



Appendix J
Letters of landowner consent



Botanic Gardens Trust
SYDNEY

FAXED
24/11/09
BS

Education
Science CONSERVATION
Horticulture Recreation

24 November 2009

Richard Evans
Chief Executive Officer
Sydney Opera House Trust
GPO Box 4274
SYDNEY NSW 2001

Via Fax: 9250 7978

Attention: Mr Greg McTaggart

Dear Mr McTaggart,

MP 09_0122 Bennelong Drain Diversion

I write further to our letter dated 19 November 2009 (a copy of which is enclosed for your convenience) regarding the application to the Department of Planning, MP 09_0122, seeking approval for the realignment of the Bennelong Drain under Part 3A of the NSW *Environment Planning and Assessment Act 1979* (EP&A Act).

As noted in our previous letter, the Royal Botanic Gardens and Domain Trust resolved to endorse the application subject to our concerns being addressed and authorised me to sign this letter of consent as the land owner under Section 4.1.24 of the Trust's instrument of delegation.

Your correspondence dated 23 November 2009, received today, mitigates those concerns and I can advise that the Royal Botanic Gardens and Domain Trust consents to the realignment of the Bennelong Drain as per the Environmental Assessment.

Should you have any questions concerning this matter, please do not hesitate to contact Mark Savio, Director Domain and Royal Botanic Gardens, on 9231 8110.

Yours sincerely

Tim Entwisle
Executive Director, Botanic Gardens Trust
New South Wales Government Botanist

Encl.

Royal Botanic Gardens & Domain
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Mount Annan Botanic Garden
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Mount Tomah Botanic Garden
Bells Line of Road
via Bilpin NSW 2758 Australia
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National Herbarium of NSW
Mrs Macquaries Road
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Land and Property
Management Authority
State Property Authority

Bligh House
4-6 Bligh Street
Sydney NSW 2000

GPO Box 5341
Sydney NSW 2001

02 9338 7000

03 February 2010

Mr Greg McTaggart
Director, Building Development and Maintenance
Sydney Opera House
GPO Box 4274
Sydney NSW 2001

Dear Mr McTaggart

**Proposed Bennelong Drain Diversion
Development Application – Landowners Consent**

References is made to your letter of 31 December 2009 and advise that SPA consents as landowner to Sydney Opera House lodging a development application for the drainage culvert works as generally described in your letter which affects lot 101 in DP 828946.

In due course, SPA would be pleased to review the relevant information required to be provided by the Sydney Opera house for the purposes of complying with the Deed of Consent.

Yours faithfully,

Richard Hemsworth
Executive Director
Portfolio Management Group