

Request for Secretary's Environmental Assessment Requirements

Construction of a Nine-storey Mixed Use Development

35 Honeysuckle Drive
NEWCASTLE NSW 2300

Prepared by KDC Pty Ltd | December 2017



This page has been left blank intentionally

Statement of Environmental Effects

Final

Report Job No. 17240 | Prepared by KDC Pty Ltd | December 2017

Prepared by Samuel Newman

Reviewed by Steve O'Connor

Title Town Planner, KDC Pty Ltd

Title Partner, KDC Pty Ltd

Signature



Signature



Date December 2017

Date December 2017

This Report has been prepared in accordance with the brief provided by our client and has relied upon the information collected at or under the times and conditions specified in the Report. All findings, conclusions or recommendations contained within the Report are based only on the aforementioned circumstances. Furthermore, the Report is for the use of the Client only and no responsibility will be taken for its use by other parties.



KDC Pty Ltd • ABN 61 148 085 492 • www.kdc.com.au
Suite 2B, 125 Bull Street
Newcastle West, NSW, 2302

This page has been left blank intentionally

Contents

1	Introduction	1
1.1	Purpose	1
1.2	Background	1
2	Project Description	3
2.1	Site Description and Surrounding Development	3
2.2	Description of Proposed Development	5
3	Planning Framework	7
3.1	State Environmental Planning Policy (State and Regional Development) 2011	7
3.2	State Environmental Planning Policy No 55 – Remediation of Land	8
3.3	State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development	8
3.4	Newcastle Local Environmental Plan 2012	9
3.4.1	Permissibility	9
3.4.2	Principle Development Standards	10
3.5	Newcastle Development Control Plan 2012	12
3.6	NSW Making It Happen	13
3.7	Hunter Regional Plan 2036	14
3.8	Greater Newcastle Metropolitan Plan 2036 (Draft)	14
3.9	Newcastle Urban Renewal Strategy 2014	14
4	Preliminary Assessment of Planning Issues	15
4.1	Construction Management	15
4.1.1	Contamination	15
4.2	Built Form and Residential Amenity	15
4.3	Traffic, Parking and Access	15
4.4	Ecologically Sustainable Development	15
4.5	Flood Management	15
4.6	Mine Subsidence	16
4.7	Heritage Impacts	16
4.8	Social and Economic Impact	16
4.9	Services and Waste Management	16
5	Conclusion	17
5.1	Contacts for KDC	17

Figures

Figure 1 – HDC Precinct Areas (Source: ABC News, 2016)	3
Figure 2 – Approximate Location Plan (Source: Dept Planning SIX Maps)	4
Figure 3 - Aerial view of the site and immediate locality (Source: Dept. Planning SIX Maps)	4
Figure 4 – Concept Design	5
Figure 5 – State Significant Site Map, SEPP (State and Regional Development) 2011 (SSDS_001)	8
Figure 6 – Land Zoning Map Extract LEP 2012 (Map LZN_004G)	9
Figure 7 – Building Heights Map Extract from LEP 2012 (HOB_004G)	11
Figure 8 – Floor Space Ratio Extract from LEP 2012 (FSR_004G)	12

Tables

Table 1 - Overview of Development Specifics	6
Table 2 - Contact Particulars	17

Appendices

Appendix A – Concept Plan (Purchaser’s Proposal)	19
--	----

1 Introduction

1.1 Purpose

KDC Pty Ltd (KDC) has been commissioned to prepare an Environmental Impact Statement (EIS) and associated State Significant Development Application documentation in support of a nine-storey, mixed-use development located at 35 Honeysuckle Drive, Newcastle NSW 2300, hereafter referred to as the site (see Figure 2).

State Environmental Planning Policy (State and Regional Development) 2011 states that development within the Honeysuckle area with a capital investment value of more than \$10 million is identified as State Significant Development (SSD). It is anticipated that the proposed development will have a capital investment value in excess of \$10 million and is therefore classified as SSD.

The purpose of this submission is to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an EIS for the proposed development. To support the request for the SEARs this submission provides an overview of the proposed development, sets out the statutory context, and identifies the key environmental and planning issues associated with the proposal.

1.2 Background

The site was released to the market by the Hunter Development Corporation (HDC) as part of an ongoing campaign to promote future development as part of the Honeysuckle Redevelopment Project in Newcastle, NSW. Doma Group has entered into a contract for the purchase of the land, after being selected as the preferred candidate for the development of the site by HDC.

KDC is not aware of any previous development consent being granted for the site by Newcastle City Council or any other consent authority.

This page has been left blank intentionally

2 Project Description

2.1 Site Description and Surrounding Development

The site is known as 35 Honeysuckle Drive, situated within the Local Government Area (LGA) of Newcastle. The site comprises one title, being legally described as part PT2000 of DP1145678. The site is an elongated rectangular configuration with a frontage to Honeysuckle Drive of approximately 50 metres and a gross site area of approximately 5,250m².

