



08 May 2009

Andrew Smith
Team Leader
Urban Assessments
NSW Department of Planning
Ground Floor, 23-33 Bridge Street
SYDNEY NSW 2000

Dear Andrew,

APPLICATION TO MODIFY MP 07_0133, THE ROYAL, NEWCASTLE

We wish to amend our modification application currently being assessed by the Department to include the following three proposed modifications to the existing consent:

1. We request that Condition E12 be amended to delete paragraph 2 in order to allow the staged occupation of the development to occur as originally proposed. As currently worded, the existing condition prevents the stratum subdivision being registered prior to completion of the whole project. We believe the intent of the condition can be maintained if it were to apply prior to the issue of a final Occupation Certificate rather than prior to release of the stratum subdivision plan. We suggest that paragraph 2 could become a new condition F10 as follows:

F10 Compliance with Conditions of Consent

Prior to the issue of any final Occupation Certificate, the property shall be developed in accordance with plans approved by MP 07_0133 and documentary evidence of compliance with all conditions of consent has been submitted to the PCA.

2. We request that Condition F8 be amended to relate to the issue of the final Occupation Certificate only, otherwise all roads in the vicinity will be required to be repaired prior to completion of Buildings 1 & 2, and will then continue to be subject to construction traffic for another six months until Building 3 is complete. This is likely to require any damage to be repaired twice, but may also disrupt construction access to Building 3 whilst repair work is undertaken – particularly at the intersection of King Street and Pacific Street. For these reasons we believe it is unnecessary to require any repairs to be undertaken until all construction work is complete, which we believe was the original intention of the condition.

3. To avoid identified issues with slip resistance and maintenance, we propose to change the timber decking currently shown to the south of Building 3 on drawing number L_8400J (shown clouded attached) to the same pavers as those in the surrounding public domain.

We suggest that this amendment could be simply incorporated via a condition as follows:

F11 Timber Decking

The timber decking shown to the south of Building 3 on drawing number L_8400J shall be replaced with paving to match the adjacent public domain.

We believe the proposed amendments above are self explanatory, but please contact the undersigned should you have any queries.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Rob Turchini', with a stylized flourish at the end.

Rob Turchini
Senior Development Manager
Development NSW



- [illegible]

Project	Project Name
Client	MARAC
Design	Landscape Plan

