

Modification of Development Consent

Section 96(1A) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning under delegation dated 16 February 2015, I approve the modification application referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Acting Director
Modification Assessments

Sydney 25 FEBRUARY 2016

SCHEDULE 1

Development Approval: **SSD 6580** granted by the Executive Director Industry Assessments on 18 June 2015

For the following: Development of 18 Honeysuckle Drive, mixed use commercial and residential development including:

- construction of a part nine, part 10 storey building comprising:
 - part two, part three storey podium;
 - six storey commercial building above podium (nine storeys in total); and
 - part 7, part 8 storey residential building above podium (10 storeys in total).
- 12,380m² GFA including:
 - 6,237m² commercial, 481m² business/retail and 116m² café floorspace; and
 - 71 residential apartments
- total of 193 above ground car parking spaces located on ground to second floor levels of the podium;
- landscaping, vehicular access, loading zone and footpaths

Applicant: Doma Honeysuckle Pty Ltd

Consent Authority: Minister for Planning

The Land: 18 Honeysuckle Drive, Newcastle (Lot 1 DP 1113281)

Modification: **SSD 6580 MOD1:** the modification includes:

- approval of an additional two bedroom unit accessed from the carpark on Level 2.

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Terms of Consent Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

A2 The Applicant shall carry out the project generally in accordance with the:

- a) State Significant Development Application SSD 6850;
- b) **State Significant Development Application SSD 6580 MOD 1;**
- c) Environmental Impact Statement prepared by ESS Australia dated 7 November 2014;
- d) Response to Submissions reports prepared by ESS Australia dated 20 March 2015;
- e) The conditions of this consent; and
- f) The following drawings, except for:
 - i) any modifications which are Exempt' or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by dwp I suters			
Drawing No.	Issue	Name of Plan	Date
DA022	4	EXISTING/DEMOLITION PLAN	05.03.15
DA202	8	GROUND FLOOR PLAN	05.03.15
DA203	5	PARKING LEVEL 1 PLAN	24.10.15
DA204	5 <u>7</u>	PARKING LEVEL 2 PLAN	24.10.15 <u>11.02.16</u>
DA205	3	COMMERCIAL LEVEL 01, RESIDENTIAL LEVEL 01	20.10.15
DA206	3	COMMERCIAL LEVEL 02, RESIDENTIAL LEVEL 02	20.10.15
DA207	3	COMMERCIAL LEVEL 03, RESIDENTIAL LEVEL 03	20.10.15
DA208	3	COMMERCIAL LEVEL 03, RESIDENTIAL LEVEL 04	20.10.15
DA209	3	COMMERCIAL LEVEL 04, RESIDENTIAL LEVEL 05	20.10.15
DA210	3	COMMERCIAL LEVEL 05, RESIDENTIAL LEVEL 06	20.10.15
DA211	3	PLANT ROOM LEVEL 06, RESIDENTIAL LEVEL 07	20.10.15
DA212	3	ROOF PLAN	20.10.15
DA220	1	PODIUM EXTERNAL AREA PLAN	18.03.15
DA401	7 <u>8</u>	BUILDING ELEVATIONS	23.04.14 <u>18.12.15</u>
DA402	5	BUILDING ELEVATIONS	27.04.14
DA501	4	BUILDING SECTIONS	27.04.15

SK500	1	RAIL CORRIDOR DIAGRAM	30.03.2015
Landscape and Public Domain Drawings prepared by Terras Landscape Architects			
Drawing No.	Revision	Name of Plan	Date
01	D	PLANT SCHEDULE	OCTOBER 2014
02	D	Landscape Plan – Groundfloor	OCTOBER 2014
03	D	Landscape Plan – Groundfloor	OCTOBER 2014
04	D	Landscape Plan – upper podium	OCTOBER 2014
05	D	Landscape Plan – upper podium	OCTOBER 2014
06	D	Landscape Plan – upper podium	OCTOBER 2014
07	D	Suggested Materials Palette	OCTOBER 2014
08	D	Suggested Planting Palette	OCTOBER 2014
Concept Stormwater Drawing prepared by Northrop			
Drawing No.	Revision	Name of Plan	Date
C02DA	D	CONCEPT STORMWATER MANAGEMENT AND LEVELS PLAN	13.03.15

- (b) Schedule 2 Part B – Section 94A Developer Contributions B2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

Section 94A Developer Contributions

B2. A total Monetary contributions of \$797,356 (**for the original application**) and **\$2,882 (for Modification 1)** is **are** to be paid to Council, pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of a Construction Certificate in respect of the proposed development.

- This condition is imposed in accordance with the provisions of The City of Newcastle Section 94A Development Contributions Plan 2009 (updated version operational from 13 January, 2014). A copy of the Plan may be inspected at Council's Customer Enquiry Centre, ground floor of the City Administration Centre, 282 King Street Newcastle 8.30 am to 5.00 pm, excluding public holidays.
- The City of Newcastle S94A Development Contributions Plan 2009 permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.
- The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent **and the date of Modification 1** and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.
- CPI quarterly figures are released by the ABS on a date after the indexation quarter and as a guide, these approximate dates are provided below. Indexation quarters from the ABS are as follows:

Indexation quarters	Approx release date
September	Late October
December	Late January
March	Late April
June	Late July

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- (c) Schedule 2 Part B – Car Parking Condition B9 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

Car Parking

B9. The development shall provide car parking in accordance with the following requirements:

- a) A total provision of ~~193~~ **195** on-site car parking spaces comprising a minimum of:
 - i. ~~56~~ **58** residential car parking spaces;
 - ii. 15 residential visitor car parking spaces;
 - iii. 104 commercial car parking spaces;
 - iv. 8 retail car parking spaces; and
 - v. 2 café car parking spaces.
- b) 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.
- c) The layout of the proposed car parking areas associated with the subject development (including driveways, ramps, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) shall be accordance with AS 2890.1-2004, AS 2890.6 for accessible spaces and AS2890.2-2002 for heavy vehicles where applicable.
- d) All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a base course of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. The driveways are to be constructed in accordance with AS2890 – (Off street parking) design specifications. Full details are to be included in documentation for a Construction Certificate application.

End of modification to SSD 6580 MOD 1