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Our Ref: PR112438 (MOD 4)

Date: 18 July 2012

Attn: Amy Watson
NSW Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Via: electronic submittal

Dear Amy

RE: COLLEGE OF FINE ARTS (CoFA) REDEVELOPMENT – MP08_0104
University of New South Wales, Paddington Campus

Section 75W Modification – Electricity substation (Modification No 4)

In accordance with the provisions of Section 75W (s75W) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and on behalf of our client Hindmarsh, we hereby submit this s75W Application to modify the Minister's approval for the redevelopment of part of the CoFA Campus (Project Application 08_0104) at the UNSW Paddington Campus.

This modification is in response to a minor error in the Project Approval, whereby a condition of the approval is inconsistent with the approved plans, which were lodged as part of the previous modification (Mod 3).

Although the processing and assessment of this Major Project has been delegated by the Minister for Planning to the Council of the City of Sydney, it is considered appropriate that the Department of Planning and Infrastructure assess this application.

1. BACKGROUND

On 16 December 2008, the Minister for Planning granted approval subject to conditions to Major Project Application (MP 08_0104), comprising the partial redevelopment of the CoFA Campus, mainly being the demolition of three (3) buildings, alterations and additions to one (1) building, and erection of a new four (4) storey building.

On 11 June 2010 the Minister for Planning approved a s75W Application to refine the wording of numerous conditions of consent to streamline the implementation process (Modification 1).

On 21 December 2010 a delegate of the Minister for Planning approved a second s75W Application for a refined design of the proposed new Block D (Modification 2).

On 26 July 2011 a delegate of the Minister for Planning approved a third s75W Application for alterations and additions to the existing Building F and the central campus courtyard. The

approved plans associated with this modification included the relocation of electrical substations on Greens Road however the relevant condition of approval (Condition 49) was not modified to reflect these changes. This s75W Application (Modification 4) has been lodged to address this minor error.

2. PROPOSED MODIFICATIONS

This amendment seeks to **delete Condition 49** of the project approval MP08_0104. This condition relates to the dedication of land for an electricity substation to the applicable energy supplier and states:

Condition 49: Electricity Substation

If required by the applicable energy supplier, the owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation to be installed. The size and location of the substation is to be submitted for approval of Energy Australia, prior to a Construction Certificate for relevant building works being issued or the commencement of the use, whichever is earlier. If the substation is proposed to be sited on Council's land, Council's approval is required.

The location of the electrical substations on Greens Road, as shown on the plans approved under Modification 3, is visible from the public domain and is therefore inconsistent with this condition.

3. JUSTIFICATION & DISCUSSION OF IMPACTS OF PROPOSED MODIFICATION

The modification relates only to a minor error in the wording of the Project Approval, which was not updated to reflect changes identified on the plans approved under Modification 3. There are therefore no additional environmental impacts associated with the proposal, as these were addressed during the assessment of Modification 3.

It is proposed to delete the condition, rather than modify it, on the basis that Ausgrid have the authority to undertake development of substations as *development without consent* in accordance with State Environmental Planning Policy (Infrastructure). Development approval is not required for the construction of substations under this policy and therefore condition 49 is not required.

Hindmarsh have been in discussions with Ausgrid in relation to the location of the substations. It is understood that Ausgrid have advised that the location on Greens Road (as illustrated on the plans approved under Modification 3) is their preferred location and no alternative locations have been agreed. Ausgrid did agree to ensure that there would be no impact on the adjacent gum tree as a result of the substations.

The proposed modification does not alter the uses within the site, the size of the building, nor the student or staff population of the college. There will be no adverse impacts associated with the proposed modifications.

4. APPLICATION FEES

In accordance with Section 245K (2) of the *Environmental Planning and Assessment Regulation 2000*, the relevant fee for this modification is \$850, as it relates *only to a minor matter such as a minor error, a misdescription or a miscalculation*.

5. CONCLUSION

As outlined above the proposed modifications will retain the intent of the original project approval dated December 2008. The modification is considered a minor error or misdescription which was not addressed in the previous Modification (Mod 3). The changes will not result in additional impacts.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

Yours sincerely

RPS

A handwritten signature in black ink, appearing to read 'Belinda Lewis'.

Belinda Lewis
Planning Manager

cc: Matthew Moar, Hindmarsh