The character of the immediate locality is mixed, and includes residential and commercial buildings. It is noted that the site has been identified within HDC's Cottage Creek Precinct. The Cottage Creek Precinct is identified by HDC as the commercial hub of Honeysuckle.

Figure 1 – HDC Precinct Areas (Source: ABC News, 2016)



The west of the site adjoins the existing Hansen Yuncken site (see Figure 2). North of the site is public open space forming the Honeysuckle foreshore and includes a shared pedestrian and cycleway adjoining the Hunter River foreshore. To the immediate east of the site is a carpark which has recently been approved for multi storey mixed use development. South of the site are multi storey commercial offices. These adjoining land uses are evident on the aerial photograph in Figure 3.

Figure 2 – Approximate Location Plan (Source: Dept Planning SIX Maps)

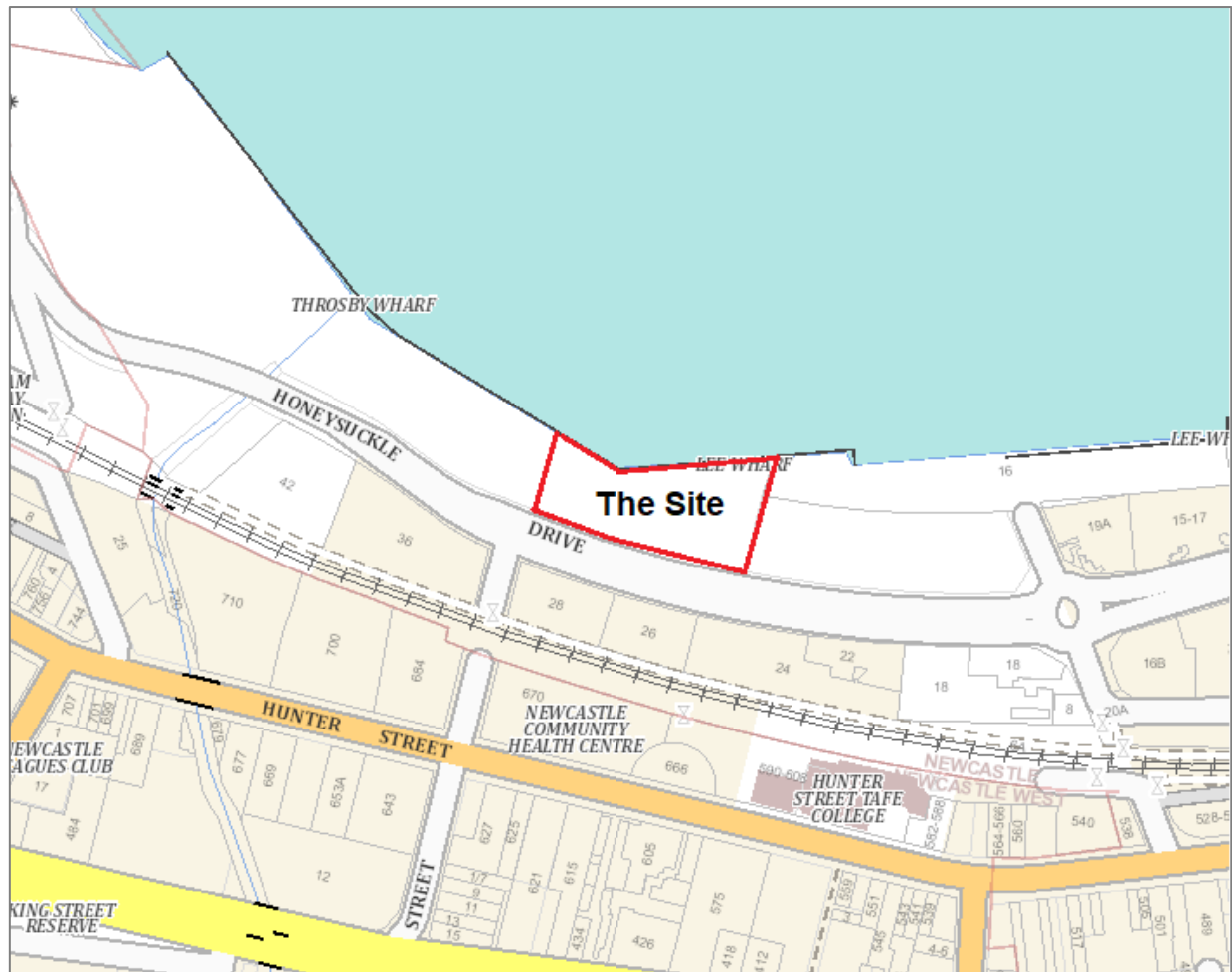


Figure 3 - Aerial view of the site and immediate locality (Source: Dept. Planning SIX Maps)



2.2 Description of Proposed Development

The proposed SSD application will seek consent for the redevelopment of the site for a mixed-use development involving ground floor commercial premises with residential apartments above; with associated on site basement car parking.

