



FILE COPY

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

**DETERMINATION OF DEVELOPMENT APPLICATION NO. 015-11-06**

**(FILE NO. 0607/064)**

**USE OF TEMPORARY FENCE AROUND THREE EXISTING BUILDINGS ON THE  
FORMER REDFERN PUBLIC SCHOOL SITE**

**160-202 GEORGE STREET, REDFERN**

I, the Chief Executive Officer of the Redfern-Waterloo Authority as delegate of the Minister Planning under Instrument of Delegation dated 28 November 2006, pursuant to Sections 80 (1) (a) and 80A of the *Environmental Planning & Assessment Act, 1979* and Clause 9A of the *State Environmental Planning Policy (Major Projects) 2005* determine the Development Application referred to in the attached Schedule 1, by **granting consent** to the application subject to the conditions of consent 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 has been 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.

Robert Domm

Chief Executive Officer

**Redfern-Waterloo Authority**

SYDNEY, *20 December* 2006

**SCHEDULE 1****PART A-TABLE**

|   |  |
|---|--|
| <b>Application made by:</b>             | Indigenous Land Corporation  |
| <b>Application made to:</b>             | Minister for Planning  |
| <b>Development Application:</b>         | DA 015-11-06   |
| <b>On land comprising:</b>              | Lot 1 DP 817283<br>160-202 George Street, Redfern  |
| <b>Local Government Area</b>            | City of Sydney   |
| <b>For the carrying out of:</b>         | Use of temporary fence around three existing community buildings on the former Redfern Public School site.   |
| <b>Estimated Cost of Works</b>          | \$67,000   |
| <b>Type of development:</b>             | Local Development  |
| <b>S.119 Public inquiry held:</b>       | No   |
| <b>Approval Body / Bodies:</b>          | Not Integrated   |
| <b>Determination made on:</b>           | 20 December 2006   |
| <b>Determination:</b>                   | Development consent is granted subject to the conditions in the attached Schedule 2.   |
| <b>Date of commencement of consent:</b> | This development consent commences on the date identified in the formal notification letter accompanying the Determination.  |
| <b>Date consent is liable to lapse</b>  | This consent will lapse 5 years from the date of commencement of consent, unless: <ul style="list-style-type: none"> <li>• a shorter period of time is specified by the Regulations, or</li> <li>• a condition in Schedule 2, or</li> <li>• the development has physically commenced.</li> </ul> |

**PART B—NOTES RELATING TO THE DETERMINATION OF DA NO. 015-11-06****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.

**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.

**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 the Planning Manager, Yolanda Gil on 9202 9107.

## PART C—DEFINITIONS

In this consent,

**Act** means the *Environmental Planning and Assessment Act, 1979* (as amended).

**Applicant** means the Indigenous Land Corporation or any party acting upon this consent.

**Approval Body** has the same meaning as within Division 5 of Part 4 of the Act.

**BCA** means the Building Code of Australia.

**Certifying Authority** has the same meaning as Part 4A of the Act.

**CEO** means the Chief Executive Officer of the Redfern-Waterloo Authority.

**Council** means the City of Sydney.

**DA No. 015-11-06** means the Development Application and supporting documentation submitted by the Applicant on 21 November 2006.

**Department** means the Department of Planning or its successors.

**Planning Director** means the Planning Director of the Redfern-Waterloo Authority.

**Minister** means the Minister for Planning.

**Regulations** mean the *Environmental Planning and Assessment Regulations, 2000* (as amended).

**RWA** means the Redfern-Waterloo Authority.

**Subject Site** has the same meaning as the land identified in Part A of this schedule.

**Advisory Notes** – means advisory information relating to the approved development but do not form a part of this consent.

## SCHEDULE 2

### CONDITIONS OF CONSENT

#### DEVELOPMENT APPLICATION NO. 015-11-06

#### PART A—GENERAL CONDITIONS

##### **A1 Development Description**

Development consent is granted to the use of the temporary fence surrounding three community buildings on the former Redfern Public School site.

##### **A2 Development in Accordance with Plans**

The development shall be in accordance with Development Application No. 015-11-06 submitted by the Applicant on the 21 November 2006, and in accordance with the supporting documentation submitted with the application, including but not limited to, the following:

| <b>Statement of Environmental Effects titled <i>Temporary Fencing-National Centre for Indigenous Development, Redfern Public School, Redfern</i> prepared by MG Planning Urban Planning Consultants and dated November 2006.</b> |                 |                                      |               |
|--|-----------------|--------------------------------------|---------------|
| <b>Letter from Simpson Design Associates titled <i>Security Fence - Redfern Public School</i> and dated 12 December 2006.</b>  |                 |                                      |               |
| <b>Drawings prepared by Simpson Design Associates being:</b>   |                 |                                      |               |
| <b>Drawing No.</b>   | <b>Revision</b> | <b>Name of Plan</b>                  | <b>Date</b>   |
| M6109-SK1  | -               | Redfern Public School Security Fence | December 2006 |

except as amended by the following specific conditions:

##### **A3 Restriction of Use**

The temporary use of the fence is restricted to 19 December 2008. After this date the fence must be removed.

##### **A4 Structural Certification for Design – BCA (All Building Classes)**

Structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to Class 2-9 building) and Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of the Certifying Authority. A copy of the certificate must be submitted to Council if Council is not the Certifying Authority and the Redfern-Waterloo Authority.

##### **A5 Occupation Certificate to be submitted**

An Occupation Certificate must be obtained from the Certifying Authority and a copy submitted to the Redfern-Waterloo Authority and City of Sydney Council prior to use of the temporary fence.

**A6        *Maintenance of Fence***

The fence must be maintained at all times, and repaired immediately if any damage or vandalism occurs to the fence.

**A7        *Works Compliance***

All building works must be constructed in accordance with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

**A8        *Prescribed Conditions***

The Applicant shall comply with the prescribed conditions of development consent under clause 98, 98A and 98B of the Regulation.

**A9        *Inconsistency Between Documents***

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.