

**ITEM 5. LAND CLASSIFICATION CHANGE - 200 GEORGE STREET,
SYDNEY**

FILE NO: S121300

SUMMARY

In accordance with the planning agreement between the City and Mirvac Projects Pty Ltd "Mirvac" (as developer), Mirvac George Street Pty Limited (as owner) and AMP Capital Investors Limited (as owner) for the redevelopment of 190-200 George Street, Sydney, the City will receive a 115.3 square metre parcel of land. This parcel of land is located in the centre of the redevelopment site, and consistent with the terms of the planning agreement, is intended for use as a "pocket park".

The redevelopment site, 190-200 George Street, Sydney is located within the wider the block of land bound by Alfred Street, Pitt Street, George Street and Dalley Street, Sydney (the APDG block). The APDG block planning controls envisage the creation of large open plaza fronting George Street.

It is proposed that this 115.3 square metre parcel of land, be transferred to Lend Lease to facilitate the development of adjacent sites located at 174-186 George Street and 33-35 Pitt Street, Sydney.

In exchange, the City will receive from Lend Lease, land to be dedicated to the City as a Public Plaza fronting George Street as envisaged by the APDG planning controls. These land dedications form part of a planning agreement currently being negotiated between the City and Lend Lease.

To facilitate the transfer of the parcel of land to Lend Lease, it is now proposed that the land be classified as operational. This report recommends that the proposed classification of the parcel of land as operational land be publically notified in accordance with the Local Government Act 1993. Following public notification of the proposal, a further report will be provided to Council.

RECOMMENDATION

It is resolved that Council:

- (A) publicly notify "The Council has acquired a property at 200 George Street, Sydney, being Lot 2 in the plan of survey at Attachment C and classify the acquired land, detailed herein as operational land in accordance with section 31 of the Local Government Act 1993"; and
- (B) note that a further report, to inform the outcomes of public notification and recommendation on land classification, will follow the notification period.

ATTACHMENTS

Attachment A: Location Plan

Attachment B: APDG Block - Public Domain Plan

Attachment C: Plan of Survey

Attachment D: Public Notice

BACKGROUND

1. On 6 December 2012, the Central Sydney Planning Committee granted deferred commencement consent for the redevelopment of the site located at 190 - 200 George Street, Sydney.
2. The consent became operative in February 2013.
3. The site is irregular in shape, with an area of approximately 3,100 square metres. It is located 200 metres south of Circular Quay and is bound by George Street to the west, Dalley Street to the south and Underwood Street to the east, as shown on the Location Plan at Attachment A.
4. On 13 February 2013, a planning agreement for the site was entered into between the City and Mirvac Projects Pty Ltd "Mircac" (as developer), Mirvac George Street Pty Limited (as owner) and AMP Capital Investors Limited (as owner) to undertake works to improve the public domain including:
 - (a) dedication or transfer of land for road purposes;
 - (b) dedication or transfer of land for a "Pocket Park";
 - (c) granting of public access easements;
 - (d) carrying out of public domain improvements; and
 - (e) payment of a monetary contribution for the purpose of public domain improvements.

APDG Block and Applicable Controls

5. The site forms part of the APDG block. The APDG block is defined in the Sydney Local Environmental Plan 2012 as the block of land bound by Alfred Street, Pitt Street, George Street and Dalley Street, Sydney.
6. In September 2008, the City commissioned the NSW Government Architect's Office to prepare an urban design study for the APDG block, as shown on the Location Plan at Attachment A. The key purpose of the urban design study was to ensure that Council has a consistent set of planning controls that promote high quality built form and urban design outcomes for both the public and private domain on this important street block.
7. The urban design study recommended a preferred option for the APDG block consisting of a large central publicly accessible open plaza, a connected and activated laneway network, and three tall tower buildings. The preferred option was formalised through amendments to the Sydney LEP 2005 and Sydney DCP 1996, both of which commenced on 29 April 2011.
8. The proposed development at 190-200 George Street constitutes one of three tall tower buildings identified in the urban design study.

Land Transfer and Classification

9. It is now proposed that the parcel of land, intended for use as a “pocket park” be transferred to Lend Lease to facilitate the development of adjacent sites located at 174-186 George Street and 33-35 Pitt Street, Sydney. In exchange, the City will receive from Lend Lease, land to be dedicated to the City as a Public Plaza fronting George Street as envisaged by the APDG planning controls, as shown at Attachment B. These land dedications form part of a planning agreement currently being negotiated between the City and Lend Lease.
10. Under the Local Government Act 1993, all Council-owned land must be classified as either community or operational land. Generally, land to be used by the public would be classified as community land.
11. However, as the City intends to transfer the parcel of land to Lend Lease to facilitate the development of 174-186 George Street and 33-35 Pitt Street, Sydney, the land must be classified as operational.

RELEVANT LEGISLATION

12. Local Government Act 1993.

CRITICAL DATES / TIME FRAMES

13. Section 31 of the Local Government Act 1993 places a time restriction on the Council resolution to classify the land.
14. The Act requires Council to pass a resolution to classify a property within three months of acquisition (settlement); otherwise, the land automatically reverts to community classification.

PUBLIC CONSULTATION

15. Section 25 of the Local Government Act 1993 requires all public land to be classified as either community or operational land.
16. To formalise this classification, sections 34 and 705 of the Act require the proposed classification to be publicly notified and made available for inspection by the public for a period of 28 days.
17. The proposed notification for the classification of 200 George Street as operational land is Attachment B.
18. City Property proposes to undertake the above public consultation process.

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