Specifically, the proposal includes the following:

- Construction of two (2) nine (9) storey mixed use buildings consisting of commercial/retail uses, residential apartments and carparking. The proposal will comprise the following:
 - One basement level of parking, providing approximately 157 car park spaces. Vehicular access to the site is via Honeysuckle Drive;
 - Ground level retail pavilion comprising seven (7) commercial/retail spaces (1551m² in total);
 - 91 apartments, consisting of 17 one-bedroom, 41 two-bedroom and 33 three-bedroom units; and
 - Associated landscaping design.

A concept design of the proposed development has been provided in Figure 4.

The design and architectural treatment of the building has had due regard to the site's prominent location within the Honeysuckle Precinct and its proximity to the Hunter River foreshore. The façade treatment proposed provides high amenity for future occupants of the building and proposes a high quality visual presentation.

The proposal has been designed to provide a high level of activation to the Honeysuckle Drive and foreshore frontage through the provision of commercial/retail uses, a retail pavilion and public open space. Generous landscaping for the site is proposed, including a partial green roof. Further to this, works to upgrade the site with public domain with timber decking, seating and ample deep soil landscaping are proposed. This open space area fronting the waterfront will be for the use of the public and residents of the site. As illustrated within the Concept Plan provided at Appendix A, the apartments are provided with private open space in the form of balconies.

Figure 4 – Concept Design



Table 1 - Overview of Development Specifics

Development Specifics	Proposal
Site Area	5,250m ²
Gross Floor Area	Allowable: 11, 550m ² Total proposed: 11,400m ² = Overall FSR: 2.17:1
Building Layout	Basement Level: Carpark Ground floor: Commercial premises and retail pavilion Levels 1 – 7: Residential Apartments = Total building height of 9 storeys (approx. 25.4m)
Apartment Mix	17 x one (1) bedroom apartments 41 x two (2) bed apartments 33 x three (3) bed apartments = 91 apartments total
Parking Provision	157 car spaces total

3 Planning Framework

The following discussion provides an initial review of the proposed development against relevant planning requirements. No Commonwealth environmental legislation is triggered by the proposed development. Therefore, this assessment identifies state and local planning requirements.

The relevant statutory controls applicable to the site and proposed development include:

- State Environmental Planning Policy No 55 – Remediation of Land;
- State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development;
- State Environmental Planning Policy 71 – Coastal Protection;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (State and Regional Development) 2011;
- Environmental Planning and Assessment Act 1979;
- Newcastle Local Environmental Plan 2012;
- Newcastle Development Control Plan 2012;
- NSW Making It Happen;
- Hunter Regional Plan 2036;
- Draft Greater Newcastle Metropolitan Plan 2036; and
- Newcastle Urban Renewal Strategy 2014.

3.1 State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 identifies development that is State significant, whether by development type or by nominated site.

Clause 8 Declaration of State significant development: section 89C

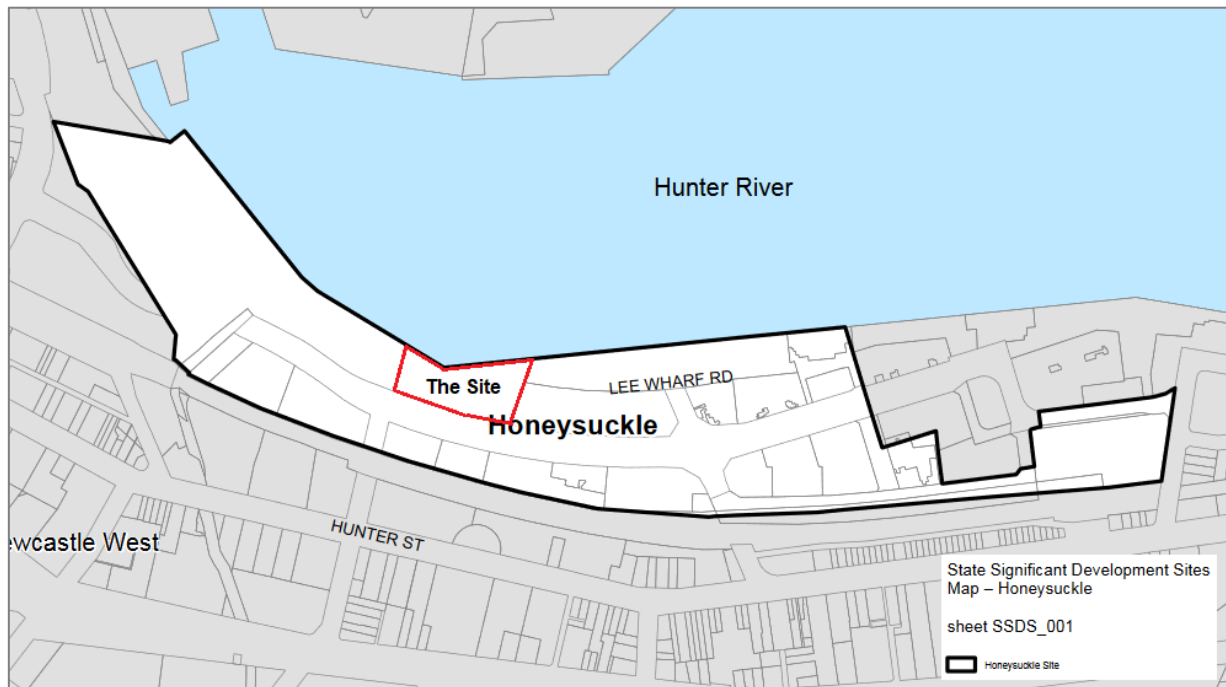
- (1) Development is declared to be State significant development for the purposes of the Act if:*
- (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and*
 - (b) the development is specified in Schedule 1 or 2.*

