



Our ref: 20019

04 May 2020

Department of Planning, Industry and Environment
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Attention: Tim Green

Dear Tim,

**RE: Response to Draft Conditions – 21 Honeysuckle Drive, Newcastle NSW 2300, SSD 8019
MOD 3**

This letter is in response to the Request for Comment on Draft Conditions provided by the NSW Department of Planning, Industry and Environment (DPIE) dated 23 April 2020, in respect to SSD 8019 MOD 3 for 21 Honeysuckle Drive, Newcastle. The matters raised are addressed below.

All conditions are generally supported with minor amendments to bicycle parking proposed. It is disappointing the current situation we find ourselves in given the early engagement and consistent communication throughout this process. KDC would have liked to have raised more concerns with the draft conditions but at this point do not have the time to do so, given the constraints on timing to receive the Occupation Certificate for the development.

1 GROSS FLOOR AREA AND FLOOR SPACE RATIO

As per the Department's further request dated 29 April 2020, a new basement and ground floor plan has been prepared and attached to this submission. The architectural plans are accompanied by a GFA analysis outlining the proposed GFA and FSR for the site. The table below outlines the proposed GFA and FSR.

Location	Permissible FSR	Permissible GFA	Proposed GFA	Proposed FSR	% non-compliance
Northern Frontage	2:1 (2,774.75m ² site area)	5,604m ²	4,855.96	1.75:1	Compliant (non-variation)
Southern Frontage	2.5:1 (4,517.65m ²)	11,180m ²	12,580m ²	2.78:1	Non-compliant (12.58% variation)
Overall (as an average across the site)	2.3:1 (7,292.4m ²)	16,820m ²	17,435.96	2.39:1	Non-compliant (3.66% variation)

As demonstrated above, the variation to FSR is overall minor and is less than 5%. The proposed modification application does not change the external appearance of the building. Despite the non-compliance with FSR control, the proposal does not alter the existing bulk and scale of the development; due to the additional gross floor area being located within the basement.

2 CAR PARKING CONDITIONS

It is recognised that the DPIE are not supportive of the increase in parking due to the percentage increase in FSR associated with parking and your opinion that the modification is not 'substantially the same' development. The below outlines the applicants proposed amendments to accommodate compliance with the Newcastle DCP 2012 in respect to bicycle parking.

Proposed A3A Condition by the DPIE:

a) 169 residential car parking spaces

b) 31 residential visitor car parking spaces

c) 5 commercial car parking spaces

d) 212 bicycle parking spaces in the basement and ground level and 10 bicycle parking spaces in the public domain. No bicycle spaces are permitted to be located in the through-site link.

A3A The development is limited to the following:

Updated plans reflecting the above requirements and revised FSR calculations shall be submitted to and approved by the Planning Secretary prior to the issue of the relevant Construction Certificate. Note refer to Conditions B16 and B17.

Proposed A3A Condition by the Applicant:

a) 169 residential car parking spaces

b) 31 residential visitor car parking spaces

c) 5 commercial car parking spaces

d) ~~212~~ 148 bicycle parking spaces in the basement and ground level and 10 bicycle parking spaces in the public domain. No bicycle spaces are permitted to be located in the through-site link.

A3A The development is limited to the following:

Updated plans reflecting the above requirements and revised FSR calculations shall be submitted to and approved by the Planning Secretary prior to the issue of the relevant Construction Certificate. Note refer to Conditions B16 and B17.

Comment:

Proposed bicycle parking is compliant with the Newcastle DCP 2012, 148 secure lockable cages are provided for each apartment, sixteen (16) external class 3 bicycle spaces are provided and three (3) internal class 2 bicycle spaces are provided.

The provision for an additional 68 lockable spaces across the ground floor and basement levels is over and above the Newcastle DCP 2012 and not deemed necessary. As outlined in Section 7 of the Traffic and Parking Report prepared by SLR, the MOD 3 proposed bicycle parking supply is considered reasonable as it is still in accordance with Newcastle DCP. The type and location of the remaining bicycle parking spaces are considered reasonable and should provide sufficiently visible and convenient parking opportunities for cyclists.

3 BICYCLE PARKING CONDITIONS

Proposed B17 Condition by the DPIE:

B17 The development shall provide bicycle parking in accordance with the following:

*a) 222 bicycle spaces, including 154 residential storage cages and 68 lockable spaces across the ground floor and basement levels. **10 commercial and visitor bicycle spaces are permitted in the public domain on ground level. No bicycle spaces are permitted to be located in the through-site link.***

b) The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that: (i) all bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers

(ii) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities

(iii) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Proposed B17 Condition by Applicant:

B17 The development shall provide bicycle parking in accordance with the following:

*a) ~~222~~ **158** bicycle spaces, including ~~154~~ **148** residential storage cages and ~~68~~ lockable spaces across the ground floor and basement levels. **10 commercial and visitor bicycle spaces are permitted in the public domain on ground level. No bicycle spaces are permitted to be located in the through-site link.***

b) The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that: (i) all bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers

(ii) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities

(iii) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Comment:

Proposed bicycle parking is compliant with the Newcastle DCP 2012, 148 secure lockable cages are provided for each apartment, sixteen (16) external class 3 bicycle spaces are provided and three (3) internal class 2 bicycle spaces are provided.

The provision for an additional 68 lockable spaces across the ground floor and basement levels is over and above the Newcastle DCP 2012 and not deemed necessary. As outlined in Section 7 of the Traffic and Parking Report prepared by SLR, the MOD 3 proposed bicycle parking supply is considered reasonable as it is still in accordance with Newcastle DCP. The type and location of the remaining bicycle parking spaces are considered reasonable and should provide sufficiently visible and convenient parking opportunities for cyclists.

We trust the above and appended information is sufficient to enable a timely favourable determination.

Yours sincerely



Patrick Quinlan
Senior Associate
KDC Pty Ltd

Appendix A – Revised Architectural Plans, SJB