

27 April 2018

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Diane Sarkies



KDC PTY LTD	ABN 61 148 085 492
PHONE	(02) 4940 0442
EMAIL	reception@kdc.com.au
WEBSITE	www.kdc.com.au
ADDRESS	Suite 2B, 125 Bull Street Newcastle West NSW 2302

RE: Response to Department of Planning and Environment Request for Response to Submissions (SSD 8440) at 42 Honeysuckle Drive, Newcastle 2300
REF: 17058

This letter has been prepared in response to the correspondence from the Department of Planning and Environment (the Department) dated 15 March 2018 requesting a response be provided to submissions received during the exhibition period of the Environmental Impact Statement (EIS) for State Significant Development application SSD 8440.

It has been requested that the submission provided by the Government Architect NSW and other submissions be addressed are part of this response. The response to the Government Architect can be found in Attachment A and the response to submissions can be found in Attachment B. A number of submissions were received from government departments, these have been combined into a single response and can be found in Attachment B (iv).

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

1 Built Form

Request

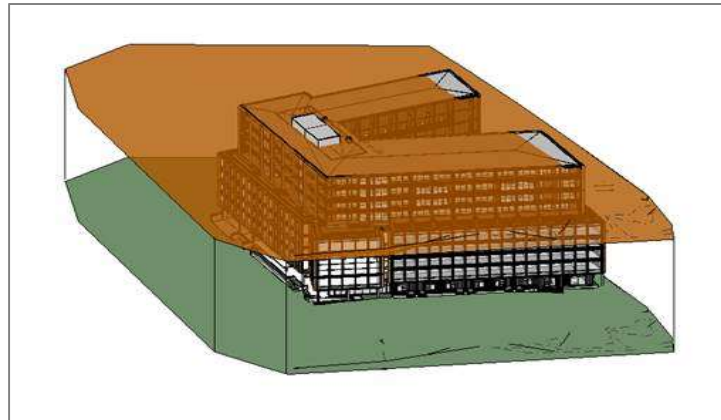
- *Provide further detail in plan and section form clearly identifying and quantifying the parts of the building which exceed the maximum height of 30 metres (m).*

Response

Attached in the architectural are a section referenced SK.010 which indicates the 30m height limit from ground level with portions that exceed the height limit in green. As can be seen the only portions of the building that exceed the 30m height limit are a small portion on the southern end of the towers, and the water tank located on the rooftop.

To further illustrate this Figure 1 shows a 3D model with a plane at 30m showing the portions of the building that exceed the 30m height limit. As can be seen the exceedance is very minor in nature. Further justification for the height exceedance can be found in the clause 4.6 that is also attached.

Figure 1 – Height Limit Exceedance



Request

- *Provide a written request to vary the maximum height standard under Clause 4.6 of the Newcastle Local Environment Plan 2012 (NLEP), noting that the proposal has not been reviewed by a design review panel established by the consent authority under Clause 7.5 of NLEP 2012.*

Response

A Clause 4.6 variation has been prepared addressing the maximum height provision of the Newcastle Local Environmental Plan 2012. This can be found in Attachment F. The portion of the building that exceed the maximum height consist of 2 small portions of the southern end of the towers and the water tank. The Clause 4.6 demonstrates that the exceedances are very minor in nature and will result in minimal impact on adjoining properties (see Attachment F).

Request

- *Provide revised overshadowing diagrams which clearly show a comparison between the proposed portions of the building which exceed the 30m height standard and a fully compliant building.*

Response

Revised overshadowing diagrams have been prepared and are provided within the architectural drawing set which can be found in Attachment C. Further demonstration of this is also shown in the report prepared by Batesmart in Attachment D. The shadow diagrams now show the minor impacts caused as a result of the building portions which exceed 30m in height in comparison to a building that is only 30m in height.

