

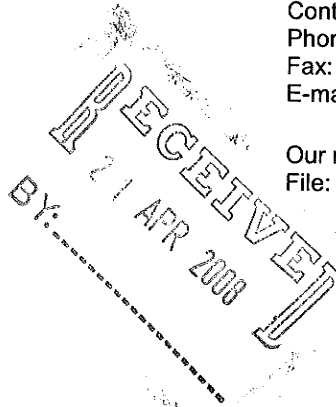


NSW GOVERNMENT
Department of Planning

Contact: Sumathi Navaratnam
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Our ref: MP 08_0043
File: S08/00440-1

Mr Peter Strudwick
C/- Urbis Pty Ltd
Level 21, 321 Kent Street
SYDNEY NSW 2000



Dear Peter,

Subject: Major Project Request – Mixed-Use Development at Lot 25 DP 1096520, Honeysuckle Drive, Newcastle.

Thank you for your letter, dated 3 March 2008, requesting confirmation that your proposal is a Major Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies.

On 14 March 2008, the Director General, as delegate of the Minister for Planning, formed the opinion that your proposal is a Major Project and that Part 3A of the Act applies. Consequently, you may now apply for the approval of the Minister to carry out this Project.

In seeking the Minister's approval, Section 75E of the Act requires you to lodge an application for your Project with the Director General. The application you will lodge with the Director General for the Project must include a completed Application Form, a Preliminary Assessment based on the information contained in this Schedule, and the correct fee. I have enclosed an Application Form with this letter, along with a schedule that identifies what information should be addressed in the Preliminary Assessment and the fees to be paid.

In addition, as requested, I have also attached a copy of the Clause 6 declaration, signed by the Director General.

If you have any questions concerning any of the above matters or information required for the Preliminary Assessment, please contact Sumathi Navaratnam on (02) 9228 6361 or via e-mail at sumathi.navaratnam@planning.nsw.gov.au.

Yours sincerely

 15/4/2008
Michael Woodland
Director, Urban Assessments

ATTACHMENT A – ITEMS TO BE SUBMITTED WITH YOUR APPLICATION

Application form	You must complete in full the Application for a Major Project form enclosed.
Preliminary Assessment – Purpose	- The purpose of the Preliminary Assessment is to assist the preparation of the Director General's Environmental Assessment Requirements. - The purpose of the Preliminary Assessment is to culminate in a summary of the "Key Issues". Key Issues are those matters that if not addressed satisfactorily may lead to refusal of the project.
Preliminary Assessment – Identifying Key Issues	"Key Issues" will emerge from: - the proponent's consultation with all relevant agencies and groups, and - from the proponent's assessment of the proposed project against applicable environmental planning instruments, policies, guidelines and other relevant planning documents. "Key issues" could include, but may not be limited to: - non-compliances with known relevant planning controls; - known community concerns about the development proposed; - potential environmental impacts associated with construction, operation, or occupation of a project; - likely environmental risks; - constraints arising from the peculiarities of a project site. "Key Issues" should not include those aspects of a proposed project that comply with known planning controls; where there are no community concerns or where there are no other contentious matters.
Preliminary Assessment – Information to be addressed	- The Preliminary Assessment should include: - a written and graphical description of the project and any ancillary components, including relevant preliminary plans; - the location(s) and a map identifying the site(s)/alignment/corridor; - the planning provisions applying to the site and whether the project is permitted under the prevailing EPIs, DCPs, policies, etc, and if the project is inconsistent with such instruments/plans/policies; - the views of the other agencies, local council and/or the community if known; - an identification of any study or investigations undertaken for the preparation of the Metro Strategy or other regional or local strategies that may affect the Project;
Application Fee	\$1000.00, based on set fee for lodgement of a MP application. - Outstanding fee's (to be determined) are to be paid at the lodgement of the Environmental Assessment.
Copies of Documentation	10 copies of all documentation lodged (including plans)
Electronic Version of Documents	1 x CD in Rich Text Format of all documentation lodged, and 1 x CD in PDF format of all documentation lodged, and - All plans should be in PDF format. Note: In the event that the documentation exceeds 5 Megabytes, you should contact the liaison officer prior to lodgement. Please be aware that you may be required to prepare a website for your Project.
Acceptance of Application	The Director General will not accept your application until such time as you complete all the information required by this schedule, the accompanying fee, and a completed application form

**Record of Minister's opinion for the purposes of Clause 6(1) of the State
Environmental Planning Policy (Major Projects) 2005**

I, the Director-General, as delegate of the Minister for Planning under delegation executed on 26 February 2007, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 2 of the *State Environmental Planning Policy (Major Projects) 2005* – namely Clause 5(e) as development that “has a capital investment value of more than \$5 million”, and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

A development proposal for a mixed use purposes including retail, commercial and residential uses and associated car parking on Lot 25 DP 1096520, Honeysuckle Drive, Newcastle, generally as described in letter dated 3 March 2008 from Urbis JHD, on behalf of the Eureka-Buildev Joint Venture (Proponent) to the Department of Planning.

SHaddad

Sam Haddad
Director-General

Date: 14/3/2008

Major Project application



NSW GOVERNMENT
Department of Planning

Date received: ____/____/____

Project Application No. _____

1. Before you lodge

This form is required to apply for the approval of the Minister to carry out a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your project.

A Planning Focus Meeting (PFM) may need to be held for this project involving the Department, relevant agencies, council or other groups identified by the Department. If a PFM is held, the Department will issue the Director-General's requirements for the Environmental Assessment following the meeting.

All applications must be lodged with the Director-General, by courier or mail. An electronic copy should also be emailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, Sydney NSW 2000
GPO Box 39 Sydney NSW 2001
DX 10181 Sydney Stock Exchange
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

ABN

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☐ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Family name

--	--

Position

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STREET ADDRESS

Unit/street no.

Street name

--	--

Suburb or town

State

Postcode

--	--	--

POSTAL ADDRESS (or mark 'as above')

--

Suburb or town

State

Postcode

--	--	--

Daytime telephone

Fax

Mobile

--	--	--

Email

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3. Identify the land you propose to develop

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area(s)

State electorate(s)

REAL PROPERTY DESCRIPTION

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the project applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR detailed description of land attached. ☐

MAP: A map of the site and locality should also be submitted with this application.

4. Major Project description and other requirements

Provide a brief title for your project.

PROJECT APPROVAL

If you are applying for approval of a project, include in the project title, all significant components for which approval is being sought. If the application relates to part only of a project, the project title should reflect this.

Is the application for approval of a project?

☐ Yes ☐ No

Is the application related to part only of a project?

☐ Yes ☐ No

CONCEPT PLAN APPROVAL

If you are applying for approval of a concept plan, include in the project title, all components for which approval 'in concept' is being sought. If the application also relates to approval of a project, a description of this should also be included in the project title.

Is the application for approval of a Concept Plan?

☐ Yes ☐ No

Is a project application being made concurrently for all or part of the project?

☐ Yes ☐ No

You are also required to provide a Project Description and address any matters required by the Director-General in accordance with section 75E or section 75M of the Act. Failure to do so may lead to your application being rejected.

Is a Project Description attached?

☐ Yes ☐ No

Does the Project Description include any additional matters required by the Director-General under section 75E or section 75M of the Act?

☐ Yes ☐ No

Note: An electronic copy of the project description is also required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the project. The CIV includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding GST and land costs).

\$

EQUIVALENT FULL-TIME JOBS

Please indicate the number of jobs created by the project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

Operational jobs (full-time equivalent)

5. Approvals from State agencies

Does the project require any of the following: (tick all that are appropriate)

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☐ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☐ a consent under section 138 of the *Roads Act 1993*
- ☐ a licence under the *Pipelines Act 1967*

6. Landowner's consent or notification

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the proponent:

Land

Signature

Name

Date

Land

Signature

Name

Date

Note: Under clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require the consent of the landowner, however, the proponent is required to give notice of the application:

- In the case of linear infrastructure projects, by notice in a newspaper circulating in the locality prior to the commencement of the public consultation period,
- In the case of mining or petroleum production projects, by notice in a newspaper circulating in the locality within 14 days of this application being made,
- In the case of critical infrastructure projects, to the owner of the land within 14 days of this application being made, and
- In other cases, to the owner of the land at any time before the application is made.

7. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the project and address all matters required by the Director-General pursuant to section 75E and/or section 75M of the Act, and
- apply, subject to satisfying clause 8D of the Environmental Planning and Assessment Regulation, for the Director-General's environmental assessment requirements pursuant to Part 3A of the Act, and
- declare that all information contained within this application is accurate at the time of signing.

Signature

In what capacity are you signing if you are not the proponent

Name

Name, if you are not the proponent

Date