



Planning

22 MAR 2010 VG

Ms Vivienne Goldschmidt
JBA Urban Planning Consultants Pty Ltd
Level 7, 77 Berry Street
NORTH SYDNEY NSW 2060

10/06252

Dear Ms Goldschmidt

I refer to your letter to the Director-General on 4 March 2010, seeking the Department's agreement to a staged assessment process to enable excavation and early site preparation works to commence for the University of Technology Sydney (UTS) Broadway Building. I also refer to the meeting held with myself and Department representatives on 11 March 2010 in which your request was discussed.

As discussed at the meeting, an application to enable early works without further environmental assessment by modifying the Minister's approval of Concept Plan MP08_0116 in accordance with section 75W of the *Environmental Planning and Assessment Act 1979* is necessary to facilitate this process.

In order to reduce the potential risks of the development remaining incomplete for a lengthy period following excavation, the Department would require the landowner to enter into a Site Rectification Deed consistent with the City of Sydney's standard conditions of development consent for demolition and site rectification. As part of such a Deed, a bank guarantee in the sum of \$250 per square metre of site area would be required as security for the costs of such works.

Please find enclosed an application form should you wish to lodge an application to modify the Concept Plan approval. The maximum application fee payable for applications to modify a major project determination is 50% of the Part 3A fee, pursuant to clause 245K(3) of the Regulations. Alternatively you may request that the Director-General consider a reduced fee based on the likely work involved.

Should you wish to discuss this matter further, please do not hesitate to contact Simon Bennett, Team Leader – Strategic Assessment on 9228 6573 or by email at simon.bennett@planning.nsw.gov.au

Yours sincerely

Giovanni Girillo
Executive Director
Urban Renewal and Major Sites