



Office of the Director-General

Ms Gabrielle Kibble AO
Chairperson
Planning Assessment Commission
Thakrall House
Level 13, 301 George Street
SYDNEY NSW 2000

11/16042

Dear Ms Kibble,

Re-determination of Section 75W Modification Application Staged Strata Subdivision 12-40 Bonar Street & 5 Loftus Street Arncliffe (MP09_0148 Mod 6)

The above Section 75W Modification Application is referred to the Planning Assessment Commission for re-determination.

When the original Modification Application was determined, the proposed strata plans did not clearly identify the lot that is proposed to be further subdivided as the "development lot". The *Strata Schemes (Freehold Development) Act 1973* provides that a consent for Staged Strata Subdivision is invalid if the plan identifying the "development lot" is not before the consent authority at the time consent is granted.

There are no other amendments to either the buildings or strata subdivision.

Subsequently, the application is resubmitted to the Planning and Assessment Commission for re-determination. I note that the PAC is also requested to certify the Strata Development Contract attached.

The Department's assessment of the modification application and recommendation is contained within the attached briefing note contained in file 11/006072-1.

Should you have any further enquiries about this matter, I have arranged for Michael Woodland, Director of Metropolitan & Regional Projects South, to assist you. Michael can be contacted on telephone number 9228 6150.

Yours sincerely,

Sam Haddad
Director-General

10/9/2011