

Euan Upston
Chief Operating Officer
Museum of Contemporary Art
140 George Street
THE ROCKS NSW 2000

Dear Mr Upston

Premises: 140 George Street, THE ROCKS.

Proposal: MCA Redevelopment.

Applicant: Museum of Contemporary Art.

I refer to your Application, dated 11 September 2009, for Land Owner's Consent to make a Project Application.

NSW Maritime has assessed your Application by reference to its "Obtaining Permission to Lodge a Development / Project Application" Policy and consents to the making of your Development Application in accordance with the attached plans prepared by Simpson Design Associates, dated 21 September 2009, numbered SK/SW/01-A and SK/SW/02-A and stamped as approved by NSW Maritime.

A copy of this approval must be included with your Application to modify a Development Consent to the relevant Consent Authority.

Should the nature, extent or specific location of your proposal change prior to the making of the Development Application, you must re-apply to NSW Maritime for its consent to the making of the varied Development Application. NSW Maritime's Land Owner's Consent to the making of the Development Application is valid for a period of 12 months from the date of this letter.

You should also be aware that if the Consent Authority grants Development Consent for the proposal, work on NSW Maritime's land must not commence unless:

- (a) there is a land tenure arrangement in place which is suitable to NSW Maritime; and
- (b) if required, a Construction Certificate has been issued pursuant to Part 4A of the *Environmental Planning and Assessment Act 1979*; and
- (c) NSW Maritime has issued Construction Approval or an applicable exemption pursuant to clause 65A of the *Management of Waters and Waterside Lands Regulation - NSW* and/or section 13T of the *Maritime Services Act, 1939*; and
- (d) you have complied with all other requirements of the law.

If you have any questions about this letter, please contact NSW Maritime's Development Approvals Co-ordinator, Ms Myriam Mendez on 9563 8662.

Yours sincerely



Patrick Low

8-12-09

General Manager
Policy and Strategy Division

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SYDNEY NSW 2000