The site is declared to be a State significant development site for the purposes of the Act, as it is identified within the Honeysuckle site within Schedule 2 of this SEPP (see Figure 5). Development within the Honeysuckle site with a capital investment value in excess of \$10 Million is declared to be State significant development.

Clause 11 Exclusion of application of development control plans

- Development control plans (whether made before or after the commencement of this Policy) do not apply to:*
- (a) State significant development, or*
 - (b) development for which a relevant council is the consent authority under section 89D (2) of the Act.*

Figure 5 – State Significant Site Map, SEPP (State and Regional Development) 2011 (SSDS_001)



3.2 State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy (SEPP) No 55 – Remediation of Land contains guidelines and prescriptive measures with regard to site contamination and remediation requirements for all land based development across NSW. A Site Audit Statement will be prepared for the site, with detailed investigations to be included in the submission accompanying the Environmental Impact Statement (EIS).

3.3 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

This Policy applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component if the development consists of any of the following:

- (i) *the erection of a new building,*
- (ii) *the substantial redevelopment or the substantial refurbishment of an existing building,*
- (iii) *the conversion of an existing building, and*
- (b) *the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and*
- (c) *the building concerned contains at least 4 or more dwellings.*

The proposed development involves the erection of a new building that exceeds three storeys and contains more than four dwellings. SEPP 65 is therefore applicable to the residential component of the proposal.

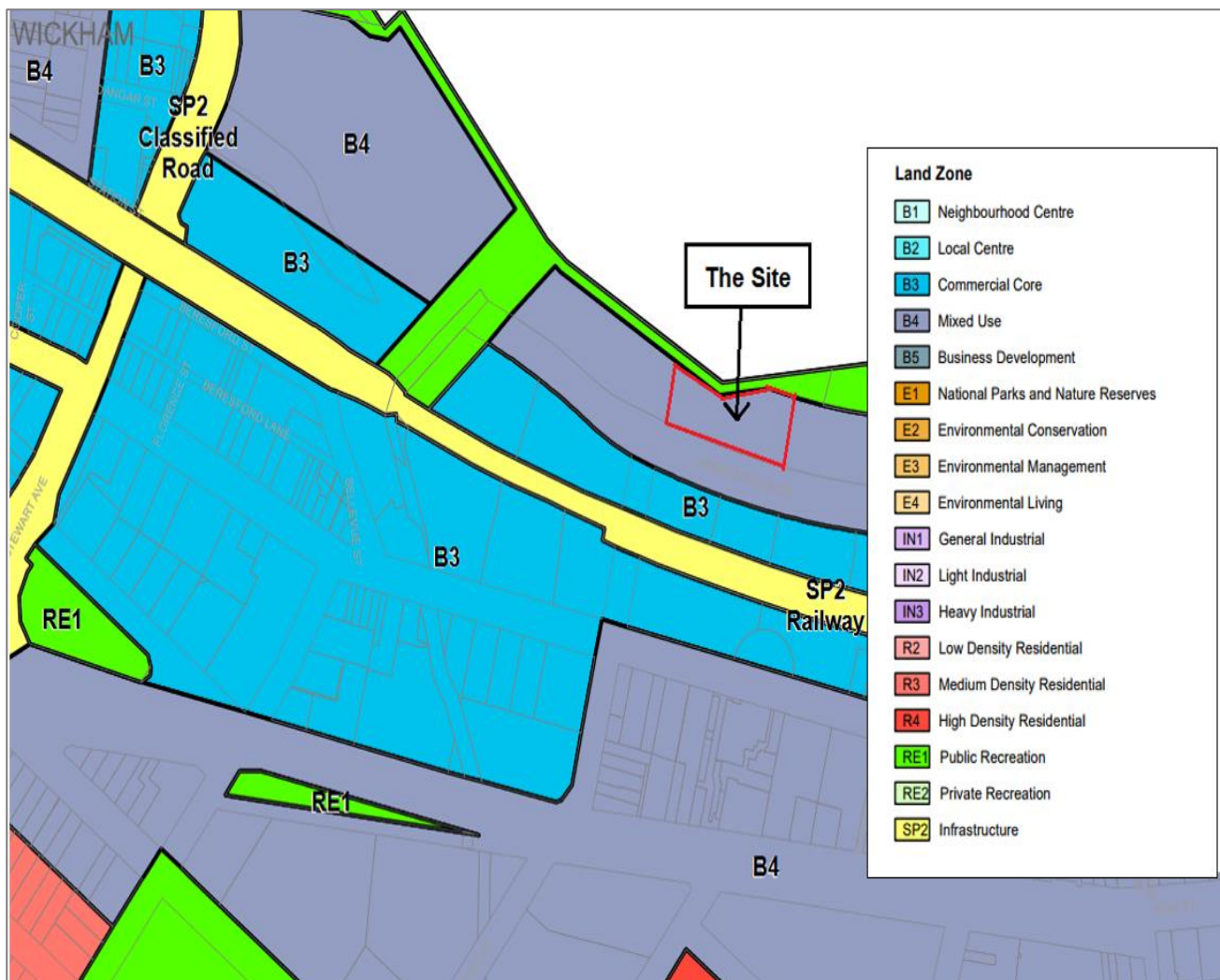
The Concept Plan (refer to Appendix A) has considered SEPP 65 Design Principles in its design and a full assessment pursuant to SEPP 65 will be provided in the EIS noting that the proposal is capable of meeting the objectives of the Apartment Design Guide (ADG).

