

7 July 2021

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Emma Butcher
Department Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Emma,

**Proposed s4.55(1A) Application for the Modification of Consent SSD 8999 for Minor Design Changes and to Amend Conditions of Consent
35 Honeysuckle Drive, Newcastle NSW 2300**

1 Introduction

SLR Consulting Australia Pty Ltd (SLR) acts on behalf of its client DOMA Group (DOMA) in lodging this s4.55(1A) application to the Department of Planning, Industry and Environment (the Department) for minor changes to the approved architectural plans and conditions of consent (Condition A2 and Condition B18) relating to SSD 8999, being a mixed-use development located at 35 Honeysuckle Drive, Newcastle NSW 2300.

Section 4.55 (1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) states that a consent authority may, on application, modify a development consent if it is satisfied that the proposed modification is of minimal environmental impact and the modification is substantially the same as the development for which the consent was originally granted. Given the minor nature of the proposed modification, it is considered that this is the most suitable approval pathway.

This modification should be read in conjunction with the Amended Architectural Plans at Appendix A and the Traffic Addendum comment at Appendix B.

1.1 Background

A State Significant Development (SSD) for the *construction a mixed-use development including: 8-storey buildings comprising 92 residential units, ground floor retail, communal open space including internal courtyard and rooftop terrace, two level basement car parks with 190 spaces and public domain improvements, public open space and hard and soft landscaping*, was approved by the Department of Planning, Industry, and Environment on 21 June 2019. No additional apartments are proposed as part of this modification.

The following modification applications have been approved at the site:

- **Modification 1 - Withdrawn**
- **Modification 2 - Correction to Condition B23 (Approved 29/01/2020)**
- **Modification 3 - Increases in the height of the building (Approved 05/05/2020)**
- **Modification 4 - Design Changes (Approved 21/08/2020)**

An application for subdivision on the site was approved by Newcastle City Council on 15 July 2020:

- **DA2020/00387 – Subdivision – one lot into two lot stratum subdivision**

2 The Site & Surrounds

The site is located at 35 Honeysuckle Drive, situated within the Local Government Area (LGA) of Newcastle. The site comprises a polygon configuration with an area of approximately 5,200m² within a larger tract of land currently under one Title. The land is currently legally identified as part of Lot 39 in Deposited Plan 1251908.

The site exists within the western end of the Honeysuckle Precinct in the Newcastle City Centre, which is yet to fully realise its redevelopment and revitalisation potential. To the direct north of the site exists public recreational land in the form of a foreshore promenade. To the immediate east of the site is a large-scale mixed-use development (21 Honeysuckle Drive, Newcastle). To the immediate west is undeveloped waterfront land referred to as the “Lee 5” site, that is earmarked for future development. Honeysuckle Drive forms the southern boundary of the site and beyond this, mixed-use and commercial developments typically six to eight storeys in height.

Refer to Figure 1 and Figure 2 for the site and its surroundings.

Figure 1 Site Aerial (Source: Near Maps)

