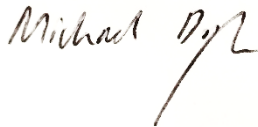


Modification of Development Consent

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.



Michael Doyle
Acting Team Leader
Regional Assessments

Sydney

15 September 2023

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:
- 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 5:**
- Amend various elements of the approved landscaping scheme to align with the landscaping works completed by the Hunter & Central Coast Development Corporation (HCCDC) on adjoining lands

SCHEDULE 2

The consent (SSD 9827) is modified as follows:

1. Schedule 2, Condition A2 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

TERMS OF CONSENT

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent
- (b) in accordance with all written directions of the Planning Secretary
- (c) in accordance with the EIS and Response to Submissions
- (d) in accordance with the approved plans in the table below
- (e) generally in accordance with the Landscape Plans prepared by Xeriscapes.**

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	F	Site Plan	28/03/22
DA-007	E	Site Analysis	23/01/20
DA-008	J	GFA Calculations	13/09/23
DA-009	I	GFA Calculations	13/09/23
DA-010	A	Car Parking Generation Summary	19/05/23
DA-101	T	Basement Level 02	19/05/23
DA-102	U	Basement Level 01	19/05/23
DA-103	O	Ground Floor	13/05/21
DA-104	C	Level 01	19/05/23
DA-105	C	Level 02	19/05/23
DA-106	C	Level 03	19/05/23
DA-107	C	Level 04	19/05/23
DA-108	C	Level 05	19/05/23
DA-109	D	Level 06	19/05/23
DA-110	O	Level 07	19/05/23
<u>DA-111</u>	<u>P</u>	<u>Level 08 / Roof</u>	<u>19/05/23</u>

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-206	B	Typical Unit Plans	19/05/23
DA-301	I	Proposed Elevations	01/07/20
DA-302	K	Proposed Elevations	19/05/23
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	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
<u>Landscape Drawings prepared by Jane Irwin Landscape Architecture</u>			
<u>Landscape Drawings prepared by Xeriscapes</u>			
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
L000	A	Cover Sheet	07/23

<u>L001</u>	<u>A</u>	<u>Zoning Plan</u>	<u>07/23</u>
<u>L101</u>	<u>A</u>	<u>Overall Landscape Plan</u>	<u>07/23</u>
<u>L201</u>	<u>A</u>	<u>Precedent Images</u>	<u>07/23</u>
<u>L001</u>	<u>E</u>	<u>Legends and Schedules</u>	<u>06/09/23</u>

2. Schedule 2, Condition B2(a) is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

B2. Prior to the issue of any Construction Certificate, the following amendments and details must be submitted to and approved by Planning Secretary and shall be incorporated into the relevant Construction Certificate drawings:

- (a) fencing and gates at the northern and southern ends of the two through-site links, as identified in notation 12 in ~~Landscape Plan LA-01~~ **Overall Landscape Plan L101** are to be documented as 80x12mm x 1800mm high aluminium fins at 100mm spacing open in the direction of view to Hunter River.

**End of modification
(SSD 9827 MOD 5)**