



ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

MODIFICATION OF CONSENT TO DEVELOPMENT APPLICATION NO. 011-09-06

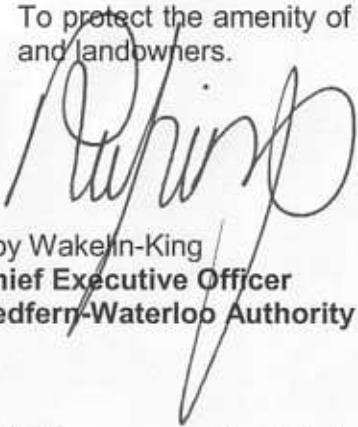
(FILE NO. 0607/034)

TEMPORARY GARDENERS' COMPOUND AT AUSTRALIAN TECHNOLOGY PARK, EVELEIGH.

I, the Chief Executive Officer of the Redfern Waterloo Authority as delegate of the Minister for Planning under the Instrument of Delegation dated 22 February 2007 pursuant to Section 96(1A) of the *Environmental Planning & Assessment Act 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the imposition of conditions are:

1. To confirm the details of the application and plans submitted by the applicant, and to ensure that the structure is not altered without approval.
2. To comply with the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
3. To ensure compliance with relevant planning controls.
4. To ensure that the work is carried out to an acceptable standard and in accordance with the Building Code of Australia.
5. To ensure that appropriate environmental protection measures are in place.
6. To protect the amenity of the local environment, and adjoining residents, businesses and landowners.


Roy Wakein-King
Chief Executive Officer
Redfern-Waterloo Authority

Sydney, 15th October 2009

SCHEDULE 1**PART A—TABLE**

Application Number:	MOD 011-09-06(1) modifying DA 011-09-06
Application made by:	Australian Technology Park Precinct Management Ltd
Application made to:	Minister for Planning
On land comprising:	Lot 500 DP1033739 Australian Technology Park, Garden Street Eveleigh 2015
Local Government Area	City of Sydney Council
For the carrying out of:	Continued Use of temporary Gardeners' Compound
Section 96(1) Application:	MOD 011-09-06(1) to modify conditions A8 and A9 to permit the continued use of the temporary Gardeners' Compound
Type of development:	Local Development
Development consent granted on:	15 October 2006
As modified:	Consent not previously modified.
S.119 Public inquiry held:	No

PART B – NOTES RELATING TO THE MODIFICATION OF THE CONSENT TO DEVELOPMENT APPLICATION NO. 011-09-06***Responsibility for other Approvals/Agreements***

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Review of the Determination

Section 82A of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request a review of the determination. The request must be made in writing within 12 months after receipt of this Notice of Determination, together with payment of the appropriate fees. It is recommended that the Applicant discuss any request for a review of determination with RWA staff before lodging such a request. There is no right of review under S82A of the Act in respect of Designated or Integrated Development.

Appeals

The Applicant has the right to appeal to the Land and Environment Court under section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid, for a Development Application, within 12 months after the date on which the Applicant received this notice.

The Applicant has the right to appeal to the Land and Environment Court under section 96A of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid, for a Section 96 Application, within 3 months after the date on which the Applicant received this notice.

Appeals—Third Party

A third party right to appeal to this development consent is available under section 123, subject to section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal Notices

Any advice or notice to the consent authority shall be served on the Chief Executive Officer of the Redfern-Waterloo Authority.

Further Information

If you have any queries regarding this matter, please contact Ms Joanne McGuinness, on 9202 9100.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application No. 011-09-06.

SCHEDULE 2**MODIFICATION (MOD 011-09-06(1)) OF DEVELOPMENT CONSENT TO
DEVELOPMENT APPLICATION NO (DA 011-09-06)**

The development consent is modified as follows:

SCHEDULE 2: PART A – GENERAL CONDITIONS**Insert the following after the table in Condition A2:**

As modified by the documents listed below:

Letter titled "*Development Application No. 011-09-06 Application to Modify a Development Consent*" prepared by Australian Technology Park Precinct Management dated 8 September 2009

Replace Condition A8 Period for Temporary Gardeners' Compound with the following:***A8 Period for Temporary Gardeners' Compound***

In order that the development of the land is undertaken in accordance with the proposal, the use of the land for the Temporary Gardeners' Compound shall cease on 30 April 2011.

Replace Condition A9 Reinstatement following Period for Temporary Gardeners' Compound with the following:***A9 Reinstatement following Period for Temporary Gardeners' Compound***

All the temporary structures, including the concrete slab, are to be removed and the garden bed is to be reinstated by 30 June 2011.

End of modifications to DA 011-09-06