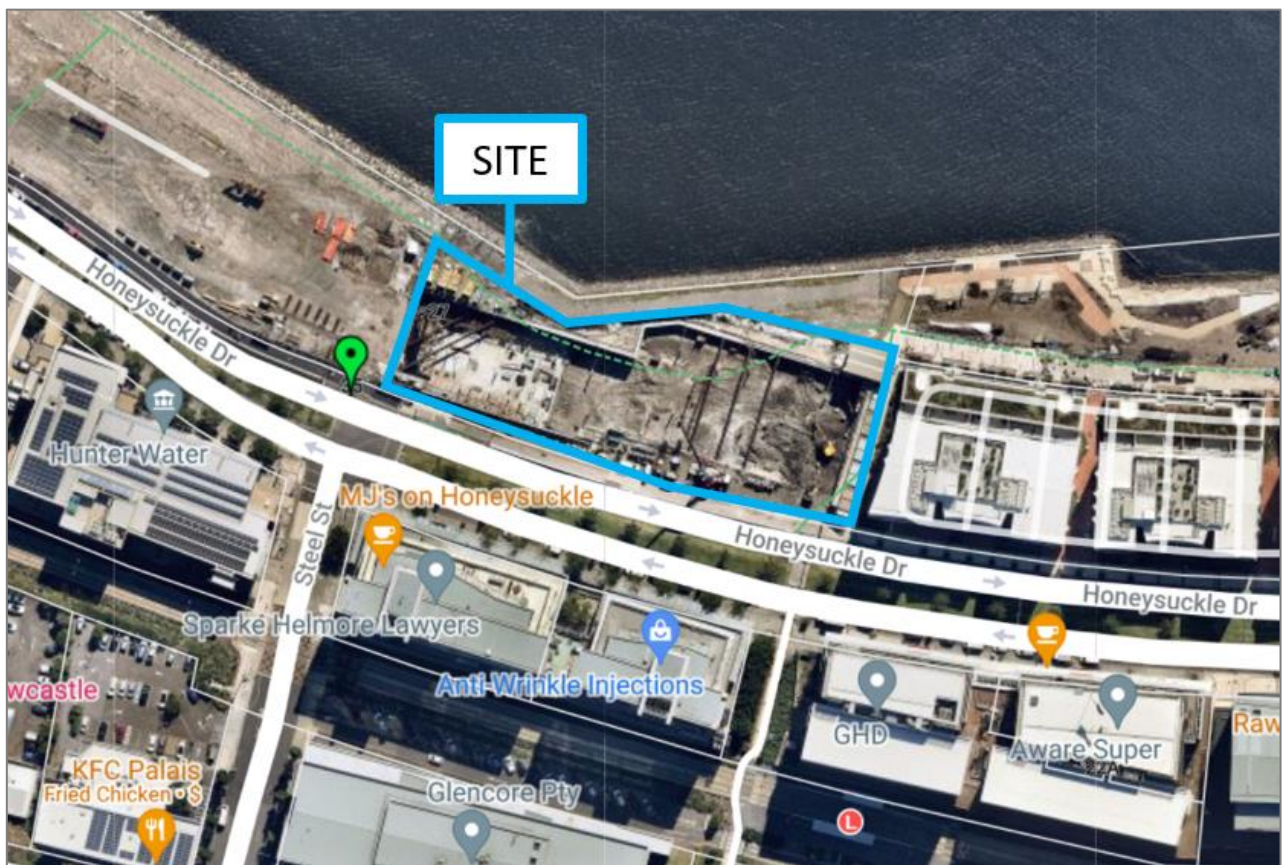
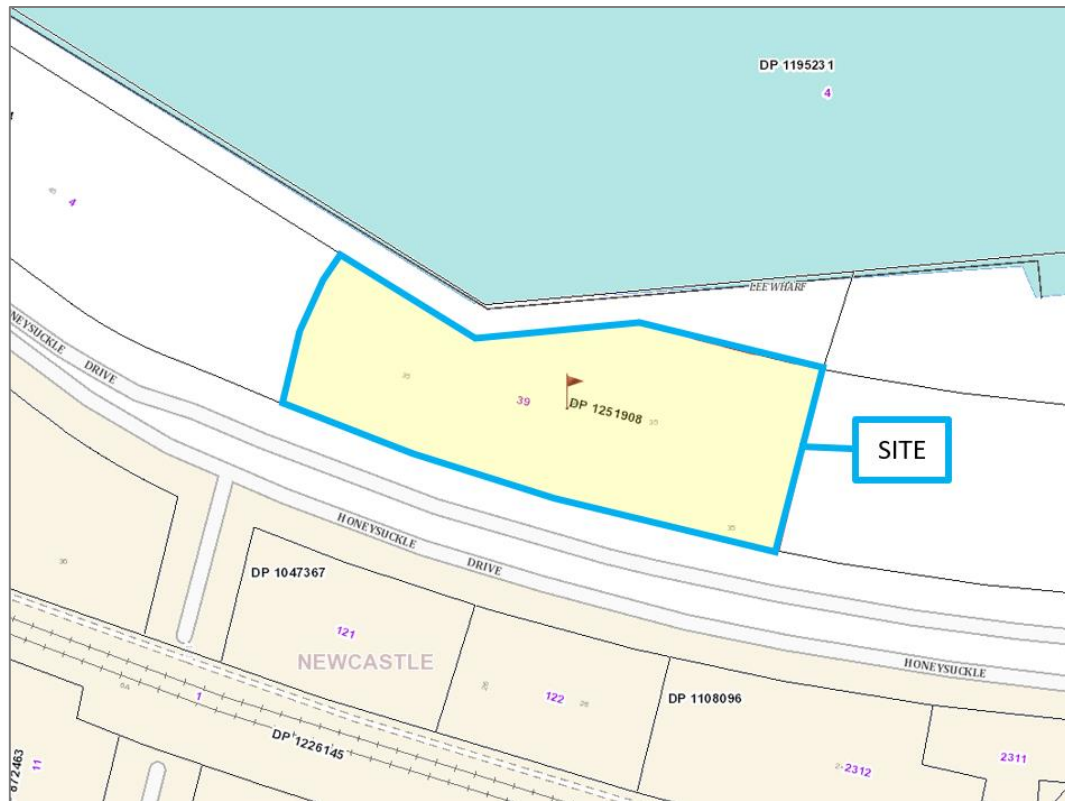


Figure 2 – Cadastre Plan (Source: Six Maps)



3 Proposed Modifications

3.1 Proposed Design Modifications

The proposed modification seeks to amend the approved plans relating to the mixed-use development and is the result of the following:

- More efficient parking layout during detailed design, including changing location of pump rooms, bicycle parking, and motorbike parking, the overall parking levels footprint is not increasing;
- Review of GFA calculations for the retail spaces that were incorrect in the original mod, removing circulation areas within the ground floor and adjustment to services corridors;
- 3 additional residential parking spaces: 2 being created and 1 being swapped from retail parking to residential;
- Minor increase in GFA to account for additional parking spaces;
- Adding balcony pergolas to the roof top units (A702 & A703);
- Minor service amendments resulting in an overall residential increase of 3m² for Unit B701;
- Refined roof plant, made smaller during detailed design;
- Removal of hotwater room on Level 01; and
- Minor update to the awning to meet Ausgrid requirements

Note: the total unit number remains at 86, as per the previous modification approval.

