



green building council australia
MEMBER

Ref: I:\2.0 Projects NSW\20447 (National Indigenous Youth Development Centre)\02 Authorities\01 Development Application & Rezoning (DA)\DoP\0711121 - Letter to Josephine Wing - Section 75 W Modification MP_06_0267.doc

26 November 2007

Josephine Wing
Department of Planning
22-23 Bridge Street
Sydney NSW 2000

Dear Josephine,

**National Indigenous Development Centre, Redfern
Section 75 W Modification to Major Project 06_0267**

On behalf of the Indigenous Land Corporation we are writing to submit the Section 75W Modification to Major Projects Approval for the National Indigenous Development Centre. Further to our meeting on 22 October 2007 we now enclose the following documentation:

- Attachment 1 Completed Modification Application
- Attachment 2 Letter to Michael Woodland Department of Planning, dated 19 November 2007
- Attachment 3 Architectural Plan A 592 prepared by Tonkin Zulaikha Greer dated 19 November 2007.

Application is made to modify the conditions of consent for the National Indigenous Development Centre as follows:

1. Condition A2

The approved plans are requested to be modified in accordance with Attachment 3.

The EA application noted the top of fence to Rendwick Street for Building G (the west fence of Playground 2) to be RL: 29.800, and the adjacent playground level to be 28.000. Thus a fence height of 1800, as required by the Renzo Tonin Acoustic Report and City of Sydney DCP.

This would result in the existing ground line sloping quite steeply down to the fence. The landscape consultants, 360°, have proposed a timber deck over the existing ground to maintain a more child friendly flat surface, thus elevating the height of adjacent ground level at the line of the fence from RL 28.000 to 28.400.

Renzo Tonin still require the fence to be 1800mm from proposed playground level to contain the noise, and to comply with the DCP.

Accordingly we propose to increase the fence height from RL 29.800 to 30.200 in accordance with Attachment 3.

Incoll Management Pty Ltd (ABN 66 093 516 619), Level 1, 73 Miller Street North Sydney NSW Australia 2060
PO Box 1594, North Sydney NSW Australia 2059, Tel (+61 2) 9957 5818 Fax (+61 2) 9959 3975
Email: mail@incoll.com.au Web: www.incoll.com.au

■ BRISBANE ■ CAIRNS ■ CANBERRA ■ DARWIN ■ MELBOURNE ■ PERTH ■ SYDNEY

2. Condition B1 and B4

For reasons outlined in the Incoll's letter dated 19 October 2007 the project Conditions B1 and B4 create complications with the construction methodology required to comply with the approved remediation action plan.

We have reviewed the staged completion of the remediation of the site with the EPA Site Auditor, Andrew Kohlrusch, who approved the remediation action plan submitted with the Environmental Application. The remediation action plan details the methodology for encapsulation of the contaminants which require a significant amount of the building work to be completed including retaining walls, decks, concrete slabs and other landscaping elements. The Site Auditor has advised that it would be prudent to have a three staged process for the Site Audit Statement given the integrated nature of the archaeological and construction work with the remediation of the site.

The Site Auditor has recommended that three Site Audit Statement/Interim Audit Advice be produced at the following stages:

- a. Prior to the commencement of construction of the new buildings (Building F and Building G).
- b. Prior to the commencement of landscaping.
- c. Prior to the issue of the occupation certificate.

Given the above we request that conditions B1 and B4 are modified as follows:

B1 Staging of Construction

Separate Construction Certificates may be obtained relating to the following stages of development, as approved:

- Stage 1 – Demolition of toilet blocks and other external elements,
- Stage 2 - Civil, earthworks including archaeology, external works including the oval and public domain works;
- Stage 3 - Refurbishment of existing buildings;
- Stage 4 - Construction of new buildings and swimming pool;
- Stage 5 - Landscaping.

The following conditions relate to each stage and must be completed, unless otherwise stated, prior to the issue of a Construction Certificate for each stage.

B4 Land Contamination

Prior to issue of a Stage 4 Construction Certificate a Site Audit Statement must be prepared and submitted by an independent NSW EPA accredited Site Auditor to the Certifying Authority, which confirms that the site can be remediated to the standard suitable for the proposed land use.

Prior to issue of a Stage 5 Construction Certificate a Site Audit Statement must be prepared and submitted by an independent NSW EPA accredited Site Auditor to the Certifying Authority, which confirms that the site can be remediated to the standard suitable for the proposed land use.

Prior to the issue of the occupation certificate a Site Audit Statement must be prepared and submitted by an independent NSW DEC accredited Site Auditor to the Certifying Authority, which confirms that the site has been remediated to the standard suitable for the proposed land use.

