

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Michelle Niles
A/Team Leader
Regional Assessments

Sydney

13 October 2022

SCHEDULE 1

Development consent:	SSD 9827 granted by the Executive Director, Regions, Industry and Key Sites on 18 June 2020
For the following:	Construction of a mixed-use development known as "Horizon at Lee 5", including: <ul style="list-style-type: none">• construction of three 8 to 9 storey buildings containing 110 apartments and four retail and commercial tenancies• residential gross floor area of 13,238m² and commercial premises gross floor area of 560m²• 186 basement car parking spaces• Public domain including Steel Street Floodway works, waterfront promenade tie in works, Cottage Creek tie in works and Honeysuckle Drive improvements
Applicant:	Horizon Newcastle Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	45 Honeysuckle Drive, Newcastle – Lot 4 DP 1238761
Modification:	SSD 9827 MOD 3: <ul style="list-style-type: none">• Modification for internal apartment changes reducing total number of apartments from 110 to 101 and an increase in gross floor area by 169m²• Correction of an administrative error relating to residential gross floor area

SCHEDULE 2

The consent (SSD 9827) is modified as follows:

- Schedule 1 – Development description – is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

Construction of a mixed-use development known as “Horizon Lee 5”, including:

- construction of three 8 to 9 storey buildings containing 440 **101** apartments and four retail and commercial tenancies
- residential gross floor area of ~~13,238m²~~ **13,828.1m²** and commercial premises gross floor area of 560m²
- 186 basement car parking spaces
- Public domain including Steel Street Floodway works, waterfront promenade tie in works, Cottage Creek tie in works and Honeysuckle Drive improvements

- Part A – Administrative Conditions – Condition A2 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

A2. The development may only be carried out:

- in compliance with the conditions of this consent
- in accordance with all written directions of the Planning Secretary
- in accordance with the EIS and Response to Submissions
- in accordance with the approved plans in the table below.

Architectural Drawings prepared by Hill Thalys and CKDS Architecture			
Sheet No.	Revision	Name of Drawing	Date
DA-001	E	Cover Sheet	23/01/20
DA-002	E	Site Context and Planning Controls	23/01/20
DA-003	E	Site Situations and Local Connections	23/01/20
DA-006	G	Site Plan	01/07/20
<u>DA-006</u>	<u>F</u>	<u>Site Plan</u>	<u>28/03/22</u>
DA-007	E	Site Analysis	23/01/20
DA-008	G	GFA Calculations	13/05/21
DA-009	I	GFA Calculations	16/07/20
DA-101	R	Basement Level 02	19/07/21
DA-102	S	Basement Level 01	19/07/21
DA-103	O	Ground Floor	13/05/21
DA-104	O	Typical Floor Plan (L1-6)	01/07/20
DA-105	N	Level 07	01/07/20
DA-106	O	Level 8 / Roof	01/07/20

DA-107	C	Roof	01/07/20
DA-110	B	Level 01	11/04/22
DA-111	B	Level 02	11/04/22
DA-112	B	Level 03	11/04/22
DA-113	B	Level 04	11/04/22
DA-114	B	Level 05	11/04/22
DA-115	C	Level 06	08/07/22
DA-201	E	Typical Unit Plans	23/01/20
DA-202	G	Typical Unit Plans	01/07/20
DA-203	G	Typical Unit Plans	01/07/20
DA-204	G	Typical Unit Plans	01/07/20
DA-205	B	Typical Unit Plans	11/04/22
DA-301	I	Proposed Elevations	01/07/20
DA-302	I	Proposed Elevations	01/07/20
DA-303	I	Proposed Elevations	01/07/20
DA-304	I	Proposed Elevations	01/07/20
DA-401	I	Sections A & B	01/07/20
DA-402	G	Section C	01/07/20
DA-501	F	Elevation Studies	23/01/20
DA-502	F	Elevation Studies	23/01/20
DA-503	F	Elevation Studies	23/01/20
DA-504	E	Elevation Studies	23/01/20
DA-505	E	Elevation Studies	23/01/20
DA-506	E	External Materials and Colours	23/01/20
DA-507	A	Signage Details	23/01/20
DA-508	A	Signage Details	23/01/20
DA-700	G	Area Schedule	19/02/21
DA-700	I	Area Schedule	08/07/22
DA-704	F	Solar Analysis	28/03/22
DA-705	F	Solar Analysis	28/03/22
DA-706	F	Cross Ventilation Analysis	28/03/22
DA-707	F	Cross Ventilation Analysis	28/03/22

Landscape Drawings prepared by Jane Irwin Landscape Architecture			
Sheet No.	Revision	Name of Drawing	Date
LA-01	F	Landscape Concept Plan	07/02/20
LA-02	D	Landscape Sections 01	16/05/19
LA-02	D	Landscape Sections 02	22/01/20
LA-03	D	Landscape Sections 03	22/01/20

3. Part B – BASIX CERTIFICATION – Condition B15 is amended by the deletion of ~~struck out~~ words and the insertion of **bold and underlined** words as follows:

B15. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No 1012649M **02** and an updated certificate issued if amendments are made. The BASIX certificate must be submitted to the Certifying Authority with all commitments clearly shown on the Construction Certificate plans.

4. Part E – COMPLIANCE WITH BASIX CERTIFICATE

E29. Prior to the issue of any Occupation Certificate, the Applicant shall implement the commitments outlined in BASIX Certificate No. 10126489M **02**

**End of modification
(SSD 9827 MOD 3)**