastle City Council on 19 June 2020. The DA, being regionally significant development, was presented to the Hunter and Central Coast Regional Planning Panel at a briefing held on 18 November 2020. On 15 February 2021, the applicant filed a Class 1 appeal in the Land and Environment Court against the deemed refusal of the application. The DA was considered by the Hunter and Central Coast Regional Planning Panel on 17 March 2021 and refused. The Land and Environment Court upheld the appeal and granted development consent to the DA on 26 August 2022.

The approved DA was modified by Newcastle City Council under section 4.56 of the EP&A Act on 23 August 2024. Condition 52 was modified to require the affordable housing to be used for a minimum of 10 years.

Clause 7.5 of NLEP 2012

Clause 7.5(4) of *Newcastle Local Environmental Plan 2012* requires a competitive design process to be held in relation to development that will be higher than 48 metres in height. It is noted that subclause (4) does not apply where the consent authority certifies in writing that a competitive design process is not required. A waiver to the requirement to



hold a competitive design process will be sought on the basis that the proposal involves minor changes to an existing approved development that was subject to consideration by a design review panel.

Intended Community Engagement

The applicant will undertake consultation with the following entities prior to the submission of the application:

- Newcastle City Council,
- Transport for NSW,
- Subsidence Advisory,
- Ausgrid,
- Hunter Water, and
- Owners of neighbouring properties.

If you require further information, do not hesitate to contact me on (02) 9531-2555.

Yours faithfully,
Planning Ingenuity Pty Ltd

Troy Loveday
PRINCIPAL PLANNER

