



ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

**MODIFICATION OF DEVELOPMENT CONSENT TO DEVELOPMENT
APPLICATION NO. 027-02-08**

(FILE NO. 0708/077)

INSTALLATION OF TWO (2) ILLUMINATED BUSINESS IDENTIFICATION SIGNS

NICTA BUILDING (SITE D), ATP, 13 GARDEN STREET, EVELEIGH

I, the Chief Executive Officer of the Redfern-Waterloo Authority as delegate of the Minister for Planning under Instrument of Delegation dated 22 February 2007, 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 the 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 and any relevant standards, codes and regulations.
5. To protect the amenity of the local environment, and adjoining residents, businesses and landowners.



Roy Wakelin-King
Chief Executive Officer
Redfern-Waterloo Authority

Sydney, 18 June 2009

SCHEDULE 1**PART A—TABLE**

Application Number:	MOD 027-02-08 (1) modifying DA 027-02-08
Application made by:	DIADEM DDM PTY LTD
Application made to:	Minister for Planning
On land comprising:	NICTA building (Building site D), 13 Garden Street, Australian Technology Park, Eveleigh
Local Government Area	City of Sydney Council
For the carrying out of:	Erection of two (2) business identification signs on existing building
Section 96(1) Application:	MOD 027-02-08 (1) to modify the method of illumination of the signs; modify the material the signs are constructed from.
Type of development:	Local Development
Development consent granted on:	8 April 2008
As modified:	Consent not previously modified.
S.119 Public inquiry held:	No

NOTES RELATING TO THE MODIFICATION OF THE CONSENT TO DEVELOPMENT APPLICATION NO. 027-02-08

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. 027-02-08.

SCHEDULE 2**MODIFICATION (MOD 027-02-08(1)) OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO (DA 027-02-08)**

The development consent is modified as follows:

SCHEDULE 2**PART A—GENERAL CONDITIONS**

Insert the following after the table in Condition A2 Development in Accordance with Plans:

As modified by the documents listed below:

Drawing No.	Name of Plan	Date of Plan	Date Received
7153-V-EAST_ ELEV-01b	East Elevation	12.03.09	09.04.09
7153-V-SIGN_1- 01c	Sign 1 Elevation	12.03.2009	09.04.09
7153-V-SIGN_1- 03a	Detail Elevation	18.02.2009	09.04.09
7153-V-West ELEV-01	West Elevation	21.11.2007	10.06.09

Replace Condition A3 Business Identification Signage Details with the following:

A3 Business Identification Signage Details

The business identification signage to be located on the NICTA building (Site D), Australian Technology Park, must comply with the following:

- (a) one sign on the south-east façade (facing Garden Street);
- (b) one sign on the south-west façade;
- (c) where signage is illuminated, its luminance must be controllable by a dimmer;
- (d) the material of the signage shall comprise an aluminium frame with opal acrylic cover and returns. The materials of the logo must either be toughened glass, vinyl film or an opal acrylic surface.

End of modifications to DA 027-02-08