

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD 10378 42 Honeysuckle Drive
<b>Applicant</b>	Doma Holdings (Honeysuckle) Pty Ltd
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director, Key Sites and Regional under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* [granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

### Date of decision

27 January 2021

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report;
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including additional commercial and hotel space within the Newcastle LGA, \$44,608,821 capital investment, 1,000 construction jobs, 60 operational jobs and \$1,338,264 of contributions to Council
- [the project is permissible with development consent, and is consistent with NSW Government policies including:
  - Hunter Regional Plan 2036
  - Greater Newcastle Metropolitan Plan 2036
  - Newcastle Urban Renewal Strategy 2014
  - Greater Newcastle Future Transport Plan 2056
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Conditions of consent are recommended to ensure compliance with acoustic requirements, and the proposal was amended to increase parking and redesign the building to reduce amenity impacts on surrounding properties.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 18 March 202 until 14 April (28 days) and received two submissions, both objections.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include the height variation, overshadowing and view loss for impacts on adjoining properties. Other issues are addressed in detail in the Department's Assessment Report.

<i><b>Issue</b></i>	<i><b>Consideration</b></i>
<i>View Loss</i> <ul style="list-style-type: none"><li>the proposal would adversely impact on views from apartments at 770 Hunter Street.</li></ul>	<i>Assessment</i> <ul style="list-style-type: none"><li>As part of the Response to Submissions (RTS), the Applicant provided an updated View Impact Analysis which concludes the view impacts to all residential apartments to the south are acceptable.</li></ul>
<i>Overshadowing</i> <ul style="list-style-type: none"><li>the proposal would overshadow multiple apartments to the south.</li></ul>	<i>Assessment</i> <ul style="list-style-type: none"><li>As part of the Response to Submissions (RTS), the Applicant provided further shadow diagrams which illustrate that the portions of the building which exceed the height control do not have any adverse impacts on the public domain, or nearby residential or commercial properties when compared to a fully compliant scheme.</li></ul>
<i>Construction impacts</i> <ul style="list-style-type: none"><li>the proposal would result in disturbance from noise and dust.</li></ul>	<i>Assessment</i> <ul style="list-style-type: none"><li>The Department has considered the construction impacts associated with the proposal, and is satisfied they can be appropriately managed.</li></ul> <i>Conditions</i> <ul style="list-style-type: none"><li>Condition C9 requires the preparation of a Construction Environmental Management Plan which considers measures to control dust.</li><li>Condition C12 requires a Construction Noise and Vibration Plan to be prepared.</li></ul>