

## Modification of Major Project Approval

### Section 75W of the *Environmental Planning & Assessment Act 1979*

I, the Executive Director, Strategic Sites and Urban Renewal, as delegate of the Minister for Planning, under Instrument of Delegation dated 7 June 2007, modify under Section 75W of the *Environmental Planning and Assessment Act 1979*, the Project approval referred to in Schedule 1, in the manner set out in Schedule 2.



Jason Perica  
Executive Director  
Strategic Sites and Urban Renewal

4/7/08

Dated:

MP 05\_0166 MOD 3  
S08/00582

#### SCHEDULE 1

Approval for construction of a 7-level mixed use commercial office development comprised of 2 towers, basement parking, ground floor retail space, a Child Care Centre and commercial offices and a 2 Lot Torrens title subdivision, on land owned by the Honeysuckle Development Corporation at 20 and 22 Honeysuckle Drive, Newcastle (Lot 2311 DP 1108096 and Lot 2312 DP 1108096).

#### SCHEDULE 2

The above approval is modified as follows:

(a) Delete Condition F18 and replace with the following:

#### **F18 Child Care Centre**

- (a) Prior to occupation of the building a drop off pick up point for three (3) vehicles on Honeysuckle Drive is to be provided.
- (b) The child care centre is to provide for a minimum of 50 places, for a range of age groups, particularly in the 0-2 year age group. 40% of these places shall be allocated to 0-2 year olds.

- (c) Prior to the occupation of the building a covenant is to be created benefiting Newcastle City Council or its successor that the tenancy within the building nominated as 'Child Care Centre' on drawing Z-1002 Rev D is to be used only for a Child Care Centre (40% of the spaces shall be for 0-2 year olds) to the satisfaction of Newcastle City Council.
- (d) The covenant shall provide that, in the event that a Child Care Centre can no longer operate from the premises, a piece of public art be provided to the value of \$200,000 to a standard and in a suitable location to be determined by the Honeysuckle Development Corporation.

**(b) Delete Statement of Commitment 1.1.1.**

**(c) Delete Statement of Commitments 1.1.2 and 1.1.3 and replace with the following:**

	<b>Measure (Commitment)</b>	<b>Timing</b>
1.1.2	<i>The ground floor tenancy shown on plan shall be used only for the purpose of a Child Care Centre accommodating up to 50 children.</i>	<i>Ongoing.</i>
1.1.3	<i>The proponent shall within eighteen (18) months of the date of any approval under Part 3A of the EP&amp;A Act lodge a development application for the fit-out of the Child Care Centre.</i>	<i>Within eighteen (18) months of approval of Major Project MP05_0166</i>

**(d) Delete Statement of Commitment 1.2.2 and replace with the following:**

	<b>Measure (Commitment)</b>	<b>Timing</b>
1.2.2	<i>The Covenant include a requirement that the Child Care Centre tenancy be leased to a Child Care Centre provider to the satisfaction of Newcastle City Council and Department of Community Services.</i>	<i>Ongoing.</i>

**(e) Delete Statement of Commitments 1.2.3 and 1.2.4.**