

21 November 2016

Our Ref: 2016/606506
File No: R/2014/17/E

NSW Planning and Environment
Level 29, 320 Pitt Street,
SYDNEY NSW 2000

Attention: Ms. Fiona Gibson, Planner, Modification Assessments

Dear Madam,

**SSD 5824 MOD 2 – One Carrington Street – Section 96(1A) Modification
Application to include stratum subdivision to the proposal**

We refer to the following correspondence in the above matter:

1. the City's submission to NSW Planning and Environment dated 26 September 2016 (**City Submission**); and
2. Brookfield's letter to the Secretary of NSW Planning and Environment dated 27 October 2016 (**Brookfield Submission**) which:
 - a. responds to the City Submission; and
 - b. asks NSW Planning and Environment to provide written confirmation of its consent to the modification application and confirmation that the amended subdivision has addressed the matters raised in the City Submission.

Copies of the City Submission and Brookfield Submission are attached for your ease of reference.

As per your email correspondence dated 27 October 2016 requesting a response from the City to the Brookfield Submission, the City responds as follows:

1. Inconsistencies between the proposed subdivision plans and approved floor plans have been resolved with the amended plans.
2. Notwithstanding the plan inconsistencies being amended, the Brookfield Submission does not adequately address the matters raised by the City.
3. The City does not agree with Brookfield's statement that subdivision for lease purposes is not possible under the Conveyancing Act. A plan of subdivision for lease purposes is possible and in this case preferred.
4. The City **objects** to the proposed subdivision plan for the proposed stratum above Wynyard Lane. This objection would be immediately withdrawn by the

City if the subdivision plans are amended so as to identify a subdivision for lease purposes.

The City's Properties Unit will respond separately to Brookfield's request for landowner's consent.

We trust that the above information is of assistance and invite you to contact the undersigned or Russell Hand on 9265 9333 if you require further information or if there is any matter you wish to discuss.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C. Corradi', with a stylized flourish at the end.

Christopher Corradi
Area Planning Manager