Table 1 Proposed Design Changes Per Level

Level 1	Proposed Modification
Basement Level 02	<ul style="list-style-type: none"> One (1) additional residential car parking space added Relocation of motorbike spaces Pump room added Relocation of retail bikes
Basement Level 01	<ul style="list-style-type: none"> One (1) additional residential car parking spaces added and – 1 x visitor space re allocated too residential
Ground Level	<ul style="list-style-type: none"> Removal of hotwater plant Adjustments to services corridor Repositioning of bicycle parking
Level 01	<ul style="list-style-type: none"> Removal of hotwater room Minor update to Level 1 awning due to Ausgrid requirement
Level 02	No change proposed
Level 04	No change proposed
Level 05	No change proposed
Level 06	<ul style="list-style-type: none"> Apartment A602 – Updates to amalgamated apartment layout
Level 07	<ul style="list-style-type: none"> Apartment A702 and A703 – balcony pergolas added Reduction in size of plant zone B701 – Minor increased GFA, reduction of services

3.2 Proposed Modification to Conditions of Consent

The proposed amendments to the approved plans require changes to the approved conditions of consent as detailed below. Amendments requested below, with deletions shown as strikethrough and additions in red.

Proposed Condition A2:

A2. The development may only be carried out:

a) in compliance with the conditions of this consent

b) in accordance with all written directions of the Planning Secretary

c) in accordance with the EIS and Response to Submissions

d) in accordance with the approved plans in the table below:

Architectural Drawings Prepared by SJB Architects			
Sheet No.	Revision	Name of Drawing	Date
0001 0000	05 15	Cover	09.11.18 24.02.20
0101	05	Context Plan	09.11.18
0103	05 15 17 17	Site Plan/ Site Analysis	09.11.18 24.02.20 04.05.21
0201	05 17 18	Floor Plan – Basement 02	09.11.18 20.03.20 04.05.21
0202	05 17 18	Floor Plan – Basement 01	09.11.18 20.03.20 04.05.21
0203	05 16 17	Floor Plan – Ground Floor	09.11.18 20.03.20 04.05.21
0204	05 16 17	Floor Plan -Level 01	09.11.18 20.03.20 04.05.21
0205	05 16	Floor Plan – Level 02	09.11.18 20.03.20
0206	05 16	Floor Plan – Level 03	09.11.18 20.03.20
0207	05 16	Floor Plan – Level 04-06	09.11.18 20.03.20
0208	05 16	Floor Plan – Level 05	09.11.18 20.03.20
0209	16 17	Floor Plan – Level 06	20.03.20 04.05.21
0210	16 17	Floor Plan – Level 07	20.03.20 04.05.21
0211	05 16 17	Roof Plan	09.11.18 20.03.20 04.05.21
0501	05 16 17	Elevations – Sheet 1	09.11.18 20.03.20 04.05.21
0502	05 16 17	Elevations – Sheet 2	09.11.18 20.03.20 04.05.21
0601	05 16 17	Building Sections – Sheet 1	09.11.18 20.03.20 04.05.21
0602	05 16 17	Building Sections – Sheet 2	09.11.18 20.03.20 04.05.21
1401	05 16	Apartment Plans – Sheet 1	09.11.18 20.03.20
0402	05	Apartment Plans – Sheet 2	09.11.18
0404	05	Apartment Plans – Adaptable	09.11.18
1435	05	SEPP 65 Analysis – Livable Apartments	09.11.18
1436	16	Apartment Plans – Livable	20.03.20
3001	16	Shadow Analysis – 9am	20.03.20
3002	16	Shadow Analysis – 10am	20.03.20
3003	16	Shadow Analysis – 11am	20.03.20
3004	16	Shadow Analysis – 12pm	20.03.20
3005	16	Shadow Analysis – 1pm	20.03.20
3006	16	Shadow Analysis – 2pm	20.03.20
3007	16	Shadow Analysis – 3pm	20.03.20
3101	05 17 18	GFA Analysis	09.11.18 20.03.20 04.05.21
3201	05 16	SEPP 65 Analysis – Solar	09.11.18 20.03.20
3202	05 16	SEPP 65 Analysis – Ventilation	09.11.18 20.03.20
3203	05 16	SEPP 65 Analysis – Deep Soil	09.11.18 20.03.20
3204	05 16	SEPP 65 Analysis – Communal Space	09.11.18 20.03.20
4001	05 16	External Finishes	09.11.18 20.03.20
4005	05 16	Photomontage – Sheet 1	09.11.18 20.03.20

4006	05 16	Photomontage – Sheet 2	09.11.18 20.03.20
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Proposed Condition 18:

B18. The development shall provide car parking in accordance with the following requirements:

a) a total of ~~190-206~~ 208 on-site car parking spaces comprising: NSW Government 5 Department of Planning, Industry and Environment SSD 8999 Mod 4

(i) ~~147-167~~ 170 residential car parking spaces

(ii) ~~21-18~~ residential visitor car parking spaces

(iii) ~~22-21~~ 20 retail car parking spaces.

b) all vehicles should enter and leave the site in a forward direction

c) Car park entry/exits shall be designed in such a manner as to ensure that the future queuing areas and capacity requirements comply with Appendix D of AS 2890.1-2004

Full details are to be included in documentation for a Construction Certificate application.

4 DPIE Scoping Meeting

A scoping meeting was held between the DPIE and SLR on 24 June 2021 to discuss the proposal. The comments provided from the Department and a response to each item are outlined below.

- 1. Justification for the two additional parking spaces taking into consideration the assessment of MOD 4 which notes that “any further proposals to increase carparking would be discouraged given the site’s inner-city location which is close to public transport, amenities and services”.*

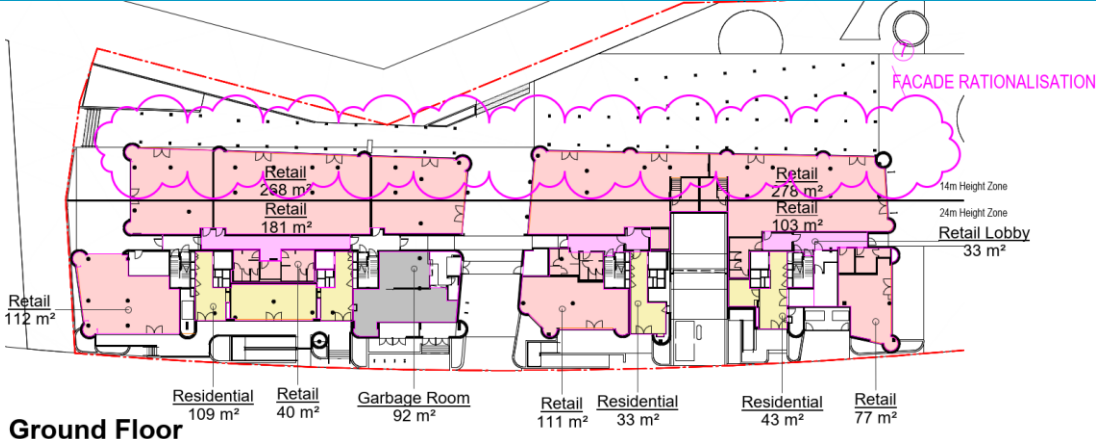
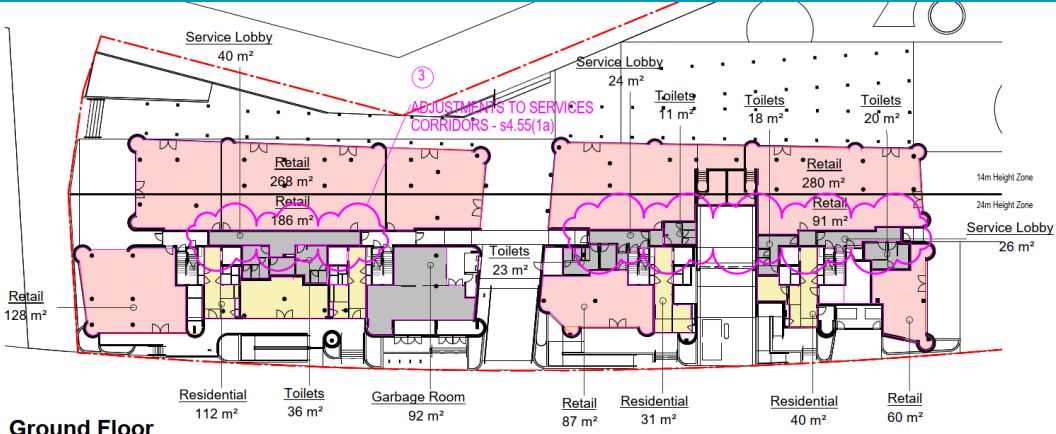
Response: Modification 4 involved a significant increase to the parking available on site, with the justification being market demand and to provide a premium product on the site, including rearrangement of the basement levels. It is considered that the additional 3 spaces for residential purposes are not excessive and are a result of more detailed design, where space has been created that has the logical area to be allocated for parking. The additional spaces have been included in the GFA calculations.

- 2. An assessment of the visual impacts of the proposed pergolas and changes to plant.*

Response: The pergolas are proposed on 2 units on the top level, they do not increase the overall height of the building or extent past the building envelope. An extract in Table 2 below demonstrates the current consent under Mod 4 compared to the proposed amendments and includes the added pergolas and smaller plant, from the most obvious elevations. Further elevations and through site elevations are provided in the plans at Appendix A.

The images demonstrate that the amended plant and pergola additions do not increase bulk and scale, and will not impact on any surrounding views.

Table 3 - Retail GFA Calculations

Approved (Mod 4)	Proposed
1,260m ²	1,183m ²
Approved Mod 4	
 <p>Ground Floor</p> <p>Labels: Retail 112 m², Retail 268 m², Retail 181 m², Residential 109 m², Retail 40 m², Garbage Room 92 m², Retail 111 m², Residential 33 m², Residential 43 m², Retail 77 m², Retail Lobby 33 m², FACADE RATIONALISATION, 14m Height Zone, 24m Height Zone.</p>	
Proposed	
 <p>Ground Floor</p> <p>Labels: Service Lobby 40 m², Retail 128 m², Retail 268 m², Retail 186 m², Residential 112 m², Toilets 36 m², Garbage Room 92 m², Toilets 23 m², Service Lobby 24 m², Toilets 11 m², Toilets 18 m², Toilets 20 m², Retail 87 m², Residential 31 m², Residential 40 m², Retail 60 m², Retail 280 m², Retail 91 m², Service Lobby 26 m², ADJUSTMENTS TO SERVICES CORRIDORS - s4.55(1a), 14m Height Zone, 24m Height Zone.</p>	

4. *An assessment of the proposed changes against the Apartment Design Guide.*

The minor changes do not have any impact on the ADG assessment as submitted and approved under Mod 4. It is considered that the changes maintain safe and adequate parking and do not increase bulk and scale in reference to the pergolas and smaller plant.

5. *Confirmation that the garbage storage areas will still meet Council requirements.*

The garbage collection area has increased marginally by 7sqm, with the bulk storage decreasing by 1 sqm. This increase in area has been achieved by removing the corridor between the two areas and minor reconfiguration. The garbage area maintains an entrance from each stairway and path of travel for collection.

The minor amendments remain compliant with Australian Standards and Newcastle City Council DCP controls and do not require amendments to the current waste management plans.

5 Legislation & Planning Controls

The following legislation, Environmental Planning Instrument (EPI) and Development Control Plan (DCP) are relevant to the proposed amendment:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy No 65—Design Quality of Residential Apartments (SEPP 65);
- Newcastle Local Environmental Plan (LEP) 2012; and
- Newcastle Local Development Control Plan (DCP) 2012.

5.1 Environmental Planning and Assessment Act 1979

It is considered that the modification of the development consent proposed will result in minimal environmental impact and is substantially the same development as that for which the original consent was granted. Accordingly, the approval path for the proposed modification is s4.55(1A) Minimal Environmental Impact under the EP&A Act 1979:

Section 4.55 Modification of consents - generally

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) It is satisfied that the proposed modification is of minimal environmental impact, and

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

This application is made pursuant to section 4.55(1A) of the EP&A Act 1979 and the proposed modification is 'substantially the same' as the approved development, for the following reasons:

- The proposal retains the approved use, being a 'mixed use development' with retail and residential uses.
- The proposed amendments are predominately the result of the architectural plans progressing to detailed construction drawings and in response to the original conditions of consent;
- The proposed modification will not alter the proposal's compliance with the relevant legislation and planning controls, as demonstrated in Section 5 of this report; and
- The proposal results in negligible environmental impacts in addition to those considered and assessed under the original application.

5.2 State Environmental Planning Policy No 65—Design Quality of Residential Apartments

Compliance with *State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65)* remains consistent with assessment undertaken as part of the Environmental Impact Statement (EIS) for SSD8999. The nine (9) design quality principles listed in SEPP 65 have been considered in the design and evolution of this proposal.

The development achieves a high-quality design outcome for the site, in line with the objectives of the ADG, as it:

- *delivers high quality building design that responds appropriately to the character of the area and surrounding built form;*
- *provides high level of amenity and liveability through apartment layout, depth and ceiling heights, solar access, natural ventilation and visual privacy;*
- *delivers sustainable transport options, energy efficiency within the design;*
- *delivers a great relationship of apartments to the public domain; and*
- *provides a diverse housing mix and choice.*

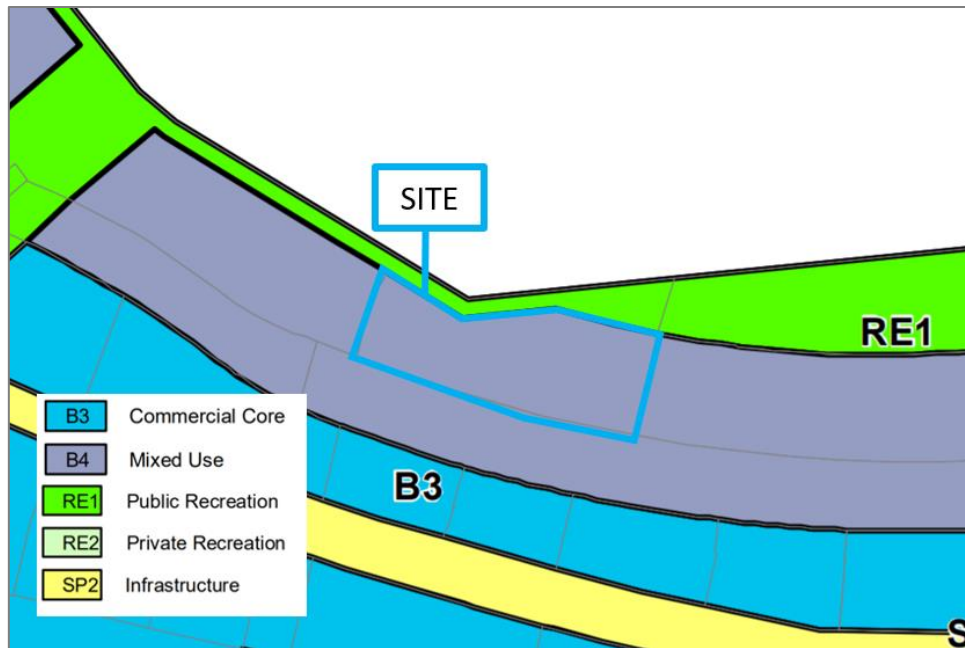
The proposed development will continue to remain consistent with SEPP 65 in that it provides well-located, well-designed apartments consistent with the express principles of good design. The proposed modifications are considered minor and will not result in significant design changes to the development.

5.3 Newcastle Local Environmental Plan (LEP) 2012

The Newcastle LEP 2012 indicates that the site is within a B4 Mixed Use Zone, as illustrated in

Figure 3.

Figure 3 – Zoning Map Extract from Newcastle LEP 2012 (LZN_004G)



The Land Use Table for the B4 Mixed Use Zone is extracted below:

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Farm buildings; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; High technology industries; Open cut mining; Pond-based aquaculture Resource recovery facilities; Rural industries; Secondary dwellings; Semi-

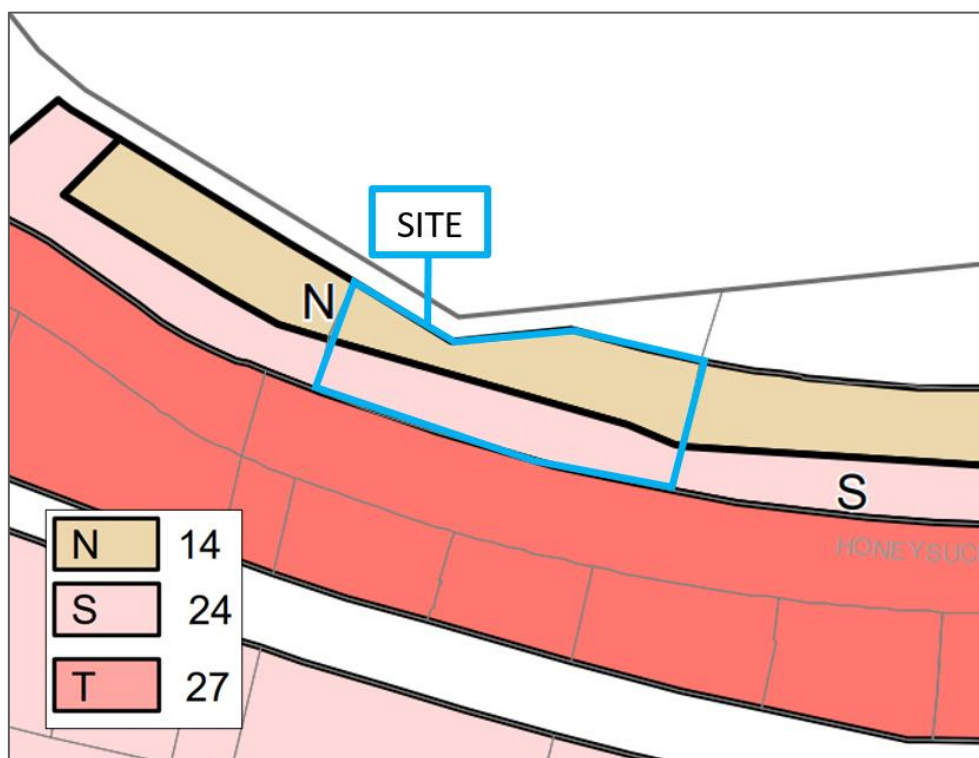
detached dwellings; Sewage treatment plants; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recycling facilities; Water supply systems

The proposed modification does not amend the approved land uses and the development remains consistent with the objectives of the B4 Mixed Use Zone.

Clause 4.3 - Height of Buildings

In accordance with this clause and adopted Height of Buildings Map, development on the site is permitted to have a split maximum height of 14 metres or 24 metres. This is illustrated in **Figure 4**. The modifications proposed will not alter the approved height of the building.

Figure 4 – Extract from LEP 2012 (HOB_004G)



Clause 4.4 - Floor Space Ratio

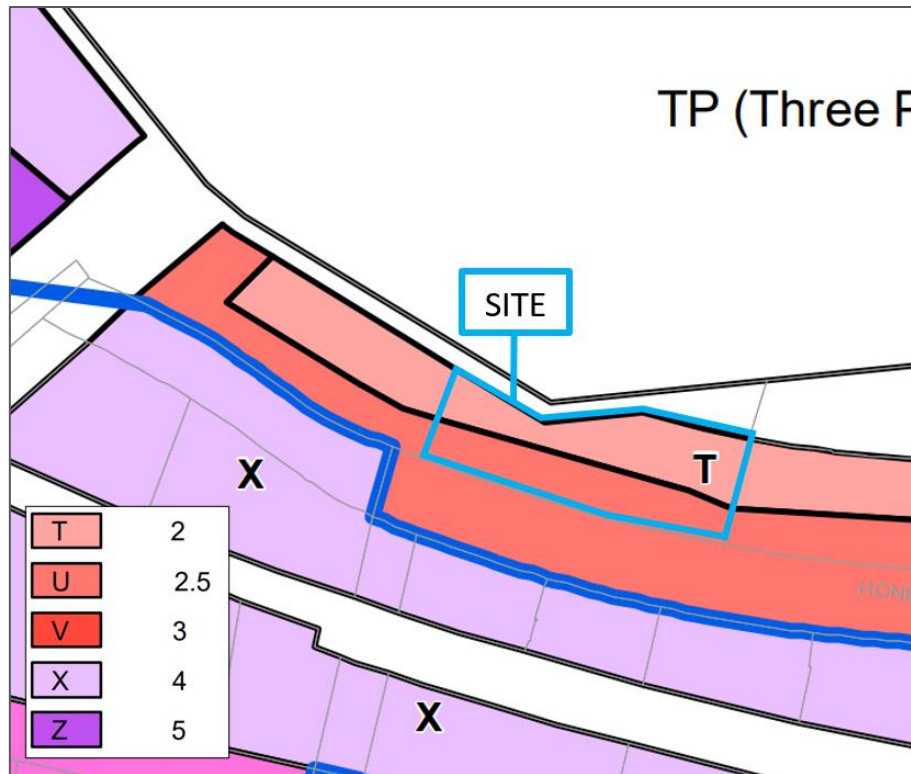
In accordance with this clause and the adopted Floor Space Ratio Map (see **Figure 5**), the maximum floor space ratio for the site is 2:1 for one portion of the site and 2.5:1 for the other portion of the site, refer to Figure 5.

The approved development under SSD-8999-Mod-4 has a GFA of 12,731m² and an FSR of 2.45:1. The proposed GFA of this development is 12,787m², resulting in a FSR of 2.46:1, an increase of 56m² or 0.43%. The proposed FSR will result in a minor variation from the LEP control for FSR.

The proposed non-compliance of the FSR is considered minor and is the result of correcting errors in the retail portion of GFA calculations, minor changes to the services corridor, allowing the addition parking spaces to be included in the GFA, and a minor increase of 3m² due to layout change of one of the amalgamated units.

The proposed modification will not result in visual bulk to the building and will be contained within the approved building envelope, therefore resulting in no additional amenity impacts.

Figure 5 – Extract from LEP 2012 (FSR_004G)



Clause 4.6 – Exception to Development Standards

The objective of this clause is to provide an appropriate degree of flexibility in applying certain development standards to particular developments in the essence of achieving better design outcomes for and from development.

Caselaw (North Sydney Council v Michael Standley & Associates Pty Ltd [1998] NSWSC 163) demonstrates that for a Section 4.55 application, a Clause 4.6 Exceptions (or SEPP 1 objection) to Development Standards is not required.

A Section 4.55 enables the development to be approved notwithstanding any breach of development standards. Section 4.55 is a broad power to approve, subject to its own stand-alone tests (such as the “substantially the same” test, and a requirement to consider all relevant s.4.15 matters). Section 4.55 does not rely upon having any SEPP 1 objection or Clause 4.6 variation in order to enliven that power to approve.

This modification report demonstrates that the proposed development is substantially the same and appropriate for the setting. It is noted that the proposed non-compliance with the FSR standard has been decreased with the proposed modification. Consideration of the impact of the proposed modification is detailed in Section 5 of this SEE.

5.4 Newcastle Development Control Plan (DCP) 2012

The proposal seeks to increase the number of car parking spaces. The Newcastle Development Control Plan 2012 (DCP) applies to the proposed development. In accordance with 7.03.02 Parking Provisions, the parking and bicycle parking requirements for a development in the Newcastle City Centre outlined by the Newcastle DCP 2012 are as follows:

7.03 Traffic, Access and Parking

Except for residential development, car parking for development in the City Centre is provided at the rate of one space per 60 m² gross floor area.

For residential development: -

- *Small (<75m² or 1 bedroom) average 0.6 spaces per dwelling*
- *Medium (75m² - 100m² or 2 bedrooms) average 0.9 spaces per dwelling*
- *Large (>100m² or 3 bedrooms) average 1.4 spaces per dwelling*
- *1 space for the first 3 dwellings plus 1 space for every 5 thereafter or part thereof for visitors.*

The required car parking for the development is outlined in the below table:

Table 4 NCC DCP Car Parking Calculation

Land Use	GFA (sqm)	Units	Carparks	Visitor Carparks
Non-Residential	1183		19.7 (20)	
Residential 1-bedroom		13	7.8 (8)	5 carparks
Residential 2-bedroom		41	36.9 (37)	10.6 carparks (11 carparks)
Residential 3 and 4 bedrooms		32	44.8 (45)	8.8 carparks (9 carparks)
Total		86	109.2 carparks	19.6 carparks
			110 carparks	20 carparks
		Total	130 carparks	
		Surplus	208 carparks (proposed 74 carparks surplus)	

The proposal provides 208 car spaces, over the two carpark levels which exceeds the minimum requirement of the DCP. However, this includes 23 'tandem'/stacked spaces, which shall be utilised for three-bedroom or four-bedroom residential apartment allocation for functionality.

