



Office of
Environment
& Heritage

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SSD 8999

Ms Brendon Roberts
Team Leader – Key Sites Assessments
Department of Planning & Environment
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Attention: Emily Dickson

Dear Brendon

OEH Review of Environmental Impact Statement: Mixed use development, 35 Honeysuckle Drive, Newcastle (SSD 8999) – Newcastle Local Government Area.

I refer to your letter dated 20 July 2018, seeking comments on the Environmental Impact Statement for the mixed-use development proposal (SSD 8999), on f Lot 1 Deposited Plan 1236735 located at 35 Honeysuckle Drive, in the Newcastle local government area.

OEH has reviewed the Environmental Impact Statement, including relevant appendices, annexures, attachments and relevant sections of the '*Environmental Impact Statement for State Significant Development – 8-Storey Mixed-Use Development Comprising Retail Premises and Residential Flat Building - 35 Honeysuckle Drive NEWCASTLE NSW 2300*' (prepared by KDC Pty Ltd and dated August 2018), in relation to impacts on biodiversity, Aboriginal cultural heritage and flooding.

OEH's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Nicole Davis, Acting Senior Team Leader Planning, on 0409 394 343 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

19 September 2018

SHARON MOLLOY
Director Hunter Central Coast Branch
Conservation and Regional Delivery Division

Contact officer: NICOLE DAVIS
0409 394 343

Enclosure: Attachments A and B

Attachment A

OEH's recommendations

Mixed use development, 35 Honeysuckle Drive, Newcastle (SSD 8999)

1. OEH granted an exemption from the requirement to submit a Biodiversity Assessment Report (BAR) on 10 July 2018. No further biodiversity assessment or offsetting is required for this project.
2. OEH granted an exemption from the requirement to submit an Aboriginal Cultural Heritage Assessment Report (ACHAR) on 10 July 2018. No further Aboriginal cultural assessment is required for this project.
3. OEH recommends that the proponent provide clear information on the proposed flood refuge, in accordance with Council's DCP requirements.
4. OEH recommends that the proponent demonstrate that the underground car park can be safely evacuated during an extreme flood event.
5. OEH recommends that the proponent demonstrates that the proposed flood evacuation route from the isolated retail building can be safely traversed by pedestrians during an extreme flood event.
6. OEH recommends that all critical electrical infrastructure be located above the flood planning level in accordance with Council's DCP requirements.

Attachment B**OEH's detailed comments****Mixed use development, 35 Honeysuckle Drive, Newcastle (SSD 8999)**

Biodiversity**1. OEH is satisfied with the biodiversity assessment**

The proponent (care of KDC Pty. Ltd.) requested an exemption from the requirement to submit a Biodiversity Assessment Report (BAR) under the Framework for Biodiversity Assessment in correspondence dated 12 June 2018. This request was on the basis that the subject site is void of vegetation (flora) and fauna habitat, and on highly disturbed land. OEH was satisfied with the request and agreed no further assessment was required. An exemption from submitting a BAR was provided to the proponent by OEH on 10 July 2018.

Recommendation 1

OEH granted an exemption from the requirement to submit a Biodiversity Assessment Report (BAR) on 10 July 2018. No further biodiversity assessment or offsetting is required for this project.

Aboriginal cultural heritage**2. OEH is satisfied with the Aboriginal cultural assessment**

The proponent (care of KDC Pty. Ltd.) requested an exemption from the requirement to submit an Aboriginal Cultural Heritage Assessment Report (ACHAR) in correspondence dated 12 June 2018. This request was on the basis the subject site is on reclaimed land and highly disturbed. OEH was satisfied with the request and agreed no further assessment was required. An exemption from submitting an ACHAR was provided to the proponent by OEH on 10 July 2018.

Recommendation 2

OEH granted an exemption from the requirement to submit an Aboriginal Cultural Heritage Assessment Report (ACHAR) on 10 July 2018. No further Aboriginal cultural assessment is required for this project.

Flooding**3. The information provided is insufficient for OEH to adequately assess the proposed flood refuge**

The Flood Risk and Impact Assessment (BMT 2018) states that on-site flood-free refuge is required to manage risk to life during major floods. It further states that on-site flood-free refuge will be provided on the first floor of the main buildings. Flood refuge could not be identified on the architectural drawings provided (DA-A-0204/04). Please clarify if the public would be prevented from accessing the flood refuge due to secured access to the residential levels. OEH notes that Newcastle City Council's development Control Plan (DCP) includes standards for on-site refuge.

Recommendation 3

OEH recommends that the proponent provide clear information on the proposed flood refuge, in accordance with Council's DCP requirements.

4. The information provided is insufficient for OEH to adequately assess the egress from the underground carpark to the flood refuge

The Flood Risk and Impact Assessment (BMT 2018) states that the underground car parks could become particularly hazardous in rare events. The Flood Evacuation Plan provided requires people, located in these areas, to evacuate via the internal stairwell. However, there is the potential that people will not be able to access the stairs if the stairway doors are locked or if there is a significant build-up of hydrostatic pressure against the doors.

Recommendation 4

OEH recommends that the proponent demonstrate that the underground car park can be safely evacuated during an extreme flood event.

5. The information provided is insufficient for OEH to adequately assess if people can safely evacuate from the isolated retail building

The flood emergency response plan provided states that occupants of the isolated retail lot in the north-eastern corner of the development will need to evacuate to the main building during extreme flood events. Safe egress from the isolated retail building is potentially an issue as the evacuation route is affected by flooding. There is insufficient information to determine if the egress route is safe for pedestrians as the flood hazard (depth and velocity) is not defined in the report.

Recommendation 5

OEH recommends that the proponent demonstrates that the proposed flood evacuation route, from the isolated retail building, can be safely traversed by pedestrians during an extreme flood event.

6. Critical infrastructure to be located above the Flood Planning Level (FPL)

The Flood Risk and Impact Assessment (BMT 2018) states that substation is located below the flood planning level (FPL). OEH considers that all critical electrical infrastructure must be located above the FPL in accordance with Council's DCP requirements.

Recommendation 6

OEH recommends that all critical electrical infrastructure be located above the flood planning level in accordance with Council's DCP requirements.