3.4 Newcastle Local Environmental Plan 2012

3.4.1 Permissibility

Newcastle LEP 2012 is the principal planning instrument applicable to the site. The zoning of the site under LEP 2012 is B4 Mixed Use Zone, as illustrated in Figure 6.

Figure 6 – Land Zoning Map Extract LEP 2012 (Map LZN_004G)



The objectives of the B4 zone and the land use table are as follows:

1 Objectives of zone

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.*

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

*Boarding houses; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; **Shop top housing**; **Any other development not specified in item 2 or 4***

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Farm buildings; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; High technology industries; Open cut mining; Resource recovery facilities; Rural industries; Secondary dwellings; Semi-detached dwellings; Sewage treatment plants; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recycling facilities; Water supply systems

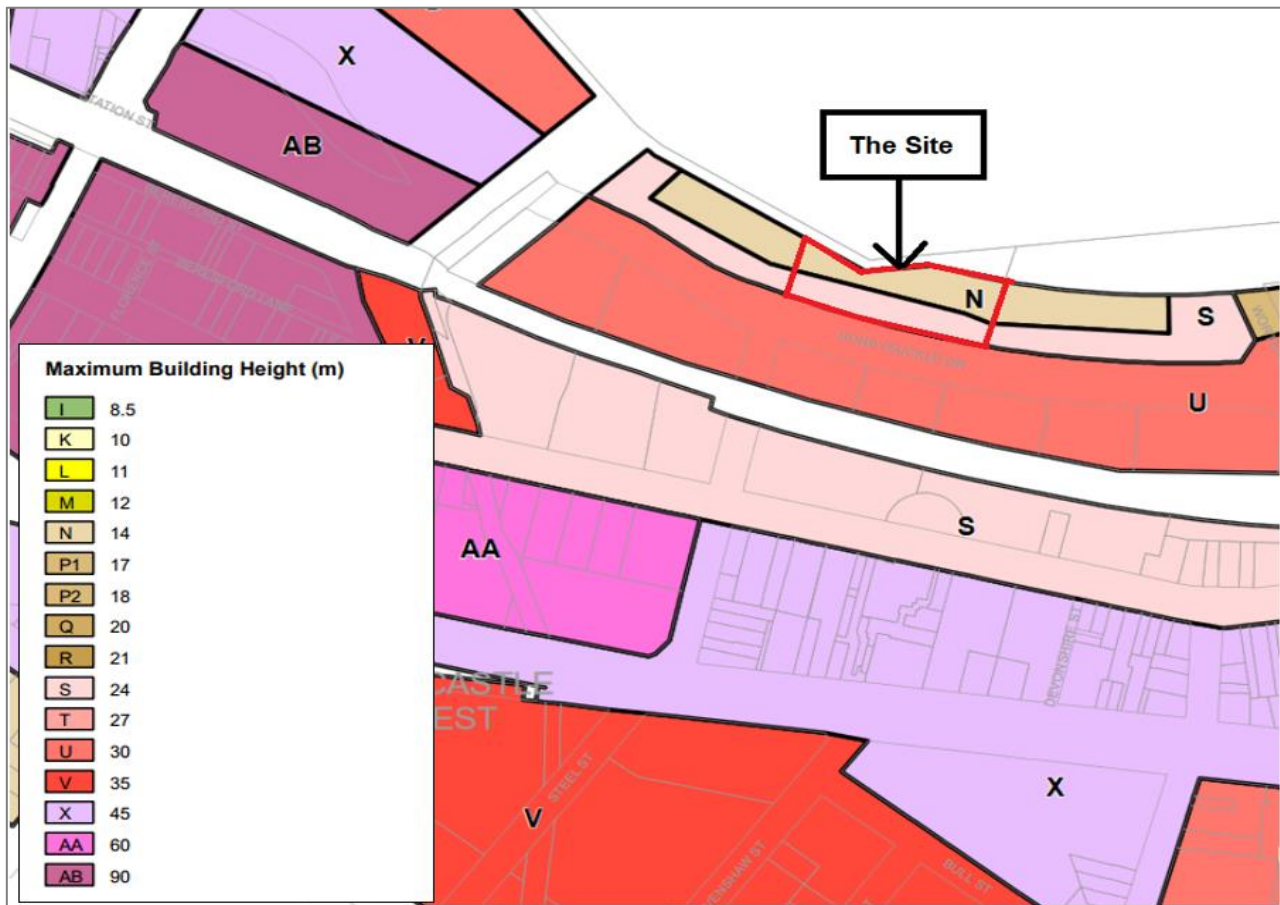
The proposed development is classified as commercial premises and shop top housing and is therefore permitted with consent. The proposal is considered to be consistent with objectives of the B4 Mixed Use Zone as it will facilitate the development of a mixture of residential and commercial uses in accessible location so to maximise public transport patronage and encourage walking and cycling within the area.

