

18 September 2015

General Manager
City of Sydney
GPO Box 1591
Sydney NSW 2001

Attention: Ms Natasha Ridler

Re: SSD 7101 - Mixed Use Hotel, Residential, Club and Retail Development, Goldfields House, Fairfax House and The Rugby Club Site

Dear Ms Ridler

This letter comprises a submission on SSD 7101 which seeks Stage 1 concept approval for the following development of Goldfields House, Fairfax House and The Rugby Club Site:

A mixed residential building (max. 185m / RL191) comprising a slightly modified version of the approved Tower A; a hotel building (max. 110m / RL112.5) incorporating a new Registered Club; and a five level basement car park across the site.

It is written on instructions from DEXUS acting on behalf of the following entities that own the following properties in the vicinity of the development site:

- | | |
|-------------------------------|--|
| 1. Grosvenor Place | DEXUS CPA Pty Limited as Trustee for Grosvenor Place Trust (50%), Investa Nominees Pty Limited (25%) and Commonwealth Superannuation Corporation (25%) |
| 2. Australia Square | DEXUS Funds management Limited as Trustee for DEXUS Australia Square Trust (50%) and GPT RE Limited as Responsible Entity for the General Property Trust (50%) |
| 3. 56 Pitt Street | DEXUS CPA Pty Limited as Trustee for DEXUS CPA Development Trust |
| 4. 1 Bligh Street | DEXUS Funds Management Limited as Trustee for Bent Street Trust |
| 5. Gateway, 1 Macquarie Place | DEXUS Wholesale Property Limited as Trustee for The Gateway Trust |
| 6. 1 Farrer Place | DEXUS Funds Management Limited as Trustee for DEXUS Office Trust (50%) and Lend Lease Funds Management Limited (50%) |

These owners support redevelopment of the APDG Precinct and do not object to the proposed SSD but concern is raised in relation to the very complex approval strategy proposed by the applicant. DEXUS requests that the consent authority carefully consider the following matters:

1. Complex approval strategy

The applicant has formulated a complex approval strategy proposed by SSD 7101 and DA D/2015/882 (which would amend approved DA D/2010/2029 to excise Building B and the basements and make changes to Tower A).

The consent authority should exercise caution to ensure that the development does not retain the considerable benefits of the current consent for DA D/2010/2029 whilst surrendering the burdens (including significant public domain improvements and design excellence).

2. Design excellence and FSR

The City of Sydney has consistently deferred approval of the 10% bonus FSR until completion of the competitive design process and approval of the Stage 2 DA to ensure that developments fulfil their design excellence obligations under SLEP 2012, cl. 6.21. Contrary to this practice, the applicant is seeking consent for a building envelope that includes a 10% design excellence FSR bonus across the entire site. The SSD DA plans should be amended to remove the bonus FSR volume.

Given that momentous changes proposed for 1 Alfred Street (most particularly the excising of Tower B from the winning KHA competition scheme and the concerns in relation to the façade detailing of Tower A detailed in our submission on D/2015/882), a Design Integrity Assessment (**DIA**) ought to be prepared to ensure that the proposal is equivalent to, or an improvement upon, the design excellence qualities of the KHA winning competition scheme (as required by *City of Sydney Competitive Design Policy* cl. 5.1).

3. Form of consent sought

The documents for SSD 7101 and DA D/2015/882 consistently refer to approved DA 2010/2029 (the Original DA for Tower A and Tower B) as a “Stage 2 DA” and they seek consent to make amendments to the supposed Stage 2 DA. This is incorrect as:

- Stage 1 DA D/2007/1384 had lapsed therefore there was not Stage 1 consent in place when DA 2010/2029 was determined
- The DA 2010/2029 plans and reports prepared by the then applicant, Officer’s Assessment Report to Central Sydney Planning Committee (**CSPC**) of 10 May 2012 (see resolution A and paragraphs 10-13 and 55-58) and Notice of Determination make no reference a Stage 2 DA
- The then applicant requested and obtained a waiver to prepare a Development Plan on the basis that other studies and the site specific APDG DCP/LEP represented a development plan for the site.

This is a legal/procedural matter, but the applicant and consent authority must exercise care in the nomenclature used in SSD 7101 to ensure that the application and any future consent are constructed properly.

We trust that Council will carefully consider this submission in its determination of the DA. Should you have any queries, please do not hesitate to contact the undersigned.

Yours sincerely



Sandra Robinson BTP (Hons) MPIA
Director

cc. Cameron Sargent via email at cameron.sargent@planning.nsw.gov.au