

Attachment B

**Applicant's Response to Recommended
Conditions of Consent**



11 May 2020

The General Manager
City of Sydney Council
Town Hall House
456 Kent Street
Sydney NSW 2000

**Attention: Ms Tahlia Alexander – Specialist Planner
Mr Michael Soo – Senior Area Planning Manager
Mr Graham Jahn AM - Director City Planning Development & Transport**

Dear Tahlia,

RE: 505-523 GEORGE STREET, SYDNEY – D/2019/857 – CENTRAL SYDNEY PLANNING COMMITTEE MEETING 14 MAY 2020 – RESPONSE TO AGENDA ITEM 4

Thank you for the opportunity to respond to the documents pertaining to agenda item 4 for the Central Sydney Planning Committee (CSPC) Meeting on 14 May 2020.

We take this opportunity to provide feedback relating to:

1. Corrections and additions to drawing referencing for completeness; and
2. Discrepancies, clarifications and administrative items.

In the interest of minimising changes requested in this letter and in view of the limited timeframe prior to Thursday's CSPC meeting, other administrative and housekeeping amendments will be addressed in a future s4.55 modification.

1.0 Additions and corrections to drawing referencing

1.1 Additions

Drawings Provided to Council but NOT LISTED in (1)(a) Recommended Conditions of Consent - Drawing Schedule			
DRAWING NUMBER	REVISION	DRAWING NAME	DATE
DA-1700-OA-00_C	C	GFA PLANS – BASEMENT	13.03.2020
DA-1701-OA-00_C	C	GFA PLANS – PODIUM	13.03.2020
DA-1702-OA-00_C	C	GFA PLANS – TOWER	13.03.2020
DA-1703-OA-00_C	C	GFA PLANS – ROOF	13.03.2020
DA-1500-OA-00_A	A	Demolition Site Plan	29.07.2019

1.2 Corrections

DRAWING NAME AS LISTED	CORRECTED DRAWING NAME
DA-1000-BAS-BC rev C: Basement B01 Plan (13.03.2020)	DA-1000-BAS-B1 rev C: Basement B01 Plan (13.03.2020)
DA-1000-TOW-35 rev A: Tower Level 35 Plan - Type D (29.07.2019)	DA-1000-TOW-35 v A: Tower Level 35 Plan - Type D1 (29.07.2019)
DA-2140-POD-00 rev B: Podium Cross Section A-A part 6 (13.03.2020)	DA-2140-POD-00 rev B: Podium Cross Section B-B part 6 (13.03.2020)
DA-1000-BAS-B2 rev B: Basement B02 Plan (02.12.2020)	DA-1000-BAS-B2 rev B: Basement B02 Plan (02.12.2019)

We also note that drawing DA-1000-TOW-65-79 in 1(a) of the Recommended Conditions of Consent can be deleted as this drawing does not exist and appears to be a duplication of DA-1000-TOW-65.

2.0 Discrepancies, clarifications and administrative items

The below table outlines corrections, clarifications and administrative items requested in relation to the *Development Application: 505-523 George Street, Sydney – D/2019/857* report and *Attachment A: Recommended Conditions of Consent*.

DOCUMENT	REFERENCE	COMMENT
<i>Development Application: 505-523 George Street, Sydney – D/2019/857, item 4</i>	Page 1	Incorrect owner identified. Current wording: <i>Michael Coombes</i> Requested amended wording: Coombes Property Group (CFT No 4 Pty Limited)
<i>Attachment A: Recommended Conditions of Consent</i>	Condition (6)(a)	The Gross Floor Area referenced is incorrect. The correct total maximum permissible Gross Floor Area excluding wind affected balconies consistent with the drawings and with the written request submitted under Clause 4.6 of SLEP 2012 and supported in the assessment report (as per Table 15 provided within the <i>Request for Information #4</i> response dated 24 March 2020) is 65,447sqm . Current wording: (a) <i>The Floor Space Ratio of the proposal must not exceed Sydney Local Environmental Plan 2012. For the purpose of the calculation of FSR, the Gross Floor Area of the approved development is 63,383sqm inclusive of wind affected balconies.</i> Requested amended wording: (a) <i>The Floor Space Ratio of the proposal must not exceed Sydney Local Environmental Plan 2012. For the purpose of the calculation of FSR, the Gross Floor Area of the approved development is 65,447sqm exclusive of wind affected balconies.</i>
<i>Attachment A: Recommended Conditions of Consent</i>	Condition 14(a)	Request that the wording be amended to be consistent with the definition of 'Toilet Facility' in the Voluntary Planning Agreement dated 7 August 2015. Current wording: (a) <i>The through-site link (George Street and Kent Street) and public toilet facilities located within the George Street ground level podium are to remain</i>

