

30 November 2018



Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

**Attention:** Joel Herbert

**RE: Response to Department of Planning and Environment Request for Response to Submissions (SSD 8440 MOD 1) at 42 Honeysuckle Drive, Newcastle 2300**

**Our Ref: 17058**

This letter has been prepared in response to the correspondence from the Department of Planning and Environment (the Department) requesting a response be provided to submissions received during the exhibition period of the Modification for State Significant Development application SSD 8440.

It has been requested that the submissions provided by the Office of Environment and Heritage, the Environmental Protection Authority, and City of Newcastle Council be addressed are part of this response. Please find below responses to the submissions

Outlined below are the points raised by the Department and the corresponding response thereafter:

## 1 City of Newcastle Council

City of Newcastle Council has provided comment on the proposed modification and raised two points. These points are addressed below:

### 1. Proposed Modification.

*According to the above report, the proposed modification involve alterations to the 'hotel units' (i.e. serviced apartments) in the south west corner on the ground floor. The plan extract from the approved floor plan shown in Figure 2 of the report (pg. 2) is in fact from an earlier superseded version. Given these circumstances it is recommended KDC are requested to confirm the overall increase in gross floor area of the development as indicated in the report is still correct.*

*Apart from the alterations to the accessible hotel rooms cited in the report, it is noted a number of other modification are indicated on the submitted amended plans for which no explanation has been provided. Notably the modification to the 'plant level' as depicted on the amended elevations.*

*Similarly, a comparison of the parking schedules indicated on the approved and revised general arrangement plans indicate that changes are proposed to the total number of allocation of car parking spaces as required by condition B20 of the project approval, as well as the number of motorbikes and bicycle spaces. It not clear from the submitted plans where these modification have been made.*

## Response

A revised gross floor area (GFA) schedule was submitted with the modification application. The schedule provided accurately reflect the requested changes to GFA. The extract of the existing arrangement was for reference only.

Regarding other changes shown on the plans to the ground level and plant level, these changes are considered to be minor, and are the result of the architectural plans progressing to detailed construction drawings.

As part of the detailed construction drawing process, minor amendments to the carparking layout has created opportunity for additional parking. This has resulted in a total of 237 car spaces which is a small increase of 4 spaces which will be consumed by the public carpark component of the development.

2. *The approved mixed use development includes a residential flat building. This component of the development relied on clause 7.7 of the NLEP for its permissibility. It is advised that this clause was repealed on 12 October 2018. Consequently, shop top housing is the only form of residential accommodation permitted in the B3- Commercial Core Zone.*

*It is acknowledge that this change to the NLEP has no implications for the submitted modification and for the information of the Department.*

## Response

As stated by City of Newcastle in their correspondence, the repeal of Clause 7.7 has no impact on this submitted modification.

## 2 Office of Environment and Heritage

The OEH have detailed in their submission that in relation to Aboriginal cultural heritage and flooding, OEH are satisfied and no further assessment is required. The OEH previously provided an exemption to the Framework for Biodiversity Assessment and was satisfied that no further biodiversity assessment was required. This exemption is still relevant and therefore no further information is provided or required.

## 3 Environment Protection Authority

The EPA have noted in their submission that the proposed development does not involve an activity that is listed in Schedule 1 of the POEO Act and therefore has no objection to the development.

## 4 Conclusion

KDC trusts that this response to the submissions suitably addresses the concerns outlined by the Department's request for further information. If you have any questions regarding this letter please do not hesitate to contact Samuel Newman on (02) 4940 0442.

Yours sincerely,



Samuel Newman  
**Senior Town Planner**  
**KDC Pty Ltd**