3.4.2 Principle Development Standards

Height of Buildings

The Newcastle LEP establishes two (2) height controls for the site, with a maximum height of 14m applicable to the northern portion of the site and a maximum height of 24m applicable to the southern portion of the site (refer to Figure 7). The proposed development consists of a maximum height of 25.4 metres and therefore does not strictly comply with the height controls of the site. Further detail and assessment will be provided in the EIS.

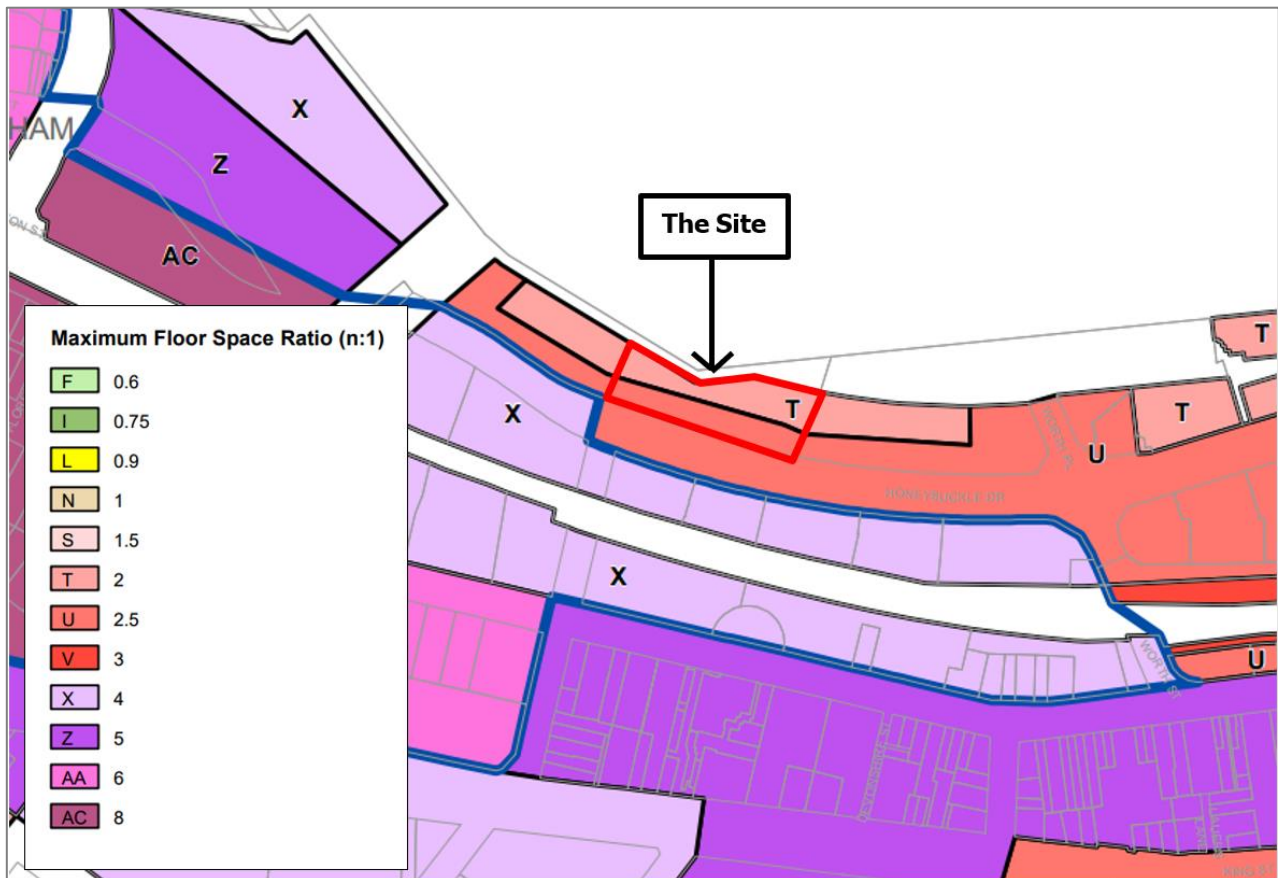
Figure 7 – Building Heights Map Extract from LEP 2012 (HOB_004G)