Request

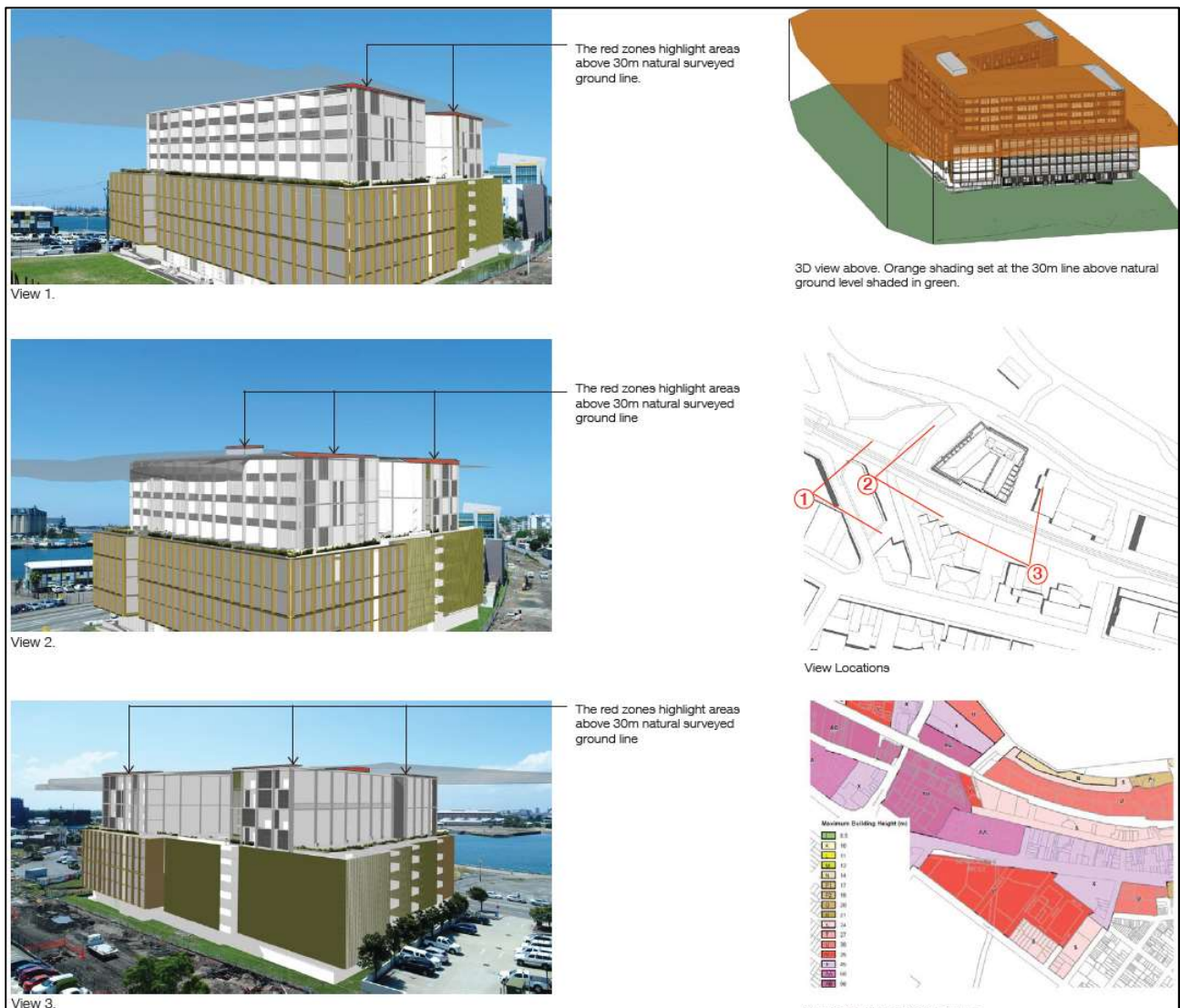
- *Provide an analysis of view impacts associated with the proposed variation to the 30m height standard on existing nearby residents, noting the concerns raised about view loss in public submissions.*

Response

Additional view analysis drawings have been prepared to demonstrate the minor impacts caused by the height variation. These have been prepared taking the individual submissions raised by the

public into consideration (see Figure 2). These can be found in Attachment D, within the Bates Smart report.

