

Regulatory, Planning and Assessment.MBisson/GMansfield
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Phone: 02 4974 2000

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Tim Green
Key Sites Assessments
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001
Attn: Emma Butcher

Reply by Major Projects External Portal: majorprojects.planningportal.nsw.gov.au

Dear Tim

MIXED USE DEVELOPMENT (SSD 10378) 42 HONEYSUCKLE DRIVE NEWCASTLE

I refer to the Department's request for advice on the applicants 'response to submissions' via the major project planning portal 28 October 2020, in relation to the abovementioned State Significant Development by Doma Holdings (Honeysuckle).

The applicants 'response to submissions' has been assessed and the following advice is provided for your consideration:

1. Ancillary uses

Car park

It is noted that the separate use of a portion of the proposed car park as a 'commercial car park' has been removed from the proposal – no further issues are raised in this regard.

2. On-site Parking

Car Parking

The Newcastle Development Control Plan (NDCP) 2012 provides that parking for developments, other than residential in the City Centre, are calculated based on a 'flat' parking rate of 1 space per 60m² of Gross Floor (GFA) area.

The development has provided 177 off-street spaces and is required to be provided with 197 spaces in accordance with the DCP. The applicant's submission regarding the parking variation is considered reasonably justified and accepted.

However, the off-street parking breakdown distribution (allocations) for the different users of the development has not been confirmed. The applicants will need to confirm the parking allocation (provide parking breakdown) for the proposed use.

Bicycle Storage

The proposed bicycle parking is supported.

3. Servicing

Vehicle Access

It is noted that the ground floor will be accessed by service and waste collection vehicles generally being MRV as the largest vehicle expected to access the development. Table 4.1 of AS2890.2 prescribes the vertical height clearance of 4.5m for MRV.

The submitted traffic report indicates that a 4.2m height clearance is provided (increased from 3.9m to 4.2m).

Although the Australian Standards seems to be considered as conservative in the approach to prescribe the minimum height restriction. City of Newcastle (CN) is in the opinion that the Australian Standards does allows other non-factored building elements and variables to be managed within the prescribed clearance height.

The proposed height clearance of 4.2m does not meet the minimum height of 4.5m required for MRV in accordance with AS2890.2

Furthermore, the development relying on the management of type vehicles likely to access the development via service contracts, as detailed within the traffic statement, is not considered a sustainable option to manage the non-compliance with AS2890.2 height requirements and safety risks.

Concern is again raised in relation to the proposed vehicular access height clearance which does not meet the minimum prescribed height clearance of 4.5m required under AS2890.2 for MRV.

Waste Management

CN's Waste and Commercial Collection Manager has reviewed the EIS and provided the following advice:

The Waste Management Plan utilises the most-current revision of the NSW EPA's publication Better Practice Guide for Resource Recovery in Residential Developments (2019).

The applicant is to provide prior to approval of the development, a satisfactory engagement agreement / statement of intent from the relevant commercial waste collection provider/s that the waste management services as detailed in the final Waste Management Plan are able to be conducted. This is important, as depending on the design of further stages and the introduction of "permanency" around servicing area/s, it may largely preclude services being provided by City of Newcastle due to inadequate clearances being available to cater for heavy

rigid collection vehicles.

4. On Street Impacts

It is noted that the previous proposal addressed on-street servicing and the availability of off-street parking spaces on the ground level parking area as 'hotel drop-off' options.

The revised proposal has not provided any information in relation to the provision of 'drop-off' parking spaces for the hotel use.

Concern is raised that there is no provision for hotel drop/off and pick-up within the development site. The proposed development should address the provision of 'drop-off' off-street parking spaces for the development (i.e. hotel).

The traffic submission has also stated that on-street loading will be provided. However, since the realignment of Honeysuckle Drive by Hunter and Central Coast Development Corporation (HCCDC) (currently under construction), the original submitted parking proposal is no longer valid and a revised submission would need to be presented to formalise any use of the on-street parking. Any proposal to use on-street parking will need to be approved by Newcastle City Traffic Committee (NCTC).

CN is concerned that the realignment of Honeysuckle Drive by HCCDC, and the reliance on the on-street parking use as a Loading Zone, is perceived as approved, however this is not the case. The applicants will need to contact CN Traffic and Transport team (Email: traffic@ncc.nsw.gov.au) to arrange for any use of the on-street parking to be presented to Newcastle City Traffic Committee for approval.

5. Flood Management

Flood Planning Levels

The proposed Ground Floor retail, gym and hotel lobby and lift areas and generally majority of the northern frontage along Honeysuckle Dr have been set at 3.0m AHD. The vehicular access will be graded from the road level to 3.0m AHD within the site. Some areas are set at 2.77m AHD, which is set at above the 1% AEP event level for local flooding.

The proposed floor levels generally comply with CN DCP.

However, it is noted that the proposed height clearance for the car parking entry has a clearance of approx. 4.2m and is generally required to be set at 4.5m height clearance for Medium Rigid Vehicle (MRV) access in accordance with AS2890.2. In this regard, the vehicular access and parking area floor levels may need to be adjusted to allow for MRV height clearance.

Flood Risks

The risk to life is noted as L4. Flood refuge. Flood refuge is required to be provided and the first-floor areas can be used as flood refuge.

The site is adjoining Cottage Creek, which is a floodway. A flood risk management plan would need to be developed for the site with provisions for flood warning system.

6. Stormwater and Groundwater Management

The submitted concept stormwater management plan strategy generally complies with CN DCP.

No additional information is requested

7. Land Contamination

The additional information has been assessed and the response to submissions has satisfied the CN's concerns and clarified the correct Remedial Action Plan relating to the proposal.

8. Licensed Premises Reference Group

The proposed development incorporates a bar and the application was previously referred to the CN's Licensed Premises Reference Group (LPRG) for comment (the Group's advice being separately provided on the 3 June 2020). The applicant's response to submissions has been assessed by CN's Senior Environment Protection having regard to the previous LPRG advice and the following is advised:

It is understood that the use of the proposed bar will be for use of the hotel patrons only and not separately used by the general public.

The original assessment by NSW Police recommended that the bar and associated terrace be approved subject to conditions as follows:

- Bar
6:00am to 12:00 midnight-Monday to
Saturday 6:00am to 10:00pm -Sunday
- Terrace
6:00am to 10:30pm – Monday to
Saturday 6:00am to 10:00pm – Sunday

CN is supportive of the above proposed hours of operation of the bar and terrace as outlined in the application, subject to compliance with the recommendations of the acoustic report, except for Sunday trading which it is recommended to close at 10:00pm.

The response has also recommended the imposition of conditions requiring the installation of a CCTV system and lighting, maximum patron capacity, plan of management and noise restrictions. It is envisaged these areas could be resolved through a plan of management and it is recommended the applicant is afforded an opportunity to respond to these various matters raised by the police.

The staggered patron numbers, as detailed below, proposed as an alternative management measure, are not supported and not considered acceptable: -

Maximum number of patrons to the outdoor terrace as follows:

- Day (7am-6pm): 50 patrons
- Evening (6pm-10pm): 30 patrons
- Early Night (10pm-12am): 15 patrons
- Early Morning (6am-7am): No patrons permitted

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield Principal Planner (Development) on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au ..

Yours faithfully



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT