



RESPONSE TO SUBMISSIONS

Construction of a Mixed Use Development including
Commercial / Retail Uses and Hotel Accommodation

42 Honeysuckle Drive, Newcastle NSW 2300

This page has been left blank intentionally

Response to Submissions

FINAL

Report Reference No.: 19581
Dated: October 2020

Environmental Assessment

Prepared by: KDC Pty Ltd | ABN 61 148 085 492 | www.kdc.com.au



Patrick Quinlan
Associate
KDC Pty Ltd

Reviewed by:



Clare Brennock
Client Director
KDC Pty Ltd

Address: Suite 2, 125 Bull Street, Newcastle West NSW 2302
In respect of: Doma Holdings (Honeysuckle) Pty Ltd

Application and Land Details

Applicant: Doma Holdings (Honeysuckle) Pty Ltd C/ - KDC Pty Ltd
Applicant Address: Suite 2, 125 Bull Street, Newcastle West NSW 2302
Land to be developed: Lot 22 DP1072217 – 42 Honeysuckle Drive, Newcastle NSW 2300
Project: Construction of a Mixed Use Development including Commercial / Retail Uses and Hotel Accommodation

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.

This page has been left blank intentionally

Contents

1	Introduction	7
1.1	Summary of Submissions	8
2	Actions Taken During and After EIS Exhibition	11
3	Changes to the Project	13
4	Response to Submissions	17
4.1	Building Height	17
4.2	Earthworks and Structural Works	19
4.3	Noise Assessment	19
4.4	Aboriginal Cultural Heritage	19
4.5	Detail View Impact Assessment	20
4.6	Shadow Diagrams	20
4.7	Traffic Impacts	22
4.8	Car Parking Assessment	23
4.9	Car Park Operated By Third Party	23
4.10	Bicycle Parking	23
4.11	Wind Impact detail	23
4.12	Ancillary Uses	24
4.13	Newcastle DCP 2012	24
4.14	Public Domain Works	25
4.15	Flood Management	25
4.16	Stormwater	25
4.17	Contamination	25
4.18	Section 7.12 Local Infrastructure Contribution	25
4.19	Servicing and Waste Report	26
4.20	Licensed Premises Reference Group	26
4.21	Navigation Aids	26
4.22	Safety Requirements	26
5	Conclusion	27

Figures

Figure 1 – Height Extract (Bates Smart pg. 7)	13
Figure 2 – North Elevation Comparison	15
Figure 3 – East Elevation Comparison	15
Figure 4 – South Elevation Comparison	15
Figure 5 – West Elevation Comparison	16
Figure 6 – Height Extract from Design Report (Bates Smart pg. 32)	18
Figure 7 – Equinox March 21 (Bates Smart pg. 52)	21
Figure 8 – Solstice June 21 (Bates Smart pg. 48)	21
Figure 9 – Concept Wind Mitigation Measures	24

Tables

Table 1 – Comparison Table	8
Table 2 – Summary of Submissions	8
Table 3 – Extract from Traffic Report (SLR pg. 18)	22
Table 4 - Extract from Traffic Report (SLR pg. 9)	23

Appendices

Appendix A – Amended Plans	29
Appendix B – Amended Clause 4.6	31
Appendix C – Civil Response	33
Appendix D – Amended Noise Impact Assessment	35
Appendix E – Aboriginal Cultural Heritage Management Plan	37
Appendix F – View Impact Analysis	39
Appendix G – Traffic Response	41
Appendix H – Wind Report and Letter	43
Appendix I – DCP Compliance Table & Crime Risk Assessment	45



1 INTRODUCTION

This Response to Submissions (RtS) Report has been provided in relation to the 42 HD mixed use development (SSD 10378), located at 42 Honeysuckle Drive, Newcastle NSW 2300.

This RtS responds to the submission received during the public exhibition of the Environmental Impact Statement (EIS) and requests for information from the Department of Planning, Industry and Environment (DPIE) received 27 May 2020, community, and the following government agencies:

- + City of Newcastle (REF: PB2020/03154) – 24 April 2020
- + DPIE Biodiversity and Conversation Division (REF: DOC20/210768-9) – 8 April 2020
- + Government Architect NSW – 13 May 2020
- + Port Authority of New South Wales – 15 April 2020
- + City of Newcastle Licensed Premises Reference Group (PB2020/03154) – 3 June 2020
- + Subsidence Advisory – 7 May 2020
- + Transport for NSW (REF: CD20/02660) – 8 April 2020
- + Ausgrid (REF: SC13106) – No date
- + DPIE Water (REF: OUT20/2904) – 8 April 2020

Public exhibition occurred in accordance with the requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act). 11 submissions were received in response to the public exhibition of the EIS. These included submissions made by State and Local government agencies and authorities, organisations, and from the general public.

The RtS provides responses to each of the issues raised within the abovementioned submissions and letters. Section 4 of this report provides a detailed the responses to the various matters raised in the submissions, with amended plans at Appendix A and updated Clause 4.6 at Appendix B.

As a result of submissions changes have been made to the design to address the concerns outlined in the submissions and to improve the overall built form, an amended plan set prepared by Bates Smart is provided at Appendix B and discussed further in this report.

Amendments include:

- + Reduction in overall height and integration of hotel plant;
- + Reduction in GFA/FSR.
- + Built form;
- + Number of hotel rooms;
- + General floor plan and layout; and,
- + Key changes outlined in Table 1 and Appendix A.

Table 1 – Comparison Table

Item	EIS Lodgement	Proposed Amendments
GFA	12,510m ²	11,816m ²
FSR	3.36:1	3.17:1
Height	Commercial tower: - RL: 41.830 Hotel: - RL: 34.455	Commercial tower: - RL: 39.580 Hotel: - RL: 36.710
Carparking spaces	Total: 173 - GF: 17 (1 Accessible) - L1L 40 (5 accessible) - L2: 43 - L3: 43 - L4: 30	Total: 177 - GF: 30 (4 accessible) - L1: 23 - L2: 7 (5 accessible) - L2.1: 36 (5 accessible) - L3: 25
End of trip	48 lockers 48 bicycle storage units Female and male washrooms	42 lockers 50 bicycle parks in total – 35 secure units for commercial, 9 secure for hotel and 6 visitors external Female and male washrooms
Hotel rooms	179	187

1.1 SUMMARY OF SUBMISSIONS

Table 2 below outlines a summary of the issues raised and the relevant section for the detailed response to each item throughout this report.

Table 2 – Summary of Submissions

Issue	Relevant Submission/Agency	Response to Issues
Building Height	DPIE, Public Submission, Government Architect	Refer to Appendix A, Appendix B and Section 4.1. Amended Landscape Plans reflecting the changes provided at Appendix M.
Earthworks/Structural Works	DPIE, Transport for NSW	Refer to Appendix C for confirmation letter from Northrop engineers confirming earthwork requirements and comparison with SSD 8440 and Section 4.2.
Noise Assessment	DPIE, Port of Newcastle, Transport for NSW	Refer Appendix D with an update Acoustic Assessment which includes additional logging as requested and Section 4.3.
Aboriginal cultural heritage	DPIE, Biodiversity and Conservation Division – DPIE	Refer to Appendix E for an amended ACHMP (dated October 2020) and Section 4.2. Appendix E includes a consultation summary table.
Visual Impact	DPIE, Public Submission	Refer to Appendix A, Appendix F and Sections 4.5 & 4.6.
Shadow Diagrams	DPIE, Public Submission, Government Architect	Refer to Appendix A and Section 4.6.
Traffic Impact	DPIE, Transport for NSW	Refer to Appendix G and Sections 4.7

		– 4.10
Car parking	DPIE, Newcastle Council	As above.
Bicycle Parking	DPIE, Newcastle Council	As above.
Wind impact	DPIE	Refer to Appendix A (mitigation measures detailed on the plans), Appendix H and Section 4.11
Ancillary Use	Newcastle Council	Refer to Section 4.12
Newcastle Development Control Plan 2012	Newcastle Council	Refer to Appendix I and Section 4.13
Servicing and Waste	Newcastle Council	Refer to Appendix G and Section 4.19
Public Domain Works	Newcastle Council	Refer to Section 4.14
Flood Management	Newcastle Council, Biodiversity and Conservation Division – DPIE	Refer to Section 4.15
Water, Stormwater and Groundwater Management	Newcastle Council, DPIE – NRAR and Water	Refer to Section 4.15 & 4.16
Contamination	Newcastle Council	Refer to Appendix J and Section 4.17
Section 7.12 Local Infrastructural Contribution	Newcastle Council	Refer to Appendix K and Section 4.18
Small Bar Use	Licensed Premises Reference Group and Newcastle Council	Refer to Appendix L for updated Plan of Management and Section 4.21
Navigation Aids	Port of Newcastle	Refer to Section 4.21
Safety Requirements	Transport for NSW	Refer to Section 4.22

This page has been left blank intentionally

2 ACTIONS TAKEN DURING AND AFTER EIS EXHIBITION

Consultation has been held informally between DOMA and the NSW Government Architect (GA) to discuss the GA submission dated 13 May 2020 and the proposal in general. In the submission the GA highlighted concerns with the solar access impacts associated with the additional height. Additional solar comparison drawings were provided to the GA for review (refer to Appendix A), and the GA has confirmed that from a solar access perspective, the proposal is acceptable.

In addition, the amended proposal addresses the other items highlighted during discussions, including a genuine attempt to reduce height and visual impacts, reducing the podium carpark, introducing human scale, and a break in length of the hotel façade.

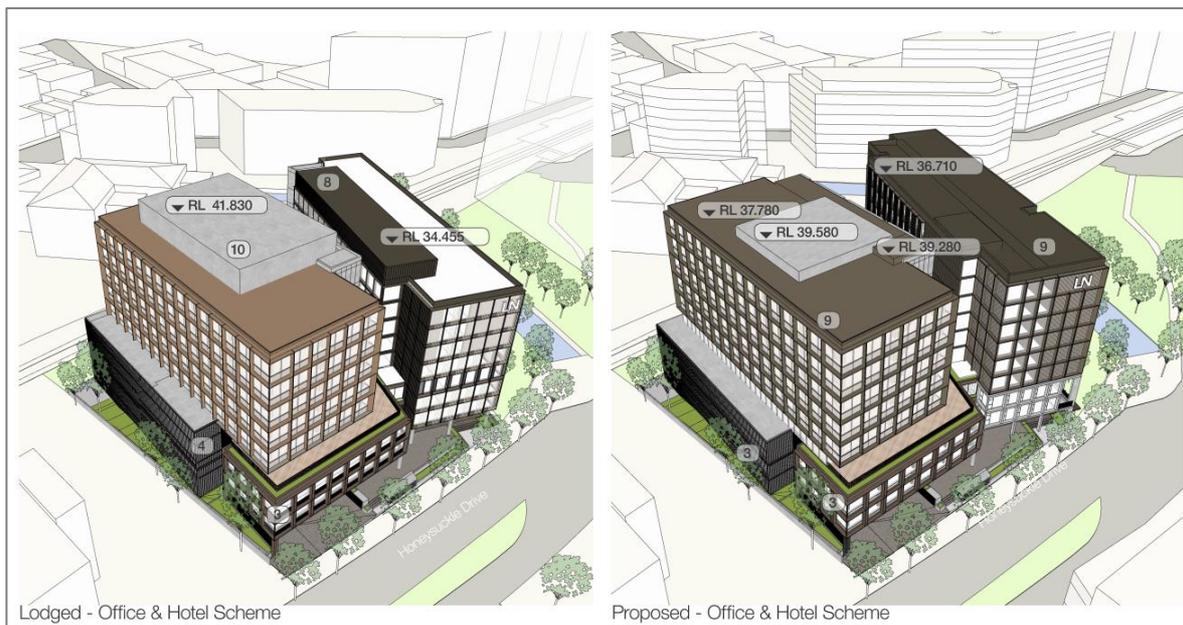
This page has been left blank intentionally

3 CHANGES TO THE PROJECT

Height

Figure 1 below and the plans at Appendix A demonstrate the proposed changes to height and built form. The height amendments are a result of the 4.5 floors of split level parking being reduced. In addition, the plantroom for both towers has been further incorporated into the towers and resulting in the overall building level of the commercial east being lowered, with the highest point being reduced from RL 41.830 to RL 39.580 (reduction by 2.25m at highest point).

Figure 1 – Height Extract (Bates Smart pg. 7)



Design

The design changes at each level are clearly identified and described within the amended plans at Appendix A, and a summary of changes outlined below.

Ground floor:

- + Addition of arbour to the north west external building façade, runs from west to wrap around the gym, extending vertically to L2.
- + Luggage and hotel admin reduced and relocated.
- + End of trip facilities shifted north.
- + Additional 3 car parking spaces.
- + Adjustment to fire stairs, resulting in reduction of waste room.
- + Additional access for the commercial lobby provided directly from the street for lift access.
- + Café area reduced.
- + Adjustment to south east exterior wall of carparking.
- + Adjustment to services located on the south east perimeter of the GF carpark.
- + Addition of 4 carparking spaces.

First Floor

- + Enlarge hotel communal space for the purpose of lift lobby. With addition of terrace and planter to the north west façade.
- + Addition of planter arbour extending from ground floor level.
- + Adjustment to car parking through podium floorplate, addition of 19 spaces and alterations to façade to planted wire mesh screen.
- + Pump room move to western corner.
- + Toilets servicing L1 commercial moved to interior of commercial space.
- + Addition of 6 motorcycle parking bays.
- + Adjustment to south west corner, angles outward 3 degrees and repeats above to L3 parking.

Second Floor

- + Adjustment of hotel communal spaces layout, enlarged for hotel lift lobby access, results amendments to lounge and library.
- + Addition of planted arbour extending from ground level and wraps around west corner.
- + Adjustment to L2 car parking and façade as per L1.
- + Adjustment to pump room, relocated to western corner.
- + Adjustment to toilets servicing L1.

Third Floor

- + Remove upper level of L3 parking.
- + Adjustment to layout of accessible rooms.
- + Adjustment to layout of maid's spaces and fire stair in south corner of hotel tower.
- + Adjustment to fire stair in commercial tower to parking below.
- + Addition of exterior terrace on the northern perimeter.
- + Adjustment to footprint of commercial tower, moved 400mm to the west. Results in increase space for services with minor decrease in space for bathrooms.
- + Addition of skylight above hotel stairwell.
- + Removal of exterior louvres to L3 and L8 on north west corner.

Fourth – Eighth floor

- + Addition of a notch on the west façade on the seventh bay of the hotel.
- + Adjustment to commercial tower footprint, as per L3.
- + Adjustment to layout of accessible rooms, as per L3.
- + Adjustment to maid's space and fire stairs as per L3.

Eighth Floor

- + Adjustment to extents of hotel plant, plant footprint reduced.

- + Removal of exterior louvres to L8 north west façade.

Full details of the exterior and façade changes are provided at Appendix A, a comparison is show in Figure 2 – 5 below. It is considered that the proposed amendments result in an improved design outcome and reduce overall bulk and scale.

Figure 2 – North Elevation Comparison

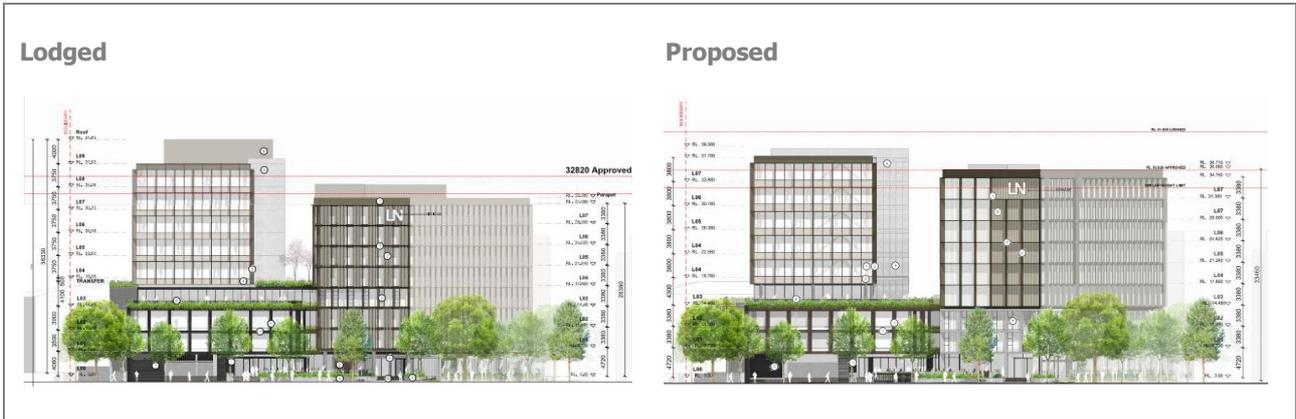


Figure 3 – East Elevation Comparison



Figure 4 – South Elevation Comparison



Figure 5 – West Elevation Comparison



Landscape plans reflecting the changes in design are provided at Appendix M.

Hours

It is proposed to amend the hours of operation of the bar and terrace from 6:00am and 12:00 midnight, 7 days a week to 6:00am to 12:00 midnight Monday to Saturday and 6:00am to 10:00pm on Sunday. The proposed amendment to operational hours is in alignment with the correspondence from Newcastle City Council dated 3 June 2020 regarding the outcome of Licensed Premises Reference Group meeting, the Plan of Management at Appendix L has been updated to reflect these changes.

Commercial Car Park

Commercial use of the carpark is no longer part of the proposal. Carparking will be for the hotel, commercial tenancies, office use and their guests.

4 RESPONSE TO SUBMISSIONS

4.1 BUILDING HEIGHT

It is noted that the tendering process undertaken by the previous landowners to date, Hunter and Central Coast Development Corporation (HCCDC), in the selection of a developer for the site required extensive review from a design review panel (DRP). The DRP comprised of Lee Hillam (Office of the Government Architect), Philip Pollard (Amenity Urban and Natural Environments) and Sue Anne Ware (University of Newcastle).

The tendering process followed the procedure as outlined in the Director General's Design Excellence Guidelines as follows:

- + Competition Initiation and Requirements: Three architectural/design firms were involved in the shortlisting of the design.
- + The Competition Brief: A brief was provided outlining the competition for the tendering process.
- + Design Competition Criteria: A minimum of three submissions were made in the tendering process.
- + The Competition Jury: The design was assessed and endorsed by a Design Review Panel.

As the tendering process for the sale of the site necessitated a design review panel, of which a representative of the Office of the Government Architect was a member of; it is considered that compliance with the Director General's Design Excellence Guidelines has been adhered to.

A previous waiver was issued by the Government Architects outlining that the Government Architect is satisfied that the design excellence process undertaken to date meets the objectives of the Newcastle LEP.

Since the original design, DOMA in consultation with HCCDC, have reviewed the approved scheme and in response to current market trends have increased the size of the hotel and revised the residential use to commercial office space. The proposal has been amended to accommodate the change in brief while seeking to remain consistent with the original design intent.

With that in mind it is proposed that the revised SSD application follow similar Design Review Panel process to that of the following the previously approved SSD. This direction was supported by the Government Architects on the 11 November 2019 at a briefing meeting between the project team and the Government Architect.

The process undertaken has taken advantage of the existing design teams' extensive knowledge of the site and brief and lead to a high-quality design outcome for the site that. DOMA have worked collaboratively with the DRP throughout the process and met on 27 November 2019 for a formal presentation, the DRP comprised of the following representatives:

- + Lee Hillam – Dunn & Hillam Architects
- + Dr Philip Pollard – Amenity Urban & Natural Environments / Newcastle City Council's Urban Design Consultative Group Professor
- + Sue Anne Ware - Head of School, Architecture and Built Environment, University of Newcastle

Upon conclusion of the DRP briefing, it was agreed that it is not necessary to review this project again prior to the SSD submission as the DRP are satisfied that the project can proceed to SSD stage.

Additional consultation was held with the NSW Government Architect (GA) on 1 June 2020 to discuss the GA submission dated 13 May 2020. In the submission the GA highlighted concerns with the solar access impacts associated with the additional height. Additional solar comparison drawings were provided to the GA for review (refer to Appendix A), and the GA has confirmed that from a solar access perspective, the proposal is acceptable.

Since the original design, DOMA have reviewed the approved scheme and have incorporated a more rationalised hotel layout (with an increase in the number of rooms) and a commercial office building in place of the residential use.

In accordance with Clause 4.4, the site is identified under the Floor Space Ratio Map in the Newcastle LEP 2012, as having a maximum floor space ratio (FSR) of 4:1. The site is situated within 'Area A' and therefore the provisions of LEP 2012 Clause 7.10 can apply. Clause 7.10 has the ability to reduce the FSR standard for the site to 3:1. The reduction to FSR in Clause 7.10, however, does not apply as the building is a commercial premise. As such, with an FSR of 3.17:1 the proposal complies with the controls of the NLEP.

Whilst there are increases in height in some components of the building, it is notable that the overall gross floor area has decreased from 12,510m² to 11,816m² and the previous visual bulk of the building has been reduced. The proposal remains largely consistent with the previous proposal, but we contend that the proposed building form has produced a superior design outcome.

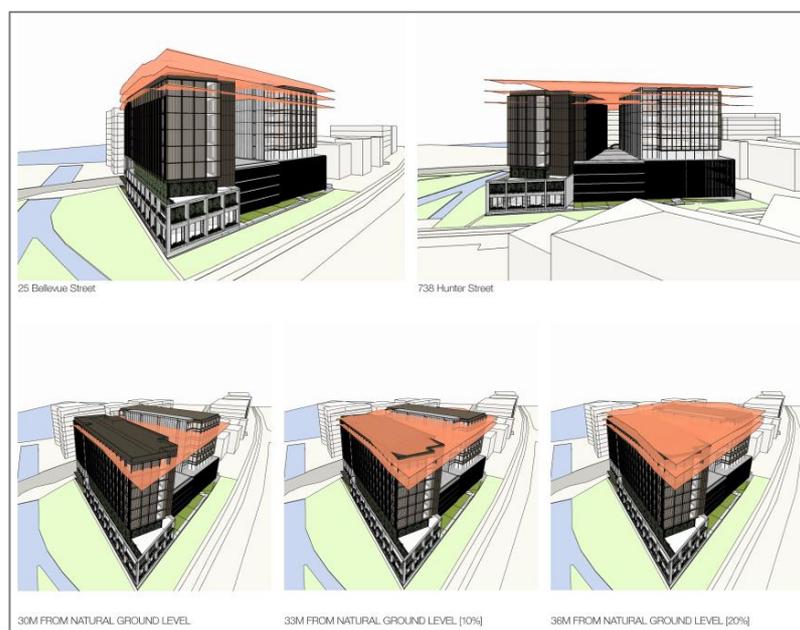
Upon conclusion of the DRP briefing on the 27th November 2019, it was agreed that it is not necessary to review this project again prior to the SSD submission, as the DRP are satisfied that the project can proceed to SSD stage. The DRP minutes were included in the Design Excellence Strategy which was prepared and provided to the GA prior to the submission of this SSD.

Bulk and Scale

Bates Smart design report states *"The volumes have been scaled and located in direct response to the surrounding context and environmental conditions. The façade treatments aim to celebrate the differences between uses and volumes while maintaining a consistent material palette that reinforce the identity of the overall development."*

In comparison to the previously approved scheme, the form of the building above the podium is split into two forms, rather than one U-shaped plan form. As a result of the two forms, the proposal is read as two elements which breaks down the bulk and scale of the development and the two forms allow for an additional view corridor to the north to be maintained through the site, in comparison to the previous development. This was described in Section 6 of the submitted design report extract below (Figure 6) and was presented to the NSW Department of Planning, Industry and Environment (Amy Watson) and GA on the 11 November 2019 prior to lodgement.

Figure 6 – Height Extract from Design Report (Bates Smart pg. 32)



The DRP confirmed the previous form is an improvement on the previous scheme and were supportive of the additional height. The revised maximum height and lower podium height were supported give the overall bulk and scale appearance has been reduced, now reading as two towers rather than one U-shaped mass. The alignment of the hotel element along the western boundary has provided a view corridor through the centre of the podium from 25 Bellevue Street where there was previously an unbroken building form.

Based upon the additional consultation with the GA, the minimal overshadowing impact, the height transition arrangement and reduced bulk and scale the overall building height should be supported in its current form.

This correspondence is a request for clarification in relation to Point 1 of the RtS regarding building height. Given the Department's comment in the RtS, it is critical that the position on height is resolved prior to addressing the other matters raised. An amendment to the Clause 4.6 report lodged with the EIS is provided at Appendix B.

Transition Height

On the western boundary of the proposal, the site is in close proximity to the 'AB' Maximum height zone, which allows for developments to be constructed with a maximum height of 90m. The additional height of the proposal acts as a transitional site between the existing development to the east of the site and the 90m height limit to the west.

Given the high-density development proposed to the west of the site at 90m, the DRP panel and the GA were generally very positive of the scheme and noted that they would be supportive of the increased height given the development adding to the transition between the two height controls.

Given the adjacent height control of the adjacent site, the increase height of the proposal is justified given the proposal will act as a transition site in regard to height.

4.2 EARTHWORKS AND STRUCTURAL WORKS

A comparison plan has been completed by Northrop demonstrating the excavation works completed under SSD8440 and the works proposed under SSD 10378, refer to Appendix C. Northrop has provided comment that the proposed works can utilise the existing foundations as previously approved and provided footing plans.

4.3 NOISE ASSESSMENT

A revised Noise Assessment has been completed to provide background noise levels, refer to Appendix D. Additional logging has been taken and the updated data has now been implemented into the current version of the assessment. The assessment concludes that the proposal can operate without any acoustic impacts to the surrounding developments or internally, specifically for the hotel and commercial portion. The assessment includes mitigation measures, such as hours for delivers, music levels, glazing etc. which can be incorporated into the detailed design and ongoing management.

4.4 ABORIGINAL CULTURAL HERITAGE

As requested by the Biodiversity and Conservation Division (BCD) at the Department in the submission (8 April 2020) the Aboriginal Cultural Heritage Management Plan (ACHMP) from SSD 8440 has been provided at Appendix E, dated October 2018. The ACHMP for the current development (SSD 10378) was provided with the EIS application, however the submission notes this was not provided, the latest ACHMP (dated February 2020) has also been provided at Appendix E. Both ACHMPs include details regarding test trenches and excavations conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. In addition, evidence of Aboriginal consultation has now been provided at Appendix E within a summary table.

The proposal, in contrast to the approved SSD, will result in minimal additional ground distributing works. As illustrated by the comparison plan prepared by Northrop at Appendix C, demonstrating excessive earthworks are not required for the proposed amendments.

4.5 DETAIL VIEW IMPACT ASSESSMENT

In comparison to the previously approved scheme, the form of the building above the podium is split into two towers, rather than one U-shaped plan form. As a result of the two towers, the proposal is read as two elements which breaks down the bulk and scale of the development and the two forms allows for an additional view corridor to the foreshore to be maintained through the site in comparison to the previous development.

Astra Apartments and 25 Bellevue Street Apartments formed part of the view impact assessment under the previously approved plan. The previously approved height was deemed as acceptable from an environmental planning perspective including consideration of view impact. In this regard, the height of the western portion of the proposed building is reducing from the previously approved design and the removal of the U-shaped plan form will improve view corridors for both Astra Apartments and 25 Bellevue Street Apartments.

Whilst the commercial tower exceeds the height limit of the lodges plans this was predominantly due to the plant and lift over-run, which has now been amended to reduce the overall height. The commercial floor space above the height limit captures view to the harbour, Newcastle CBD and ocean. The provision this floor space captures the A-grade commercial office market which is limited in Newcastle CBD, this will ensure successful revitalisation and investment in the Newcastle area which is not limited to residential development.

In *Tenacity Consulting v Warringah Council (Tenacity Consulting)* the Court provided a four step assessment process to guide whether or not view sharing is reasonable. In doing so, the Court also gave some helpful guidance as to what should be considered as part of each step of an assessment.

The four steps and the guidance provided by the Court in *Tenacity Consulting* is as follows:

- + Step One – Assessment of the views to be affected
- + Step Two – Consideration from what part of the property the views are obtained
- + Step Three – Assessment of the extent of the impact
- + Step Four – Assessment of the reasonableness of the proposal that is causing the impact

An assessment of the view sharing impact and evaluation against the Tenacity steps is provided at Appendix F, the view assessments considers the following residential flat buildings: 25 Bellevue Street, 738 Hunter Street, 9 Beresford Street, 28 Honeysuckle Drive, 770 Hunter Street, and the public domain.

The View Impact Analysis includes assessment of 770 Hunter Street, as outlined in the submission received from the owner of this dwelling.

4.6 SHADOW DIAGRAMS

Additional solar comparison drawings have been prepared and attached at Appendix A, the blue outline shows the shadow cast for the lodged DA scheme (SSD10378), the green outline shows the shadow cast for the approved DA scheme (SSD8440) and red outlines the proposed amendments scheme Shadow diagrams reflecting winter solstice and equinox from 9am – 3pm are provide in the plans at Appendix A, Figures 7 & 8 below represent the greatest impact.

Figure 7 – Equinox March 21 (Bates Smart pg. 52)

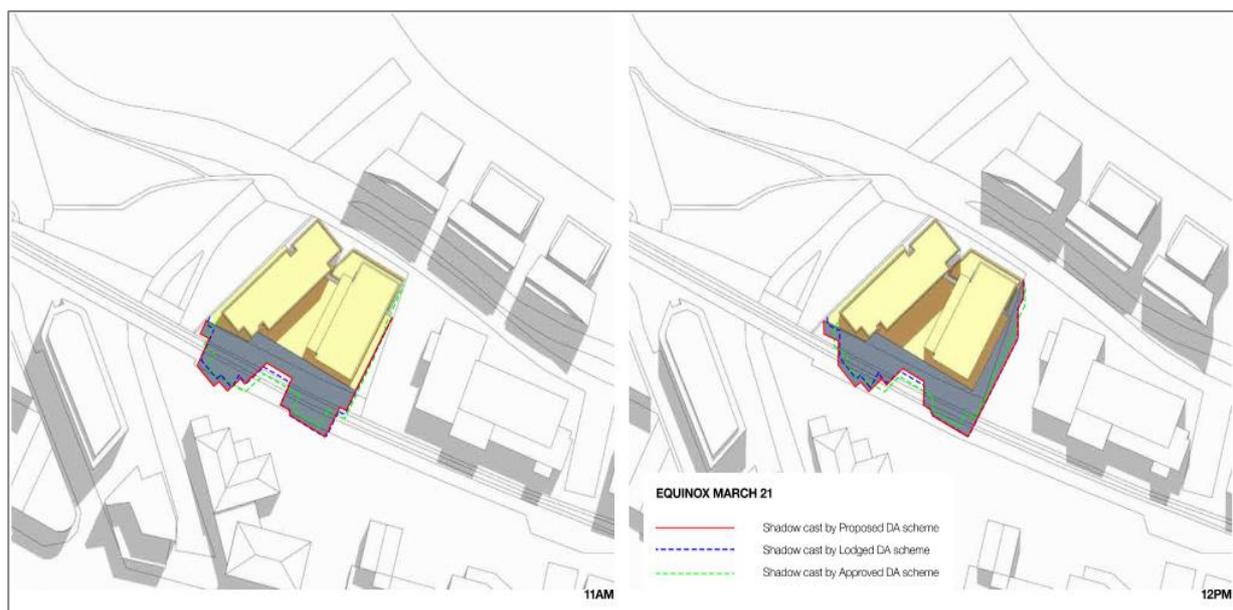
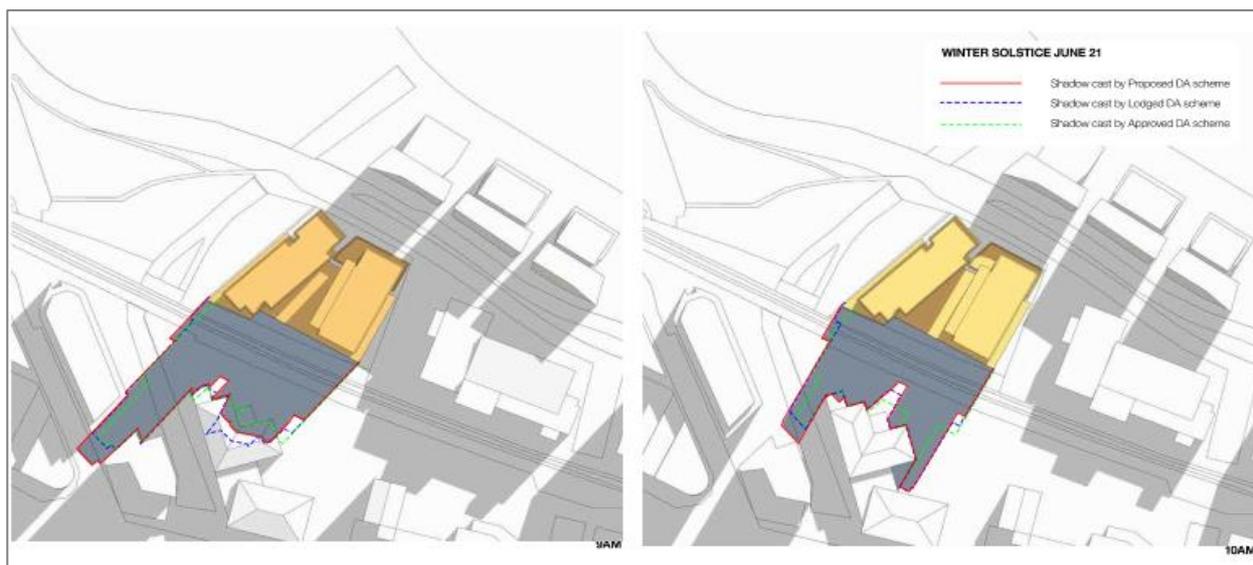


Figure 8 – Solstice June 21 (Bates Smart pg. 48)



As illustrated by Figure 7 and Figure 9 it is evident that the proposal under the proposed amendments, does not materially impact the neighbouring properties, (further assessment diagrams at Appendix A). The proposal will not result in an increased solar impact to residents at 25 Bellevue Street outcome due to the redesign which has resulted in a reduced bulk.

In relation to the changes to overshadowing from the approved SSD, to the lodged application currently under assessment and the proposed amendments, based upon shadow diagrams prepared:

North to Honeysuckle Drive: No impact.

East to Hunter Water building: The proposal will result in minimal additional overshadowing to the Hunter Water building to the east between 12:00pm and 3:00pm. The Hunter Water building is a commercial building which

optimises views to Honeysuckle Drive and Newcastle Harbour. The additional overshadowing impact will occur over the existing at grade car park and the rear façade that abuts the light rail corridor. No overshadowing will occur to residential properties or public open space to the east and the overshadowing impacts are isolated to the commercial Hunter Water building and light rail corridor.

South to Light Rail Corridor: At the solstice, on balance shadowing to the south will be reduced with isolated increases as a result of the increased height. No overshadowing will occur to residential properties or public open space to the south, as the overshadowing impacts are isolated to light rail corridor and the rear portion of properties fronting Hunter Street. Overshadowing to these properties occurs primarily to the at-grade carparking, the shadow is quick moving and these properties receive optimal morning sunlight. The proposal will not result in an increased impact to residents at 25 Bellevue Street and, in spite of the height increase, the proposal will result in a better solar outcome due to the repositioning of the building elements on the site.

West to Cockle Creek: There is a minor increase in shadowing to the west over the Cottage Creek open space in the morning at the equinox, which is caused by the repositioning of the building on the site rather than the changes in height. There is no impact to the west of Cottage Creek in the proposal.

It is evident that the increase in building height will not create additional undesirable overshadowing impacts to residential properties or the public domain. This is a consequence of the careful consideration of the building elements on the site coupled with a reduction in the bulk of these elements.

4.7 TRAFFIC IMPACTS

An amendment to the traffic report is provided at Appendix G and includes updated assessment based on the proposed design changes and minor increase in hotel rooms. The report provides expected traffic generation from the proposal, including separate uses and concludes the proposed amendments will not have any negative impact on traffic to and from the site or surrounding existing networks. An extract from the amended traffic demands is provided in Table 3 below, the assessment concludes that the latest development yield indicates a peak traffic demand approximately 17vp less than that was previously stated in the original assessment provided with the EIS.

Table 3 – Extract from Traffic Report (SLR pg. 18)

Use	Yield	Adopted RTA/RMS Generation Rate		Forecast Traffic Demands
		Max Generation Rate	Source	
Hotel	187 rooms	0.4vph/room	RTA 2002 (Motel)	74.8vph
Commercial	5442m ² GFA	1.6vph/100m ² GFA	RMS 2013 (Office Block)	87vph
Cafe	75m ² GFA	5vph/100m ² GFA	RTA 200 (Restaurant)	3.75vph
Total	-	-	-	165.25vph
<i>Previous Estimate – Current Application (reported by Intersect Traffic, February 2020)</i>				<i>182vph</i>

Assessment of the intersection at Hannell Street and Honeysuckle Drive was requested within the TfNSW submission, SLR have reviewed the previous data collected and que lengths and updated the scenarios within the report at Appendix G. With the amended calculations and plan adjustments the conclusion remains that the proposal can operate effectively within the existing road network.

The Traffic Impact Assessment includes review of the sightlines for the proposed driveway in relation to pedestrians and safe vehicle movements and concludes the proposal meets the sight line requirements under AS2890.1.

4.8 CAR PARKING ASSESSMENT

The amended traffic report at Appendix F includes assessment of the proposed amendments and impact on parking. The assessment concludes the proposal can operate effectively with the proposed parking numbers and arrangement.

An extract of the calculated parking yield is provided in Table 4 below, indicating that the proposal has a yield of 20 fewer car parking spaces under the DCP rates for each use.

Table 4 - Extract from Traffic Report (SLR pg. 9)

Land Use	Yield	Parking Rate	Requirement
Commercial (office)	5,442m ² GFA	1 space per 60m ² GFA	90.7 spaces
Hotel (incl. Gym)	187 rooms (6,299m ² GFA)		104.8 spaces
Café	75m ² GFA		1.2 spaces
Total	11,816m² GFA		197 spaces
<i>Spaces Proposed</i>			<i>177 spaces</i>

Source: Newcastle Development Control Plan 2012 – 7.03 Traffic, Parking and Access

SLR has conducted additional static parking demand analysis using parking rates based on a first principles assessment, which refer to relevant assumptions and external data sources to forecast parking demand. This parking demand is expected to be slightly more representative than the requirements dictated by the Council DCP. Further assessment of the parking demand generated is provided in the TIA at Appendix F.

4.9 CAR PARK OPERATED BY THIRD PARTY

The proposal no longer includes a commercial car parking operation by a third party. Parking will be for hotel, office and commercial tenancy use only and their guests. The plans at Appendix A have been amended to reflect this change.

4.10 BICYCLE PARKING

50 bicycle spaces have been provided, including 35 wall mounted secure spaces located with the end of trip facilities for commercial occupants, 9 secure spaces for hotel guests and 6 visitor spaces externally, visible from the entrance.

4.11 WIND IMPACT DETAIL

Wind mitigation measures provided by the consultant includes: a solid awning over the hotel entrance; low level planting and street planting; and removal of the western walkway, as outlined in Figure 9 below and on the plans at Appendix A.. A letter from the Windtech and the report referenced within the letter (dated, Rev 0, May 18, 2020) is provided at Appendix I. The letter outlines that the design changes implemented within the current scheme (Appendix A) do not alter the mitigation measures as outlined within the original report, as attached.

Figure 9 – Concept Wind Mitigation Measures



4.12 ANCILLARY USES

The proposed bar will be predominantly used by patrons of the hotel and the commercial building. The hotel component is intended to operate as per the existing Little Nation Hotel in the ACT, owned and managed by DOMA. The chain primarily targets business travellers, compared to traditional hotels which typically cater for families and leisure travellers. The proposed hotel is expected to generate the highest demand on weeknights. The bar is not located on the ground level and is fully integrated within the hotel and commercial space. The bar will be managed to a high standard in conjunction with the hotel. The bar will be owned and operated by the developer.

4.13 NEWCASTLE DCP 2012

The Newcastle Development Control Plan 2012 (DCP 2012) provides detailed guidelines to guide the design and assessment of development applications for land covered by Newcastle LEP 2012.

Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011 states that a DCP does not legally apply to State significant developments, notwithstanding this, consideration has been given to the DCP 2012 in Appendix H.

The DCP 2012 components relevant to the proposed development are:

- + 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
- + Part 5 – Environmental Protection Provisions
- + Section 6.01 – Newcastle City Centre
- + Section 7.03 – Traffic, Parking and Access
- + Section 7.08 – Waste Management

A full assessment against the relevant components of the DCP is included in table format at Appendix H. The proposal generally complies with the applicable requirements of the DCP.

4.14 PUBLIC DOMAIN WORKS

DOMA is committed to providing high quality public domain, it is requested that a similar public domain condition be placed on this SSD. Public domain works can be dealt with at a later stage as the proponent has ongoing discussions and coordination meetings with HCCDC who are delivering the cottage creek public domain works.

4.15 FLOOD MANAGEMENT

The proposed changes will not create additional impact on flooding, as outlined in the City of Newcastle submission the requirements of location of flood refuge and floodway risk management plan can form a condition of consent.

4.16 STORMWATER

Details of the proposed rainwater tank are included in the Concept Stormwater Management Plan under *Section 4.1 Rainwater Tank* as prepared by Northrop and included at Appendix E of the EIS, an extract included as follows:

A 7kL above ground rainwater tank will be located on the podium level. It has been assumed within the MUSIC model that 100% of the roof areas will be connected to the tank.

A re-use demand based on the podium level landscape irrigation was used for the MUSIC model. The data presented in CN's "Stormwater and Water Efficiency for Development" technical manual suggests 55kL/year for external use for a typical residential dwelling. Based on the area of the podium level landscaping (approximately 2 x urban backyards), a re-use demand of 110kL/year was adopted for modelling.

The proposed system satisfies 94% of re-use demand which is considered an acceptable design outcome, and accords to the CN DCP 2012.

4.17 CONTAMINATION

A previous revision of the RAP (noted DRAFT and dated November 2017) was provided with the EIS. The submission from City of Newcastle notes this is the incorrect version. The RAP dated April 2018, Revision O has now been provided at Appendix J and is confirmed to be the current version and concludes the site can be made suitable for residential purposes. Appendix J also includes interim audit advice from a NSW EPA accredited Contaminated Sites Auditor until the final site audit is available.

4.18 SECTION 7.12 LOCAL INFRASTRUCTURE CONTRIBUTION

A cost summary report has been prepared and included at Appendix K, the report has been signed and dated by Quantity Surveyor verifying the cost.

4.19 SERVICING AND WASTE REPORT

Servicing and waste are addressed within the amended traffic response at Appendix G. A loading bay is located within the ground level car park and is proposed to facilitate the majority of the servicing requirements for the development. The internal loading dock allows for small rigid vehicles and vans with a maximum height of 3.9m to enter the site. Collection from site will be undertaken by private contractor (Veolia) with the maximum manoeuvring and operating height of 3.4m, allowing entrance into the internal ground level parking area and refuse collection point.

It is understood that the upgrade of Honeysuckle Drive includes a 12m long on-street loading bay, supported in principle by HDC and subject to review and approval. Once approved it can be utilised by the proposal for any delivery vehicles that cannot access the ground level area due to height.

4.20 LICENSED PREMISES REFERENCE GROUP

It is proposed to amend the hours of operation of the bar and terrace from 6:00am and 12:00 midnight, 7 days a week to 6:00am to 12:00 midnight Monday to Saturday and 6:00am to 10:00pm on Sunday. The proposed amendment to operational hours is in alignment with the correspondence from Newcastle City Council dated 3 June 2020 regarding the outcome of Licensed Premises Reference Group meeting. The Plan of Management submitted with the EIS has been updated to reflect the amended operating hours and provided at Appendix L. The PoM includes details regarding lighting, CCTV, and response to CPTED principles as outline in the submission from the NSW Police. Details of location of cameras and lighting etc. will be further detailed at CC stage.

The submission also requested maximum patron numbers. As the liquor license application will occur at a later date it is assumed the licence will dictate maximum patron numbers which will be adhered to and displayed within the premises. It is requested that providing confirmation of numbers is conditioned.

4.21 NAVIGATION AIDS

The Port of Newcastle has raised the potential for the proposed development impacting or obscuring the Throsby Basin navigation aid located within close proximity to the subject site. The exact location of the navigation aid is not known, whoever it is considered that the proposal is set back far enough from the Port of Newcastle that any future development, regardless of height, will have an impact on navigation equipment or any impact on the safe operation of the harbour.

4.22 SAFETY REQUIREMENTS

DOMA is confident the proposal can safely be built and operated within close proximity to the light rail. Details of crane requirements and notification to Keolis Downer and Transport for NSW will occur as per routine construction certificate and construction stage building requirements. Constant correspondence will be undertaken during the CC and construction stage with the relevant authorities to inform works to be undertaken, staging and timeframes. TfNSW have included a list of conditions within their submission (08/04/2020) prior to CC/during construction/OC which can be met post approval.

5 CONCLUSION

The Response to Submissions Report, associated appendices and amended plans is considered to have responded to the concerns raised within the submissions received during the notification period for the proposed development at 42 Honeysuckle Drive, Newcastle (SSD 10378). In addition, it is the design amendments are considered to be a favourable outcome and present a high-quality development and meet the objective and intent for the wider foreshore area.

We trust the consent authority can be satisfied that the proposal as amended can make a positive contribution to the intended future vision for the Honeysuckle area.

If any further enquires please contact the undersigned.

Yours sincerely,



Clare Brennock
Client Director
KDC Pty Ltd

This page has been left blank intentionally

Appendix A – Amended Plans

KDC PTY LTD

This page has been left blank intentionally

Appendix B – Amended Clause 4.6

Bates Smart

This page has been left blank intentionally

Appendix C – Civil Response

Northrop Engineers

This page has been left blank intentionally

Appendix D – Amended Noise Impact Assessment

Acoustic Logic

This page has been left blank intentionally

Appendix E – Aboriginal Cultural Heritage Management Plan

Street Archaeological Services

This page has been left blank intentionally

Appendix F – View Impact Analysis

KDC Pty Ltd

This page has been left blank intentionally

Appendix G – Traffic Response

SLR

This page has been left blank intentionally

Appendix H – Wind Report and Letter

Windtech Consultants Pty Ltd

This page has been left blank intentionally

Appendix I – DCP Compliance Table & Crime Risk Assessment

KDC Pty Ltd

This page has been left blank intentionally

Appendix J – Remediation Action Plan – April 2018

Douglas Partners

This page has been left blank intentionally

Appendix K – Detailed Cost Report

KDC Pty Ltd

This page has been left blank intentionally

Appendix L – Amended Plan of Management

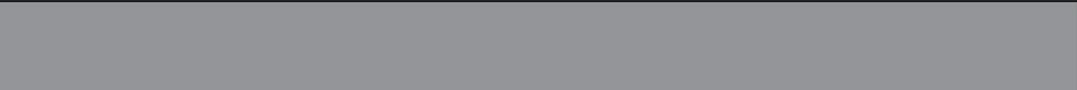
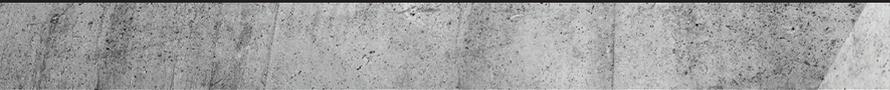
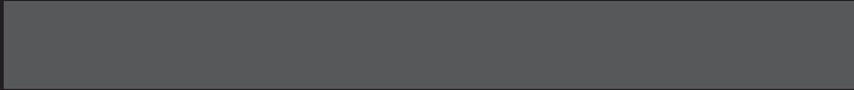
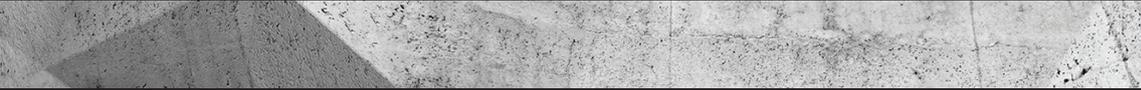
KDC Pty Ltd

This page has been left blank intentionally

Appendix L – Amended Landscape Plan

Terras Landscape Architects

This page has been left blank intentionally



NEWCASTLE | SYDNEY | MELBOURNE
02 4940 0442 reception@kdc.com.au www.kdc.com.au