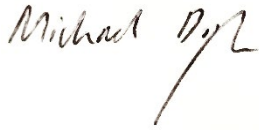


# Modification of Development Consent

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

14 September 2023

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## 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 13,238m<sup>2</sup> and commercial premises gross floor area of 560m<sup>2</sup>
  - 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 4:**
- Increase in residential car parking spaces from 167 to 192 spaces and reduce bicycle spaces from 110 to 101 spaces
  - Reallocation of one residential visitor parking space to a service/loading space
  - Additional storage on Levels 1 to 6 in the eastern building and Level 7 in the central building
  - Minor design amendments to Apartment 801/45

## SCHEDULE 2

The consent (SSD 9827) is modified as follows:

1. 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 101 apartments and four retail and commercial tenancies
  - residential gross floor area of ~~13,828.1m<sup>2</sup>~~ **13,318.5m<sup>2</sup>** and commercial premises gross floor area of 560m<sup>2</sup>
  - ~~186~~ **211** 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
  
2. 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:

  - 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.

<b>Architectural Drawings prepared by Hill Thalys and CKDS Architecture</b>			
<b>Sheet No.</b>	<b>Revision</b>	<b>Name of Drawing</b>	<b>Date</b>
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
<del>DA-008</del>	<del>G</del>	<del>GFA Calculations</del>	<del>13/05/21</del>
<b><u>DA-008</u></b>	<b><u>J</u></b>	<b><u>GFA Calculations</u></b>	<b><u>13/09/23</u></b>
<del>DA-009</del>	<del>H</del>	<del>GFA Calculations</del>	<del>16/07/20</del>
<b><u>DA-009</u></b>	<b><u>I</u></b>	<b><u>GFA Calculations</u></b>	<b><u>13/09/23</u></b>
<b><u>DA-010</u></b>	<b><u>A</u></b>	<b><u>Car Parking Generation Summary</u></b>	<b><u>19/05/23</u></b>
<del>DA-101</del>	<del>R</del>	<del>Basement Level 02</del>	<del>19/07/21</del>
<b><u>DA-101</u></b>	<b><u>T</u></b>	<b><u>Basement Level 02</u></b>	<b><u>19/05/23</u></b>
<del>DA-102</del>	<del>S</del>	<del>Basement Level 01</del>	<del>19/07/21</del>
<b><u>DA-102</u></b>	<b><u>U</u></b>	<b><u>Basement Level 01</u></b>	<b><u>19/5/23</u></b>

DA-103	O	Ground Floor	13/05/21
<b><u>DA-104</u></b>	<b><u>C</u></b>	<b><u>Level 01</u></b>	<b><u>19/05/23</u></b>
DA-105	N	Level 07	01/07/20
<b><u>DA-105</u></b>	<b><u>C</u></b>	<b><u>Level 02</u></b>	<b><u>19/05/23</u></b>
DA-106	Q	Level 8 / Roof	01/07/20
<b><u>DA-106</u></b>	<b><u>C</u></b>	<b><u>Level 03</u></b>	<b><u>19/05/23</u></b>
DA-107	C	Roof	01/07/20
<b><u>DA-107</u></b>	<b><u>C</u></b>	<b><u>Level 04</u></b>	<b><u>19/05/23</u></b>
<b><u>DA-108</u></b>	<b><u>C</u></b>	<b><u>Level 05</u></b>	<b><u>19/05/23</u></b>
<b><u>DA-109</u></b>	<b><u>D</u></b>	<b><u>Level 06</u></b>	<b><u>19/05/23</u></b>
DA-110	B	Level 01	11/04/22
<b><u>DA-110</u></b>	<b><u>O</u></b>	<b><u>Level 07</u></b>	<b><u>19/05/23</u></b>
DA-111	B	Level 02	11/04/22
<b><u>DA-111</u></b>	<b><u>P</u></b>	<b><u>Level 08 / Roof</u></b>	<b><u>19/05/23</u></b>
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	G	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
<b><u>DA-206</u></b>	<b><u>B</u></b>	<b><u>Typical Unit Plans</u></b>	<b><u>19/05/23</u></b>
DA-301	I	Proposed Elevations	01/07/20
DA-302	J	Proposed Elevations	01/07/20
<b><u>DA-302</u></b>	<b><u>K</u></b>	<b><u>Proposed Elevations</u></b>	<b><u>19/05/23</u></b>
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
<b>Landscape Drawings prepared by Jane Irwin Landscape Architecture</b>			
<b>Sheet No.</b>	<b>Revision</b>	<b>Name of Drawing</b>	<b>Date</b>
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 – DESIGN AMENDMENTS – Condition B2 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 are to be documented as 80x12mm x 1800mm high aluminium fins at 100mm spacing open in the direction of view to Hunter River.
- b) amended basement plans containing the following related to car parking spaces:
  - i. a maximum of ~~486~~ **211** on-site car parking spaces comprising:
    - maximum ~~467~~ **192** residential car parking spaces
    - ~~40~~ **9** residential visitor car parking spaces
    - 9 shared use commercial/residential visitor car parking spaces ~~including 1 service / loading space~~
    - **1 service/loading vehicle space**
  - ii. each car parking space must not accommodate more than one vehicle.
  - iii. the location of all residential visitor car parking spaces (including shared use commercial/residential spaces) to adjoin, be directly opposite from or adjacent to lift entrances on Basement Level 1.

- c) on-site provision for loading by medium rigid vehicles and Council's heavy rigid waste collection vehicles unless documentary evidence is submitted demonstrating the nominated Loading Zone on honeysuckle Drive is approved by the Newcastle Traffic Committee.
  - d) amended Site Analysis Plan DA-007 removing references to pedestrian through site links.
4. Part B – CAR PARKING – Condition B26 is amended by the deletion of ~~struck out~~ words and the insertion of **bold and underlined** words as follows:
- B26. The development is subject to the following:
- a) maximum ~~467~~ **192** residential car parking spaces
  - b) ~~40~~ **9** residential visitor car parking spaces
  - e) 9 shared use commercial/residential visitor premises car parking spaces ~~including 1 service / loading space~~
  - d) **1 service/loading vehicle space**
  - e) 11 motorcycle parking spaces.
5. Part B – BICYCLE PARKING – Condition B28 is amended by the deletion of ~~struck out~~ words and the insertion of **bold and underlined** words as follows:
- B28. The development shall provide a minimum of:
- a) ~~440~~ **101** resident bicycle parking spaces
  - b) 14 visitor bicycle parking spaces
  - c) 6 commercial and retail bicycle parking spaces.

**End of modification  
(SSD 9827 MOD 4)**