Figure 2 – View analysis indicating impact from adjoining properties.



2 Residential Amenity

Request

- Provide a table which addresses how the proposal addresses State Environmental Planning Policy 65 – Design Quality of Apartment Development (SEPP 65), including a clear description of how each principle is addressed by the proposal.

Response

The SEPP65 – Design Quality of Apartment Development document has been updated to include a column which includes a clear description of how each principle has been addressed by the proposal. The updated document can be found in Attachment D.

Request

- *Provide amended plans / additional information which confirms:*
 - *The area of communal open space provided, including whether residents are also given access to hotel facilities including the gym and library / lounge*
 - *The amount and duration of solar access to the communal open space in mid-winter*
 - *The location and total area of deep soil zones*
 - *The location and area of the storage cages for each dwelling type, including both internal and external storage space*
 - *That 20% of apartments will meet the Liveable Housing Guidelines, including plans showing pre and post adaptable layouts.*

Where the proposal departs from the recommendations of the Apartment Design Guide (ADG), please provide a discussion of options considered and justification for this aspect of the proposal.

Response

- As shown on the plans in Attachment C, the communal courtyard/open space will have an approximate area of 500m² which equates to 13% of the site area. The hotel facilities including the gym library and lounge will not be accessible for residents.
- Sufficient solar access is provided to the communal open space area during mid-winter. Diagrams demonstrating this can be found in section 3.2 of Attachment D.
- The total area of deep soil zones is 385m² which equates to 10.3% of the site. Refer to section 3.3 of Attachment D for the plan showing the areas of the deep soil zones.
- 20% of the apartments achieve Silver level design guidelines with the exception of core item 6. Further details and plans showing pre and post adaptable layouts can be found in section 2.5 of Attachment D.

Request

- *Provide further consideration of the following aspects of the proposal having regard to the recommendations in the ADG:*
 - *The separation distances between the buildings over the communal courtyard, including an assessment of visual and acoustic privacy requirements, and any required mitigation measures where proposed separation is less than recommended in the ADG*
 - *The habitable room depths for apartments type 2C which exceeds the ADG recommendation, including an assessment of environmental performance of the apartment given its dimensions and consideration of options available to maximise natural ventilation and daylight access*
 - *The usability of the principal private open space adjacent to living areas for apartment types 3D and 4A, including options for revised apartment layouts and/or dimensions of the open space, and indicative furniture layouts to demonstrate functionality of the private open space areas*
 - *The common circulation space and the number of apartment using a circulation core, including options for apartment reconfiguration or provision of multiple lift cores to reduce the number of apartments using a single circulation core.*

Response

- Separation distances between building over communal courtyard areas have been considered. This is further addressed in the SEPP 65 Table contained in Attachment D.
- Minor amendments to internal layouts of Apartment 2C have been made to provide greater room depths. Refer to further explanation in part 3.7 of Attachment D.
- The apartments on the west that open out into the communal courtyard are assumed to be units 3D and 4A. The private space off the bedrooms has now been omitted. These

apartments already have a terrace off the living room along the western elevation and these private gardens should provide more of a "communal" space and not be confused with the private garden.

- The common circulation space and core is situated off an open corridor with Level 05 opening out into the communal space. All two storey height apartments are located off separate corridors from the level above. i.e. units on the western end are accessed from Level 06 while units on the eastern end are accessed from level 05. This situation is also mimicked on Level 07 and 08.

