

9 August 2019

Emily Dickson
A/Team Leader
Key Sites Assessments
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Reply by email: james.groundwater@planning.nsw.gov.au

Dear Emily

MIXED USE DEVELOPMENT (SSD 10251) 42 HONEYSUCKLE DRIVE NEWCASTLE

I refer to your letter of 9 July 2019 advising that a development application submitted by Doma Australia Holdings Pty Ltd for alterations and additions to an approved mixed-use development on the site was being publicly exhibited and inviting City of Newcastle (CN) to comment.

The submitted application and State of Environment Effects (SEE) have been reviewed by CN officers and the following advice is provided for your consideration:

1. Paid car parking

Condition F6 of Schedule 2 of the existing consent states that spaces, other than those to be managed as a public carpark, are under no circumstances to be subdivided, leased or controlled by or on behalf of a third-party operator. The amendments to the text of the condition proposed by the applicant state that the parking spaces allocated to the hotel and services apartments will be managed by the hotel operation Plan of Management. According to this plan, management of the car park will be coordinated by an external provider. This arrangement would appear to be in conflict with the intent of the condition. Accordingly, the text of the condition will require editing to address this inconsistency.

2. Car parking operation

According to the EIS (Pg. 64), several management practices will be instigated to '*ensure that the integrity of the hotel carpark remains*', including reducing the availability of public carparking between 5:00 pm and 8:00 am during the hotel peak times. It is recommended the applicant is required to include these practices in the Plan of Management.

It is also recommended that another condition is imposed which requires that any surplus hotel and serviced apartments parking spaces are only available for short term parking daily between the hours of 8:00am and 5:00pm.

3. Gross Floor Area

The EIS (Pg. 43) states that the proposed development has a Gross Floor Area of 11,250m² which equates to the allowable Floor Space Ratio (FSR) of 3:1 under the Newcastle Local Environmental Plan 2012 (NLEP). As demonstrated in the Traffic and Parking Assessment prepared by The Transport Planning Partnership (Appendix K of the

EIS) the development has 63 car parking spaces in excess of the Newcastle Development Control Plan 2012. Such spaces will comprise the public car park. The definition of Gross Floor Area under the NLEP provides that carparking in excess of any requirements of the consent authority is included in the GFA of the development. Examination of the submitted GFA plans and associated Area Schedule suggests that when the surplus parking is included the GFA of the development exceeds 11,250m² and therefore the allowable FSR.

Further clarification should be sought from the application regarding this matter.

4. Development Contribution

Condition B4 of the Part B of the Development Consent requires the applicant to pay to CN a '*monetary contribution of 3% of the estimated cost of development*'. As identified in the EIS, the relevant contribution levy under the Newcastle Development Contribution Plan 2019 (updated July 2017) for commercial development, as proposed, is 2%. Accordingly, the applicant is seeking the text of the condition to be modified to refer to the 2% levy.

This condition, which was recommended by CN, requires the consent authority to state the required monetary contribution not the applicable contribution levy. It is recommended that the imposition of this condition on the consent of the proposed development include the required monetary contribution. Please note that total development cost includes GST.

5. Stormwater management

It is recommended the text of condition B25, Part B, Schedule 2 is modified to reference the latest stormwater plans as identified in the EIS.

If you have any questions regarding the above comments, please contact Geof Mansfield, Principal Planner (Development) on 49742767 or email at gmansfield@ncc.nsw.gov.au.

Yours faithfully



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT