

# Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation effective from 1 October 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney

2012

### SCHEDULE 1

Project Approval:

MP08\_0043 granted by the Minister for Planning on 28 September 2009

For the following:

Mixed use development at Honeysuckle Central, Newcastle including:

- Subdivision, basement structure and construction of 3 x 8 storey buildings
- 4 levels of car parking (1 level of basement and 3 levels of above ground parking) representing 356 car parking spaces to serve the commercial buildings
- Associated bulk excavation and landscaping of the site.

Modification Number:

MP08\_0043 MOD 1

Modification

The proposed changes include:

- the redesign of the northern facade to Honeysuckle Drive and southern facade to Wright Lane
- removal of two of the three vehicle access ramps off Wright Lane (removal of vehicle access ramps to east and west towers)
- a reduction in the building footprint from 3,826 m<sup>2</sup> to 3,379m<sup>2</sup>
- an increase in GFA from 21,370 m<sup>2</sup> to 22,455 m<sup>2</sup> (as a result of commercial floor space replacing vehicle access ramps)
- an increase in landscaped area from 4,722 m<sup>2</sup> to 5,169 m<sup>2</sup> (as a result of reduced building footprint)
- an increase in car parking from 356 spaces to 380 spaces.

## SCHEDULE 2

### CONDITIONS

The above approval is modified as follows:

#### PART A – ADMINISTRATIVE CONDITIONS

##### Delete Condition A3 and replace with the following:

#### **A3      *Development in Accordance with Plans and Documentation***

The development will be undertaken in accordance with the Environmental Assessment dated 23 January 2009 prepared by Urbis Planning Consultants including all appendices, and the following drawings prepared by Suters Architects:

Architectural (or Design) Drawings prepared by Suters Architects			
Drawing No.	Revision	Name of Plan	Date
DD04	E	Ground Floor Plan / Site Plan	01/10/2008
DD05	C	Basement Floor Plan	01/10/2008
DD06	C	Level 1 Floor Plan	01/10/2008
DD07	C	Level 2 Floor Plan	01/10/2008
DD08	C	Level 3 Floor Plan	01/10/2008
DD09	C	Level 4 Floor Plan	01/10/2008
DD10	C	Level 5 Floor Plan	01/10/2008
DD11	C	Level 6 Floor Plan	01/10/2008
DD12	C	Level 7 Floor Plan	01/10/2008
DD13	C	Roof Plan	01/10/2008
DD14	C	North / South Elevations	01/10/2008
DD15	C	East / West Elevations	01/10/2008
DD16	C	Sections	01/10/2008
DD17	C	Sections	01/10/2008
DD18	C	Sections	01/10/2008
Landscaping of the development will be undertaken in accordance with the Landscape Masterplan dated March 2011 prepared by Terras Landscape Architects.			

*Note: Notwithstanding the boundary lines identified on the drawings prepared by Suters Architects, no approval is given to any adjustment of subdivision boundary lines from the original approval MP08\_0043.*

##### Insert Condition A9

#### **A9      *Car Parking***

The following car parking conditions apply to the development:

- (1) Notwithstanding the provision of 443 car parking spaces, inclusive of 63 stacked car parking spaces, identified on the drawings prepared by Suters Architects in Condition A3, approval is only given to the provision of 380 car parking spaces, being a minimum 86 spaces for the West Building, a minimum 122 spaces for the Central Building, and a minimum 166 spaces for the East building, which shall not to



comprise any stacked car parking spaces. Prior to the issue of any construction certificate, the proponent is to prepare and submit a revised car parking layout, or revised plans, to the satisfaction of the Director General. The revised car parking layout, or revised plans, shall identify the provision of the approved 380 car parking spaces.

- (2) The revised car parking allocation shall be reflected in any future approval for strata subdivision.