3 Hotel Component

Request

- *Provide further details on access arrangements for servicing of the hotel component of the development, including clear and direct access to laundry and waste facilities on the ground floor.*

Response

Access arrangements have been revised on the ground floor relating to the hotel for servicing. Section 4.0 of Attachment D indicates that the access arrangements for the servicing of the hotel laundry is via the loading dock, while access for the waste facilities is via lifts H1 and H2. The waste is then taken down the corridor and directly through into the hotel waste store connected to the loading dock. The waste will then be collected by the relevant operator.

Request

- *Provide any further consideration of the proposed hotel drop-off area on Honeysuckle Drive, including any options to provide this facility on site. Any proposed or relocated drop off area must include details of operation and management of this area and measures to minimise off site impacts.*

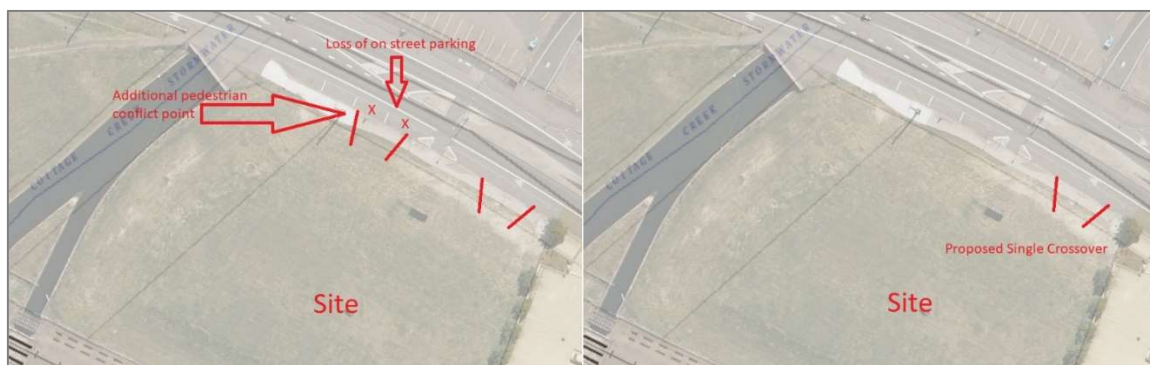
Response

Consideration was given at the time of concept design as to the location of any hotel drop-off/collection area. Options were explored for having the drop-off area on site compared to having it within the road reserve.

The design that involved the drop-off area on site required a second driveway crossover on to Honeysuckle Drive (see Figure 3). This concept was not further explored as the second crossover would create an unnecessary pedestrian conflict point. Currently there are only two carparking spaces located along the frontage of the site. By necessitating a second crossover these two spaces would consequently be removed. In light of the existing shortage of parking in the vicinity it was considered unacceptable to remove any street carparking spaces.

Having a drop-off area on the road means that on street parking, while it will only be short term, will remain. The intention of the drop-off area is purely for immediate drop off and collection of guests. There are other short term spaces provided on site for guests who drive to the hotel and then check in. These spaces are separate from the resident and public carpark.

Figure 3 – Drop-off area crossovers



4 Noise and Vibration

Request

- *Provide an assessment of noise impacts to residents and hotel guests from the light rail corridor on the southern boundary of the site, including any mitigation measures to ensure an acceptable level of amenity for residents and guests.*

Response

Further assessment has been undertaken based on the findings provided with the Transport for NSW "Newcastle Light Rail Review of Environmental Factors" document dated April 2016. The outcome of further assessment has necessitated an upgrade of the Southern façade glazing from Rw28 to Rw32.

Request

- *Provide an assessment of the noise and vibration impact of the proposed car park on adjoining land uses including residents and hotel rooms above the carpark, including any mitigation measures to ensure an acceptable level of amenity for residents and guests.*

Response

Assessment of noise and vibration impacts from the use of the carpark on adjoining land users is based on the Traffic Report prepared by Intersect Traffic. Vibration impacts to adjacent sites are predicted to be minimal. Recommendations have been made to mitigate structure borne vibration within the building itself from use of the carpark. External noise emissions to the nearest residential and commercial receivers external to the site are predicted to be acoustically acceptable without additional treatment. External noise emissions from use of the carpark to residential receivers above and hotel rooms are predicted to be acoustically acceptable without additional treatment.

