



NSW GOVERNMENT

Department of Planning

8 April 2009

Corey McArdle
Sydney Harbour Foreshore Authority
66 Harrington Street
THE ROCKS NSW 2000

Contact: Karl Fetterplace
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Our ref: DA 035-03-2009
Notice of Determination

Notice of Determination of a Development Application

Issued under section 81(1)(a) of the *Environmental Planning and Assessment Act 1979*

Reference No.	S09/00468-1
Development Application Number	DA 035-03-2009
Development Application	
Name of Applicant	Corey McArdle, Sydney Harbour Foreshore Authority
Address of Applicant	66 Harrington Street THE ROCKS NSW 2000
Address of land to be developed	Tumbalong Park, Darling Harbour
Proposed Development	Removal and replacement of three <i>Corymbia maculata</i> trees
Determination Date	8 April 2009
Determination	Approval
Details of conditions	See attached schedule

Note:

- (1) This notice should be read in conjunction with the approved plans endorsed as part of this determination.
- (2) This consent becomes effective from the endorsed determination date.
- (3) The consent will lapse 5 years after the date of the effective consent date, unless a specific condition of the consent stipulates a lesser period or the consent is subject to a "deferred commencement" consent, or the use has commenced or any building works have been physically commenced.
- (4) Section 125 of the Act confers the authority to direct any person to comply with the terms and conditions of any consent and any person failing to comply with such a direction shall be guilty of an offence under the Act.
- (5) The applicant or any other person entitled to act on this consent may apply to modify the consent in accordance with Section 96 of the Act.
- (6) Additional advisory notes regarding this consent maybe attached to the Notice of Determination.

Other approvals

Nil

Right of appeal

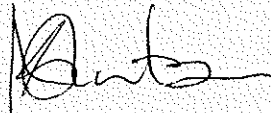
If you are dissatisfied with this decision section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Further information

If you have any queries regarding this matter, please contact Karl Fetterplace on (02) 9228 6519, or email karl.fetterplace@planning.nsw.gov.au

Signed

Under delegated authority from the Minister for Planning, and pursuant to section 81(1)(a) of the *Environmental Planning and Assessment Act 1979*, I hereby grant consent subject to the conditions in the attached schedule.



Shayne Watson
Planning Assessment Manager
Delegate for Minister for Planning

Sydney 6 April /2009

SCHEDULE

ADDRESS:	Tumbalong Park, Darling Harbour
DA NUMBER:	DA 035-03-2009
FILE NUMBER:	S09/00468-1
DESCRIPTION OF DEVELOPMENT:	Removal and replacement of three <i>Corymbia maculata</i> trees

A APPROVED DEVELOPMENT

- A1** The development shall be generally in accordance with development application number DA 035-03-2009 submitted by the applicant on 24 March 2009 and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Statement of Environmental Effects prepared by Corey McArdle, Sydney Harbour Foreshore Authority, dated 19 February 2009.

Except as amended by the following conditions:

B CONDITIONS TO BE MET DURING THE APPROVED WORK

B1 Vehicle Movements

The movement of vehicles in and around the public domain area between the hours of 12.00pm and 2.00pm is prohibited.

B2 Temporary Structures

The applicant shall ensure that all structures (including signage) associated with the tree removal are secured in a manner that prevents them being dislodged by wind or other adverse conditions.

- B3** Temporary structures, such as barricades must not be erected over the access covers to underground utility works under any circumstances.

B4 Barricade Removal

The hole created by the removal of each tree must be filled in prior to the removal of the barricades protecting each site.

The reasons for the imposition of the above conditions are:

- To confirm the details of the application and plans submitted by the applicant.
- To comply with the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
- To ensure compliance with relevant planning controls.
- To ensure that appropriate environmental protection measures are in place.
- To protect the amenity of the local environment, residents and adjoining landowners.
- To ensure the development complies with the requirements of SHFA *Tree Policy*.