Floor Space Ratio

The Newcastle LEP establishes two (2) FSR controls for the site, with a maximum FSR of 2:1 applicable to the northern portion of the site and a maximum FSR of 2.5:1 applicable to the southern portion of the site (refer to Figure 8). Combined, this allows a total Gross Floor Area (GFA) of 11, 550m². The development has been designed so as to comply with the FSR requirements across the site, with a GFA of approximately 11, 400m² and an overall FSR of 2.17:1.

Figure 8 – Floor Space Ratio Extract from LEP 2012 (FSR_004G)



3.5 Newcastle Development Control Plan 2012

Relevant provisions of the DCP will be considered as a guide when preparing the EIS. It is noted that the following section of the DCP would be applicable to the proposed development if it were not SSD (notwithstanding that DCP controls do not apply to SSD these matters will be addressed within the EIS).

- Section 3.05 Residential Flat Buildings
- Section 3.09 Tourist and Visitor Accommodation
- Section 3.10 Commercial Uses
- Section 4.01 Flood Management
- Section 4.03 Mine Subsidence
- Section 4.04 Safety and Security
- Section 4.05 Social Impact
- Section 5.01 Soil Management
- Section 5.02 Land Contamination
- Section 5.04 Aboriginal Heritage
- Section 5.05 Heritage Items
- Section 5.06 Archaeological Management
- Section 5.07 Heritage Conservation
- Section 6.01 Newcastle City Centre
- Section 7.01 Building Design Criteria
- Section 7.02 Landscape, Open Space and Visual Amenity
- Section 7.03 Traffic, Parking and Access
- Section 7.04 Movement Networks
- Section 7.05 Energy Efficiency
- Section 7.06 Stormwater

- Section 7.07 Water Efficiency
- Section 7.08 Waste Management
- Section 7.09 Street Awnings and Balconies

It is noted that in addressing some of the above sections of the Newcastle DCP that several technical manuals may also need to be referenced as part of the assessment.

3.6 NSW Making It Happen

NSW: Making it Happen was released by the Premier for NSW on 14 September 2015 and replaces the State's previous 10-year plan NSW 2021. *NSW: Making it Happen* outlines 30 key reforms for the State, including personal priorities for the Premier.

The State Priorities include:

• Making it easier to start a business	• Encouraging business investment
• Boosting apprenticeships	• Accelerating major project assessment
• Increasing housing supply	• Protecting our credit rating
• Delivering strong budgets	• Improving Aboriginal education outcomes
• Transitioning to the National Disability Insurance Scheme	• Better government digital services
• Cutting waiting times for planned surgeries	• Increasing cultural participation
• Ensure on-time running for public transport	• Creating sustainable social housing
• Improving road travel reliability	• Reducing violent crime
• Reducing adult re-offending	• Reducing road fatalities

The proposal aligns with these priorities, in particular through:

- Increased housing supply, with 91 apartments proposed;
- Commercial space provided, bringing business opportunity and employment;
- Sustainable building design for optimum environmental performance; and
- Safe building design that relates to and connects with the surrounding public domain.

3.7 Hunter Regional Plan 2036

The Hunter Regional Plan 2036 was released by the NSW Government in October 2016. The Plan contains an overarching vision for the Hunter Region, sets priorities and provides a direction for regional planning decisions.

Vision

"The leading regional economy in Australia with a vibrant new metropolitan city at its heart"

The Plan focuses on new housing and jobs and targets growth in strategic centres and renewal corridors close to transport to deliver social and economic benefits. The proposal supports the direction of the Hunter Regional Plan by providing opportunities for the growth of the area through commercial tenancies as well as providing for permanent accommodation for the increasing population of the area.

3.8 Greater Newcastle Metropolitan Plan 2036 (Draft)

The draft Greater Newcastle Metropolitan Plan 2036 has been released by the NSW Government and is on exhibition until February 2018. The Plan proposes a collaborative framework for a significant part of the Hunter Regional Plan 2036 by setting out the outcomes and strategies for Newcastle to be an integrated metropolitan city. The draft Plan identifies the following outcomes for the vision of Greater Newcastle:

- Create a workforce skilled and ready for the new economy;
- Enhance environment, amenity and resilience for quality of life;
- Deliver housing close to jobs and services; and
- Improve connections to jobs, services and recreation

The proposed apartments afford a mix of apartment types and sizes which will provide a range of housing options in the Honeysuckle Precinct. Further to this, the activation of the public domain between Honeysuckle Drive and the waterfront will enhance the amenity of the area.