Request

- *Further consideration should be given to mitigation measures / acoustic treatments proposed regarding noise transfer between both residential and hotel floors.*

Response

In respect of the acoustic separation of the apartments and the hotel suites, the particular internal acoustic design will be undertaken during the detailed design stage, to ensure compliance with the National Construction Code of Australia 2016 (and client specific requirements where over and above the requirements of Newcastle City Council). The National Construction Code of Australia 2016 requirements have been presented in the acoustic report, revision 3, including reference to the later design stage when the particulars associated with construction will be determined.

Further to the three points raised under Noise and Vibration, an updated Acoustic Assessment Report has been prepared by Renzo Tonin & Associates which addresses the above points. This updated report can be found in Attachment G.

5 Other

Request

- *Further detail should be provided to address the objects of section 1.3 of the Environmental Planning and Assessment Act 1979.*

Response

Below are the criteria set out in section 1.3 of the Environmental Planning and Assessment Act 1979. A responses are also provided.

The objects of this Act are as follows:

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,

The proposed development will have a positive impact within the community as it will provide additional, well-designed housing opportunities within the Newcastle City Centre locality. The development will contribute to the housing stock within the Newcastle City Centre which aims to ease supply of residential accommodation within the city.

Little National is the intened operator of the proposed hotel component of the development. Little National is part of the DOMA Hotels, which is owned by the DOMA Group, who are the developer of the site. With substantial experience in the operation and management of hotels the DOMA group are able to identify the employment numbers the Hotel is likely to generate. The hotel is estimated to generate 50 employment opportunities.

As with all of DOMA's developments, they are partnered with BLOC who manage the construction component of their developments. BLOC have substantial experience in the construction of large scale multi-use developments in the Lower Hhunter with a number of recent developments specifically at Honeysuckle. BLOC have advised that the number of employment opportunites a construction of this type would generate is 600.

The employment opportunities created by the construction phase and through the operation of the hotel component will provide jobs within the Newcastle City Centre benefiting the broader Hunter region.

(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,

The proposal is consistent with the objectives of Ecologically Sustainable Development (ESD) as demonstrated within the ESD Statement.

Features and elements which enhance sustainability principles such as passive solar design and natural ventilation have been incorporated into the design of the proposed building providing enhanced amenity for residents, patrons, and staff.

The proposal will provide enhanced social and economic outcomes along the Honeysuckle Drive corridor, Newcastle City, and the broader Lower Hunter Region by providing opportunities for employment, improved housing stock, and appropriate development for this prime coastal location.

(c) to promote the orderly and economic use and development of land,

At present the site is undeveloped land which has been previously cleared and covered with low maintained grass. Surrounding development includes a three-storey commercial building adjoining the site to the east along with other high density residential and commercial development along Honeysuckle Drive. The proposed development represents a similar use to adjoining developments and is consistent with the desired future vision for the Honeysuckle Drive area. By providing a mix of a hotel operation and residential development alongside commercial and residential development in the surrounding areas the proposal will enhance the economic success of the Newcastle City Centre.

(d) to promote the delivery and maintenance of affordable housing,

The proposed development aims to enhance the housing stock of the Newcastle area by providing a range of dwelling types to suit a broad range of people within a high density development.

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,

As the site is currently cleared, undeveloped land within the Newcastle City Centre, there is no expected impacts upon threatened or other native species of flora, fauna, or ecological communities or their habitats.

(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),

The proposed development aims to minimise any impact on the cultural heritage of Newcastle City. The development has been designed to maintain views to important Newcastle landmarks whilst contributing to the vibrant culture of the city and interest in the cultural heritage of Newcastle whether for European or Aboriginal heritage.