3. Condition B2

Condition B2 is requested to be modified in accordance with Attachment 2.

We confirm that the application fee of \$750 will be paid through electronic funds transfer.

If you require any further information or have any queries in relation to this application or wish to discuss this matter further then please do not hesitate to contact me on 9957 5818.

Yours Sincerely
INCOLL MANAGEMENT PTY LTD



JOHN DAWSON
Project Manager



Modification to a Major Projects application

Date received: ___/___/___

Modification Application No. _____

1. Before you lodge

Under section 75W of the Environmental Planning and Assessment Act 1979 (the Act) this form is required to apply for the modification of an approval of the Minister to carry out a Project of Significant Impact of the Act applies.

Before lodging this application it is recommended that you first consult with the Department of Planning (the Department) concerning your Project.

To ensure that your application is accepted as having been duly made, you must complete ALL parts of this form, and submit all relevant information required by this form.

All applications must be lodged with the Director General by courier or mail.
 Courthouse, 25-33 Bridge Street, SYDNEY NSW 2000
 GPO Box 39, SYDNEY NSW 2000
 Tel: 02 9226 6411
 Fax: 02 9226 6256

2. Details of the proponent

Company/organisation/agency: **INDIGENOUS LAND CORPORATION** ABN: **59 912 679 254**

Mr Mrs Ms Dr Other
 First name: **DAVID** Family name: **GALVIN**

STREET ADDRESS
 Unit/s/office: **2/67** Street name: **ASTOR TERRACE**

Suburb or town: **SPRING HILL** State: **QLD** Postcode: **4000**

POSTAL ADDRESS (if not the same as above)
GPO BOX 5212

Suburb or town: **BRISBANE** State: **QLD** Postcode: **4000**

Daytime telephone: **07 3854 4600** Fax: **07 3854 4666** Mobile: **-**

Email: **-**

3. Identify the land you propose to develop

STREET ADDRESS

Unit/street no.

180

Street or property name

GEORGE ST

Suburb/town/locality

KEDERN

Postcode

2016

Local government area

SYDNEY

REAL PROPERTY DESCRIPTION

LOTS 1, 2, 4 DP 817283

OR detailed description of land attached to []

The real property description is found on a map of the land or on the title documents to the land. If you are unsure of the real property description you should contact the Department of Lands. Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the modification applies to more than one piece of land, please use a comma to distinguish between each real property description.

4. Details of the original Major Project

Describe what the original consent allows

CONVERSION OF HERITAGE BUILDING AND NEW CONSTRUCTION OF: SPORTING COMPLEX INCLUDING INDOOR COURT, POOL & SPORTS FIELD, DORMITORY ACCOMMODATION, NURSERY CARE CENTER, AND FLEXIBLE OFFICE SPACE

What is the Project Application no?

MP 06-0267

What is the date of consent?

25/10/07

What was the original estimated cost of the project (incl GST)?

\$ 30,677,631

5. Describe the modification you propose to make

1. MODIFICATION OF CONDITION A2. IN ACCORDANCE WITH ATTACHED DOCUMENTS.
2. MODIFICATION OF CONDITION B1 IN ACCORDANCE WITH ATTACHED DOCUMENTS.
3. MODIFICATION OF CONDITION B2. IN ACCORDANCE WITH ATTACHED DOCUMENTS.
4. MODIFICATION OF CONDITION B4. IN ACCORDANCE WITH ATTACHED DOCUMENTS.

6. Application fee

For development that involves a building or other work, the fee for your modification application is based on the estimated cost of the original development.

Estimated Project Cost: N/A

Total Fees Lodged: N/A

7. Signatures

The owner(s) of the land being developed must sign the application.

If you are not the owner of the land, you must ask the owner(s) of the land to sign the application. The Land's Crown Land Officer of the Department of Lands must sign the application.

Signature: 

Signature: _____

Name: D. GALVIN

Name: _____

Date: 21/11/07

Date: _____

8. Proponent's Signatures

As the proponent(s) of the proposed Major Project and in signing below, I/we hereby declare that all information contained within this application is accurate at the time of signing.

Signature: 

If not Proponent, in what capacity do you sign? _____

Name: D. GALVIN

Name if you are not the proponent: _____

Date: 21/11/07



19 November 2007

Mr Michael Woodland
Director Urban Assessments
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Woodland

National Indigenous Development Centre (NIDC)—Development Contributions

I am writing to progress the discussions to date regarding the Indigenous Land Corporation's (ILC's) abovementioned project and Condition of Approval B2 requiring the payment of a levy of \$598,749 in accordance with the Redfern Waterloo Authority (RWA) Development Contributions Plan.

