

## Resolution of Central Sydney Planning Committee

**21 June 2018**

### **Item 5**

#### **Development Application: 210-214 and 218-232 George Street, Sydney**

Moved by the Chair (the Lord Mayor), seconded by Councillor Scully -

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application No. D/2017/1750, subject to concurrence from Sydney Metro pursuant to the provisions of Clause 86 of the State Environmental Planning Policy (Infrastructure) 2007 being received in respect of the application; and
- (B) if the CEO determines to approve the application, then consideration be given to granting development consent, pursuant to Section 4.16 (1)(a) of the Environmental Planning and Assessment Act 1979, subject to the conditions as detailed in Attachment A to the subject report, and the following two additional conditions detailed below:

### **(118) RIGHT OF PUBLIC ACCESS**

- (a) Prior to the issue of any Occupation Certificate for the development, a documentary Right of Public Access is to be created and registered on the Title of the site. The Easement, limited in stratum, is to be defined over that strip of land of variable width lying between the main façade of the building at ground level and the alignments of George Street and Dalley Street. The Easement may be limited in depth to include the paved surface of the Easement area and in height to exclude the awning above the pavement. The Easement is to be created appurtenant to Council in terms granting unrestricted rights for public pedestrian access, to Council's satisfaction.
- (b) Prior to the issue of any Occupation Certificate for the development, a documentary Positive Covenant is to be created and registered on the Title of the site, appurtenant to Council. The Positive Covenant is to be created in terms indemnifying Council against any claims and damages arising from the use of the Right of Public Access, and is to require the maintenance of a \$20,000,000 public indemnity insurance policy and is to require the maintenance, upkeep, repair and lighting of the Right of Public Access in accordance with Council's requirements and to the satisfaction of Council.

### **(119) GROUNDWATER DEWATERING LICENCE**

- (a) If parts of the development intercept or extract groundwater, authorisation may be required under Section 91 (3) of the Water Management Act 2000 and may need a dewatering licence from Water NSW.
- (b) If any dewatering is proposed that requires a dewatering licence from Water NSW then a copy of the licence must be submitted to the Certifying Authority prior to the issue of the Stage 1 Construction Certificate.
- (c) Should the dewatering result in any amendments to the approved development specified by Condition No.1 a separate development application to Council to modify the approved development shall be submitted.

Carried unanimously.

D/2017/1750