(g) to promote good design and amenity of the built environment,

Design elements which enhance the amenity of residents, patrons, and staff have been incorporated into the design of the development consistent with the objectives of ESD.

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

A preliminary Construction Management Plan (CMP) has been prepared and provided within the application package. The CMP sets out the preliminary parameters for the management of the construction site, including traffic, noise and vibration, waste, dust, soil and water and the overall impact to adjacent sites. A formal CMP will be prepared for the construction phase of the development.

A Sediment and Erosion Control Plan has been prepared for the proposal. During construction, the general principles for management of soil and water are to eliminate, isolate, minimise or control erosion; and therefore the potential for sediment deposition to have an effect on downstream environments. The general principles for dust management during construction at the site are avoid, minimize and control.

Work shall be carried out to further assess waste classification all fill materials proposed to be removed from the site and to assess the extent of asbestos impact within fill materials across the site and implications on the waste classification and workplace health and safety implications for the development.

(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

Throughout the process of this development relevant government agencies have had the opportunity for input guiding the design and outcomes of the proposed building. It is considered that the consultation process has resulted in an improved development and the input of various levels of government has been invaluable.

(j) to provide increased opportunity for community participation in environmental planning and assessment.

The community has had the opportunity to provide input on the proposed development throughout the design and through the application process. Input from the community has been considered and implemented into the design of the development where practical.

Request

- *Provide a valid BASIX certificate for the proposal.*

Response

A valid BASIX certificate has been prepared using the latest architectural drawings. The BASIX Certificate can be found in Attachment E.

Request

- *Provide details of any information sessions held during exhibition, including any issues raised by the community or interested stakeholders and how many issues have been addressed.*

Response

It is noted that the SEARs did not make a specific request for there to be information sessions held during the public exhibition stage of the SSD application. Notwithstanding this, while no specific information sessions were presented, there was substantial information provided within the local media relating to the proposal. These media articles increased the public awareness of this proposal and enhanced the opportunity for the public to provide comments.

Below is a list of articles in chronological order that demonstrates that the development was exhibited beyond the standard EIS exhibition period. Comments provided were taken on board during the design stage and implemented in the final proposal. These articles are also attached in Attachment H.

April 2017 <http://www.theherald.com.au/story/4569808/honeysuckle-focus-shifts-to-cottage-creek/>

April 2017 <http://www.theherald.com.au/story/4566982/checking-in-plans-unveiled-for-45m-city-hotel/>

November 2017 <http://www.theherald.com.au/story/5086717/new-hotel-would-be-an-exciting-step-forward-for-booming-city/>

Request

- *Provide a Biodiversity Assessment Report under the NSW Biodiversity Offsets Policy for Major Projects, or an approved exemption from OEI.*

Response

A request for an exemption from the NSW Biodiversity Offsets Policy for Major Projects has been provided to the Office of Environment and Heritage (OEH). A copy of the confirmation of the exemption from OEH can be found in Attachment B.

In addition to the above requestes made by the Deparment of Planning and Environment, amended civil drawings and an amended traffic report have been provided. These have been attached and can be found in Attachment I and Attachment J respectively.

6 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
Town Planner
KDC Pty Ltd

Attachment A – Response to Government Architect NSW

Attachment B – Response to submissions

- i. Response to Newcastle City Council Submission*
- ii. Response to Office of Environemnt and Heritage Submission*
- iii. Response to Individual Resident Submissions*
- iv. Response to Other Submissions*

Attachment C – Revised Architecturals.

Attachment D – Batesmart Report and SEPP 65 Apartment Design Guidelines Table

Attachment E – Revised BASIX Certificate

Attachment F – Clause 4.6 Variation

Attachment G – Revised Acoustic Assessment Report

Attachment H – Media Articles

Attachment I – Amended Civil Drawings

Attachment J – Amended Traffic Report