

08564
13 February 2009

Simon Bennett
Team Leader - Strategic Assessments
Department of Planning
GPO Box 39
SYDNEY 2001

Dear Mr Bennett

BUILDING 6 UNIVERSITY OF TECHNOLOGY BROADWAY CAMPUS

We are writing on behalf of Living Education, the proponent for the above Part 3A project, in relation to the Director-General's Environmental Assessment Requirements (DGRs) issued on 5 February 2009. As discussed at the meeting of 11 February 2009 between the Department of Planning and members of the proponent team (including Nettleton Tribe and JBA) as well as a representative of UTS, there are a number of items in the DGRs which we believe are not appropriate for this particular project.

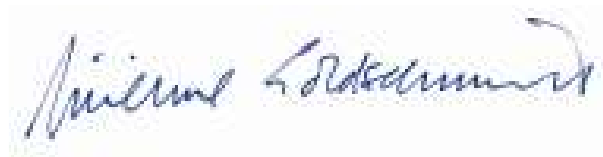
In light of further information about the proposed development presented at the meeting we understand the Department would consider amending the DGRs to remove a number of matters in Part C – Key Issues to be addressed. Each is discussed below.

- Item 1 - Site Analysis: We request that both references to the CUB site be removed as there is no real relationship between the site and the new Frasers Broadway development and this building does not adjoin the CUB site. The relationship between Frasers and UTS occurs at a different part of the UTS Broadway campus.
- Item 3 - Urban Design and Built Form: As above, it is requested that the plans and 3D model do not include the CUB site. Regarding an artist's impression, we understand from the meeting that photomontages will be adequate and that an artist's impression is not required. It should be noted however, that, although not required by the DGRs, the proponent will be producing a physical model of the building.
- Item 4 - Public Domain and Streetscape: the proposal does not include any works to the public domain (other than to make good footpaths etc) and no works to the UPN (owned by SHFA) are proposed. Accordingly, it is not possible to fulfil the requirements in relation to landscaping the public domain/streetscape and providing public art. In relation to active frontages, the frontage on Harris Street will remain unchanged - the existing university building remains in situ unchanged at the Harris Street level. It is requested that these requirements be modified.
- Item 7 – Heritage: In essence the proposal involves construction of a new tower above the existing operating podium below. Accordingly, it will be impossible to either undertake an archaeological assessment of the site or provide details of Aboriginal heritage. The site is entirely disturbed and fully built upon. It is requested that these requirements be removed.
- Item 8 – Landscaping: As described above there are no landscaping works as part of this proposal and no land available to landscape. It is requested that the Department consider modifying this requirement.

- Item 10 – Geotechnical and Contamination: The site is fully built upon and operating as a university facility. Accordingly it will not be possible to assess any site contamination in accordance with SEPP 55. It is requested that the Department remove this requirement. Likewise, requirements in relation to earthworks, retention methods, excavation and the like are not relevant.
- Item 14 - Consultant reports: it is requested that the requirement for a contamination report be deleted on the grounds described above.

We look forward to your response in relation to the above matters. Should you have any queries, I can be contacted on 9409 4927 or at vgoldschmidt@jbaplanning.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Vivienne Goldschmidt', with a stylized flourish at the end.

Vivienne Goldschmidt
Associate