		<p>accessible to the public <i>at least between the hours of 6.00am – 10.00pm or longer if the retail is open.</i></p> <p>Requested amended wording:</p> <p>(a) <i>The through-site link (George Street and Kent Street) and public toilet facilities located within the George Street ground level podium are to remain accessible to the public in accordance with the Voluntary Planning Agreement dated 7 August 2015.</i></p>
Attachment A: Recommended Conditions of Consent	Condition 27(a)	<p>Note the typographical error in referencing the property.</p> <p>Current wording:</p> <p>(a) <i>If demolition of the existing building occurs prior to the demolition of the existing building on 505-523 George Street, a temporary southern side boundary wall must be constructed to provide adequate weather and fire safety protection of the building at 523-529 George Street.</i></p> <p>Required correction:</p> <p>(b) <i>If demolition of the existing building occurs prior to the demolition of the existing building on 525-529 George Street, a temporary southern side boundary wall must be constructed to provide adequate weather and fire safety protection of the building at 525-529 George Street.</i></p>
Attachment A: Recommended Conditions of Consent	Condition 62	<p>Minor correction required as reference to 10m³ minimum storage space per apartment is not consistent with objective 4G-1 of the ADG and therefore request removal of specific reference to storage area. Minimum storage space per apartment is as follows:</p> <ul style="list-style-type: none"> • Studio – 4m³ • One Bedroom – 6m³ • Two Bedroom – 8m³ • Three + Bedroom – 10m³ <p>Current wording:</p> <p><i>Prior to the issue of a Construction Certificate for any part of the Tower, a storage schedule and diagrams must be submitted to the Accredited Certifier for approval. The minimum storage requirements must be in accordance with Objective 4G-1 of the Apartment Design Guide which requires 10m³ of storage space per apartment.</i></p> <p>Requested amended wording:</p> <p><i>Prior to the issue of a Construction Certificate for any part of the Tower, a storage schedule and diagrams must be submitted to the Accredited Certifier for approval. The minimum storage requirements must be in accordance with Objective 4G-1 of the Apartment Design Guide which requires 10m³ of storage space per apartment.</i></p>
Attachment A: Recommended Conditions of Consent	Condition 94(c)	<p>A tower of this scale will inevitably require staged occupation both within the podium and the tower. The Green Roof incorporated as part of the Architectural Roof Feature will be one of the final inclusions to the top of the building and therefore it is unreasonable to delay occupation of completed lower parts of the building until this element of the landscaping is complete.</p> <p>Current wording:</p>

		<p>(c) All landscaping in the approved plan is to be completed prior to the issue of any Occupation Certificate.</p> <p>Requested amended wording:</p> <p>(c) All landscaping in the approved plan is to be completed prior to the issue of any Occupation Certificate for the relevant segment.</p>
Attachment A: Recommended Conditions of Consent	Condition 113(a) & (b)	<p>Due to the staging and design programme for a building of this scale it is unreasonable to require Construction Certificates to be resolved to Podium P1 prior to the commencement of demolition. Request that the referenced Construction Certificate be Basement Structure (B2).</p> <p>Current wording:</p> <p>(a) Demolition or excavation which would require cessation of active street frontages uses must not commence until the Podium 1 (P1) Construction Certificate has been issued.</p> <p>(b) Prior to the P1 Construction Certificate being issued, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.</p> <p>Requested amended wording:</p> <p>(a) Demolition or excavation which would require cessation of active street frontages uses must not commence until the Basement Structure (B2) Construction Certificate has been issued.</p> <p>(b) Prior to the Basement Structure (B2) Construction Certificate being issued, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.</p>

On behalf of Coombes Property Group and Mirvac we would like to thank you again for the opportunity to provide the above response.

We look forward to the determination of this landmark application.

Yours sincerely,



Dominic Hunt
Senior Development Manager