## **PART B – PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE**

### **Delete Condition B6**

### **Delete Condition B9 and replace with the following:**

#### ***B9 Traffic, Carparking and Access Arrangements***

Prior to the issue of the Construction Certificate, plans are to be submitted for the approval of the Certifying Authority identifying the following traffic and parking details:

- (1) Opposing traffic flows on the car park ramps are to be separated by the provision of an appropriate kerb and/or safety barrier.
- (2) Separated access for bicycles via the carpark entry ramps are to be provided (by bollards or similar safety barrier) whilst also avoiding the requirement for bicycles to enter via the boom gates. To minimise any chance of conflict between cyclists and vehicles on the access ramps.
- (3) On-site parking accommodation being provided for a minimum of 374 vehicles, inclusive of 6 disabled parking spaces, in accordance with the parking layout standards indicated in Council's adopted Newcastle DCP 2005 (Element 4.1) and Australian Standard AS 2890.1-2004 Parking Facilities – part 1 Off street car parking.
- (4) 112 Bicycle storage spaces to be provided in accordance with the requirements of Council's adopted Newcastle DCP 2005 (Element 4.1), with the provision of male / female shower facilities and lockers.
- (5) The minimum clearance for car parks being in accordance with AS 2890.1.
- (6) The minimum height between the car park floor surface and the lowest overhead obstruction being 2.3m.
- (7) All proposed driveways, parking bays and vehicular turning areas being constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained.
- (8) All parking bays being permanently marked out on the pavement surface.
- (9) The development proposal as detailed on the submitted plans being modified in the following respects:
  - Minimum clear sight lines for vehicles to pedestrians being provided within the site at the driveway entry/exit ramps to the carparks in accordance with AS 2890.2 – Parking Facilities.
  - Minimum 6.0m level landing being provided within the site at the property boundary at the vehicular entry/exit ramps to the carparks.
  - Roller doors located at the entry/exit ramps to the carparks being setback a minimum 6.0m from the property frontage.



- (10) A commercial type vehicular crossing 7.0m wide with appropriate splays being constructed across the footway at the proposed driveway entrance/exit to the carpark in accordance with Council's Driveway Standard A17/6B (Concrete Vehicular Crossings) design specifications and such crossing being properly maintained.  
  
The driveway crossing is to incorporate a concrete median separation within the site to define ingress and egress and appropriate signposting.
- (11) The proposed commercial, disabled, small car, bicycle and motorcycle parking bays being clearly indicated by means of signs and/or pavement markings.
- (12) The provision of a suitable sight triangle conforming to section 3.2.4 of AS 2890.1-2004 and appropriate pedestrian advisory signs are to be provided at the egress from the car park.

### **Insert Condition B20**

#### **B20 Rail Corridor**

Prior to the issue of the Construction Certificate:

- (1) An acoustic assessment is to be submitted to the Certifying Authority demonstrating how the proposed development will comply with the Department of Planning and Infrastructure's document titled "Development Near Rail Corridors and Busy Roads – Interim Guidelines".
- (2) The proponent is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Proponent must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Certifying Authority with the application for a Construction Certificate.
- (3) The proponent shall provide a Geotechnical Engineering report to Railcorp for review by Railcorp's Geotechnical section. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by Railcorp. The report shall include the potential impact for demolition and excavation, and demolition and excavation induced vibration in rail facilities, and loadings imposed by Railcorp Facilities by the development.
- (4) A Risk Assessment / Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to the Rail Authority for review and comment on the impacts on rail corridor. The Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from the Rail Authority confirming that this condition has been satisfied.
- (5) No metal ladders, tapes and plant / machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.
- (6) The proponent is to submit to the Rail Authority a plan showing all craneage and other aerial operations for the development and must comply with all Railcorp requirements. The Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from the Rail Authority confirming that this condition has been satisfied.
- (7) No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the Rail Authority. To obtain approval, the

proponent will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.

## **PART F – PRIOR TO OCCUPATION AND COMMENCEMENT OF USE**

### **Insert Condition F11**

Prior to the issue of an Occupation Certificate for the building, the common driveway and manoeuvring aisles must be the subject of appropriate reciprocal rights-of-way and the necessary survey plan and accompanying instrument under Section 88B of the Conveyancing Act must be registered with the Land Titles Office. The instrument is to provide that the right-of-way is unable to be relinquished, varied or modified without the concurrence of the Newcastle City Council.