Pursuant to Clause 16 of the RWA Development Contributions Plan, the ILC seeks that the Minister for Planning use his discretion to amend the conditions of approval under Section 75W of the *Environmental Planning and Assessment Act 1979* to offset the required development contribution (Condition B2) to acknowledge the provision of significant material public benefit in the form of the capital works comprising the NIDC project.

As detailed in the NIDC Environmental Assessment, the NIDC will deliver a range of material public benefits to the local Indigenous and non-Indigenous community within the Redfern-Waterloo area. The NIDC objectives are to create long-term social, educational, cultural and economic benefits for Indigenous people. The objectives of the NIDC project are complementary to the NSW State Plan Priorities, specifically in achieving the following outcomes:


- P4—More people participating in education and training throughout their life
- E8—More people using sporting and recreational facilities
- F1—Improved health and education for Aboriginal people

The project benefits begin with the capital investment in community infrastructure and continue through to the wide-ranging sporting, educational, social, arts and recreational programs that will operate therein.

Attached is a table that provides a summary of the capital infrastructure associated with the NIDC that we believe will deliver material public benefits to the community. The value of the material public benefit that will be created through the provision of capital works totals \$16,994,214. The ILC seeks to offset the entire development levy of \$598,749 with the value of the works detailed in the attached table.

I look forward to your favourable consideration of the ILC's request. Please do not hesitate to contact Mr Ashley Martens, ILC Director of Capital Works, on telephone (07) 3854 4600 should you wish to discuss the matter further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Galvin', written over a horizontal dashed line.

DAVID GALVIN
General Manager

NIDC MATERIAL PUBLIC BENEFITS

Community Facilities	NIDC Material Public Benefits NIDC objectives: Creation of long term educational, social, cultural and economic benefits for Indigenous people.	Estimated Cost
<p>Multi-purpose sports hall and outdoor heated swimming pool (including facilities for community use)</p>	<p>State-of-the-Art multi-purpose sports and recreational hall for local community use including: outdoor heated swimming pool; indoor sports court; 3 x multi-use activity rooms; boxing ring and training gym; general gymnasium; counselling room; arts and crafts centre; photography room; café; drop in area.</p> <p>This facility will become a youth services precinct for local community in the area of sport and recreation and will also provide safe and secure venue for youth services as per the RWA Human Services Plan 2005.</p> <p>The programs operated in the new facility will seek to:</p> <ul style="list-style-type: none"> • Get young people active in life • Work with young people to develop their skills, character and leadership qualities • Prevent and reduce crime by, and against, young people by developing partnerships between young people and local services. 	<p>\$9,843,714</p>
<p>Child Care Centre</p>	<p>Provision of 59 affordable child care places for local community.</p> <p>The new child care centre contributes towards the outcomes of the RWA Human Services Plan 2006 which aims for the creation of an additional 100 affordable child care places in the revitalised Redfern-Waterloo community.</p> <p>It is noted that a childcare facility is listed as a capital works item (Item 19) in the RWA Development Contributions Plan.</p>	<p>\$2,996,568</p>

<p>Accommodation for various community organisations and Literacy Tutorial Centre</p>	<p>The refurbishment of one of the heritage buildings on site will provide classroom facilities for 54 students to participate in intensive literacy and numeracy programs. This building will provide office accommodation for the National Aboriginal Sports Corporation Australia (NASCA), a not-for-profit organisation.</p> <p>In addition, this building includes dedicated space for local community use (e.g. meetings, workshops etc).</p> <p>The tutorial centre operated by Macquarie University and funded by the Exodus Foundation assists students who are failing in the public school system in areas of literacy, numeracy and behavioural issues. The Tutorial Centre has an excellent track record in assisting in improved literacy and numeracy outcomes and increased retention rates for both primary and high school.</p> <p>NASCA assist school aged children in a range of sports programs which aim to address the social disadvantage affecting young Indigenous people specifically in areas of nutrition, healthy life choices, school attendance and retention.</p>	<p>\$1,507,066</p>
<p>Short-Stay Hostel and Accommodation and Dining Facilities</p>	<p>Refurbishment of existing building providing up to 100 beds for local and or visiting groups.</p> <p>Provision of short-term stay affordable accommodation for groups of Indigenous students, families and/or adults participating in sporting, educational and social development camps in the Sydney area.</p> <p>Indigenous Employment opportunities in the areas of catering, hospitality and management industries through the LLC's management arrangements with Aboriginal Hostels Australia. This active effort towards the wealth creation and economic independence of Indigenous people contributes towards the outcomes of the RWA Employment and Enterprise Plan 2006.</p>	<p>\$2,647,866</p>

TOTAL VALUE OF CONTRIBUTION \$16,995,214