3.9 Newcastle Urban Renewal Strategy 2014

The Newcastle Urban Renewal Strategy 2014 sets out the vision for the renewal of Newcastle City Centre. The Strategy seeks to strengthen the role of Newcastle City Centre, ensure it is a destination for businesses, residents and visitors and to encourage suitable employment opportunities. The Strategy aims to secure growth in the Honeysuckle precinct through the redevelopment of large consolidated lots, increased and improved public domain and the expansion of the City Centre.

The proposal supports the aims of the Strategy through the redevelopment of the Honeysuckle Precinct for mixed use purposes. Further, the development of the site will enhance one of the critical linkages between Hunter Street and the waterfront.

4 Preliminary Assessment of Planning Issues

This assessment has been prepared to assist in the preparation of the Secretary's Environmental Assessment Requirements to guide the preparation of the EIS for the proposed development.

4.1 Construction Management

Impacts associated with the construction of the proposal will be addressed within a Construction Management Plan that will be prepared for lodgement with the application. It will address how the construction of the proposed development will be carried out with impact upon the locality.

4.1.1 Contamination

The site of the proposal was previously used for road, rail and port related activities. Full assessment and consideration of the contamination of the site will be addressed within the EIS.

4.2 Built Form and Residential Amenity

The impact of the design of the building will be addressed in the EIS with regard to streetscape, heritage, context and visual impact. The EIS will demonstrate the proposal's achievement of residential amenity and consideration of the proposal against the relevant provisions of SEPP 65 and the Apartment Design Guide. The proposed built form has been architecturally designed to enable visual and physical connection from Honeysuckle Drive to the waterfront.

Local safety is a consideration for the redevelopment of the site. The proposed use will further enhance local safety through passive surveillance and increased activity alongside appropriate security systems. A Crime Prevention Through Environmental Design (CPTED) report will be incorporated into the EIS.

The development of the site from vacant land to a nine (9) storey development will result in some disruption of views from the mixed-use developments located to the south of the site. In this regard, the development will be shown to be consistent with Newcastle LEP and DCP provisions relating to the maximum height and storey controls that apply.

4.3 Traffic, Parking and Access

A Traffic Impact Assessment will be prepared for the proposed development and accompany the EIS. It will assess the generated traffic, car and bicycle parking, and vehicular access and circulation requirements of the proposal. The site is well positioned as it has excellent access to public transport and active transport routes to the Newcastle CBD providing an opportunity to maximise the use of sustainable modes of transport.

4.4 Ecologically Sustainable Development

The proposed building will be designed to achieve high levels of sustainability. BASIX Certification will be provided with the EIS to indicate the building provides sustainable methods of construction and operation. Solar access impacts and natural ventilation will be considered throughout the detailed design of the proposal and will be addressed in detail within the EIS.

4.5 Flood Management

The Cottage Creek Flood Management Plan 1999 and the Newcastle Floodplain Risk Study 2012 provide the base information required to understand the flood management constraints for the site. Flood management will be addressed in the EIS.

4.6 Mine Subsidence

The site is within a mine subsidence district and therefore approval from the Subsidence Advisory NSW (SANSW) will be sought. This will be documented within the EIS.

4.7 Heritage Impacts

The site is not listed as a heritage item, nor is it mapped within a heritage conservation area. The EIS will consider all archaeological and heritage issues in connection with the proposed development including what permits and approvals may be required for excavation and other work as well as appropriate programming.

4.8 Social and Economic Impact

The proposed development will have a positive impact within the community as it will provide additional, well-designed housing opportunities within the Newcastle locality. The apartments have been designed in accordance with the Crime Prevention Through Environmental Design (CPTED) standards, and afford a mix of apartment types and sizes. The design of the development optimises amenity for the future occupants. The proposal is considered compatible with the desired future character of the Honeysuckle Area.

The proposed development will have a positive economic impact on the locality as it will provide short term construction and long term retail employment opportunities, as well as contribute to the long-term viability of local businesses in the area.

Community consultation and stakeholder engagement will be undertaken during the preparation of the EIS.

4.9 Services and Waste Management

The site is able to be serviced with power, water, sewer and telecommunications to facilitate the proposed development. Relevant information on the proposed site services will be provided in the EIS.

The proposed development will generate a variety of waste. Waste management proposals for the demolition, construction and ongoing use of the building will be documented within the EIS.

5 Conclusion

This submission has detailed information to assist in the preparation of SEARs for a mixed-use development at 35 Honeysuckle Drive, Newcastle. Secretary's Environmental Assessment Requirements for the preparation of an EIS for the proposed development are formally sought.

5.1 Contacts for KDC

KDC will be responsible for the co-ordination and management of the EIS project team. Contact details for KDC are listed in Table 2.

Table 2 - Contact Particulars

Company Name	KDC Pty Ltd
Primary Contact	<i>Samuel Newman</i>
Address	<i>Suite 2B, 125 Bull Street, Newcastle West NSW 2302</i>
Telephone	(02) 4940 0442
Email	samuel@kobydc.com.au

This page has been left blank intentionally

Appendix A – Concept Plan (Purchaser’s Proposal)

SJB Architects

This page has been left blank intentionally