The number of carparks has increased from the approved 206 spaces, as approved under SSD 8999 Modification 4, to 208 spaces. The increase in car parking is considered minor and is due to minor layout changes in the two basement levels. It is noted there are no proposed changes to the number of existing bicycle and motorcycle parking as approved under SSD 8999 Modification 4. The proposed car parking changes are outlined in the table below:

Table 5 Car Parking Numerical Changes

	Approved under SSD-8999- Mod-4 Design Changes (Approved 21/08/2020)	Proposed
Basement 2		
Residential 2400 x 5400	90	91
Residential 2400 x 5400 (tandem)	16	16
Total	106	107
Basement 1		
Retail Parking 2400 x 5400	21	20
Visitor Accessible 2400 x 2500	1	1
Visitor Parking 2400 x 2500	17	17
Residential 2400 x 5400	54	56
Residential (tandem) 2400 x 5400	7	7
Total	100	101
Overall Total	206	208

As part of this modification application, a traffic addendum report has been prepared and included at Appendix B of this application. It is noted that the additional two spaces will not increase traffic and will not result in detrimental traffic impacts. The proposal does not introduce new impacts or increase the severity of known impacts to traffic flow or transport networks.

6 Environmental Impact Assessment

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 4.15 (1) of the EP&A Act which are relevant to the proposal.

6.1 Built Form and Urban Design

The unique building design proposed for this site was successful in the tender process coordinated by Hunter and Central Coast Development Corporation (HCCDC) and achieves the desired high quality of design for apartment buildings as sought by SEPP 65 and the ADG.

The proposal is designed in keeping with the bulk and scale of existing developments within the precinct. The proposed development consists of a high quality, architecturally designed building that makes a positive contribution to the street frontage of Honeysuckle Drive. The proposed modification application does not significantly change the external appearance of the building. Despite the minor non-compliance with FSR control, the proposal does not alter the existing bulk and scale of the development; due to the additional gross floor area being located within the Basement Level 02 and Basement Level 01. It is noted the proposed FSR achieves a better overall outcome for the development and resulting in a minor exceedance to the non-compliance then the approved development under SSD 8999 Modification 4.

The proposal represents an efficient use of land, activating the Honeysuckle Precinct and providing a variety of housing opportunities. The proposed development achieves the objectives of this Clause and therefore strict compliance with the required FSR would be unnecessary and would not achieve a greater planning or urban design outcome.

6.2 Traffic, Access and Parking

An addendum to the Traffic Impact Assessment has been prepared by SLR Consulting and is included at Appendix B. The addendum addresses the requirements of the City of Newcastle DCP and the prior assessment prepared by SLR Consulting for SSD-8999.

Traffic

No change to traffic flow or transport networks would be experienced as a result of the proposal. As noted in the addendum letter, the proposal does not introduce new impacts or increase the severity of known impacts to the transport networks. The proposal will not impact on transport infrastructure provisions or materially detract from sustainable travel choice.

Access

No changes are proposed to vehicular or pedestrian access to the site.

Parking

As detailed in Section 5.4 of this modification statement, the proposal provides 208 car spaces over the two carpark levels which exceeds the minimum requirement of the DCP. The proposed car parking changes are considered minor and is not anticipated to result in any significant impacts. The increase in car parking is due to minor layout changes in the two basements and gaining a more efficient layout during the detailed design process.

All parking will be contained within the site and the carpark design and layout is compliant with the relevant Australian Standards. While the proposed car parking exceeds the controls; it is acceptable as the road network can accommodate the increase in traffic and would not result in detrimental traffic impacts.

Servicing

No changes to servicing are proposed as part of this modification.

7 Conclusion


The proposed development (as modified) at 35 Honeysuckle Drive is an 8-storey mixed use development comprising eight retail premises at ground level, basement carpark, and residential flat building comprising 86 apartments. The proposed development represents a high-quality outcome for the site in the waterside location of the Honeysuckle Precinct.

As demonstrated in Section 4 and 5, the proposed modifications and will not change the design intent of the building. The proposed modifications are considered minor and will result in the proposed development continuing to provide a high-quality mixed-use building in the Greater Newcastle community within the Honeysuckle precinct. The proposal is permissible with consent within the B4 Mixed Use under Newcastle Local Environmental Plan 2012.

Given the merits of the proposal and the absence of any significant adverse environmental impacts, the DA is considered to be in the public interest and is recommended for Council's support.

We thank you for the opportunity to lodge this application and look forward to timely approval. Should you have any questions please do not hesitate to contact the undersigned.

Yours sincerely,



CLARE BRENNOCK
ASSOCIATE

Appendices

Appendix A – *Architectural Plans*

Appendix B – *Traffic Impact Assessment Addendum*

APPENDIX A – ARCHITECTURAL PLANS

SJB Architects

APPENDIX B – TRAFFIC IMPACT ASSESSMENT ADDENDUM

SLR Consulting Australia Pty Ltd