

Attachment A

**Resolution of Council – 13 May 2013 –
Proposed Land Transfer – Jacksons
Landing, Pymont**

Resolution of Council

13 MAY 2013

**ITEM 6.9 PROPOSED LAND TRANSFERS BETWEEN THE MINISTER FOR
PLANNING AND INFRASTRUCTURE AND THE CITY OF SYDNEY
(S045887-01)**

It is resolved that:

- (A) Council agree to the transfer of the land comprising the following Pyrmont sites from the Minister for Planning and Infrastructure (the Minister) to the City of Sydney, subject to the conditions in clause (B):
 - (i) McCaffrey's Cliff Walk, Lot 37 DP1071670 (Map reference "A" on Attachment A);
 - (ii) Refinery Square 1, Lot 67 DP 1143445 (Map reference "B" on Attachment A);
 - (iii) Refinery Square 2, Lot 68 DP 1137769 (Map reference "C" on Attachment A);
 - (iv) Refinery Square 3, Lot 70 DP 1116251 (Map reference "D" on Attachment A);
 - (v) Amenities block and car park, Lot 3269 DP 1180315 (Map reference "E" on Attachment A);
 - (vi) Pedestrian Link 1, Lot 65 DP1111520 (Map reference "F" on Attachment A);
 - (vii) Pedestrian Link 2, Lot 85 DP1176538 (Map reference "G" on Attachment A);
 - (viii) Silk Piazza, Lot 93 DP1182885 (Map reference "H" on Attachment A);
 - (ix) Western Escarpment, Lot 92 DP1182887 (Map reference "I" on Attachment A);
 - (x) Knoll Park, Lot 90 (Map reference "J" on Attachment A); and
 - (xi) Distillery Park, Lot 62 DP1111517 (Map reference "K" on Attachment A);

- (B) the proposed transfers to the City of Sydney described in clause (A) be subject to:
- (i) the termination of the Ultimo Pyrmont Public Amenities Service Agreement as outlined in the Resolution of Council “Conclusion of Ultimo-Pyrmont Service Agreement” of 22 February 2010;
 - (ii) completion of due diligence, including provision of as constructed plans, certifications where appropriate, financial planning and legal review of title to the satisfaction of the Chief Executive Officer, City of Sydney;
 - (iii) confirmation from the Department of Planning, on behalf of the Minister, that all conditions of consent in relation to the relevant sites have been met;
 - (iv) unencumbered freehold title subject only to existing easements and tenancies being transferred to the City; and
 - (v) any of the Jackson’s Landing Development land that is yet to be or has been accepted by the Minister first being vested in the Minister for the relevant defects liability period and rectification of defects, prior to transfer to the City;
- (C) Council endorse a proposed resolution to classify the proposed transfer of the property known as the ‘Amenities Block and Public Carpark’, Refinery Drive, Pyrmont, being Lot 3269 DP1180315, as operational land in accordance with section 31 of the Local Government Act 1993;
- (D) Council note that a further report, to inform the outcomes of public notification and recommendation on land classification, will follow the notification period;
- (E) Council resolve that all remaining land to be transferred to the City and subject of this report will be classified as community in accordance with section 31 of the Local Government Act 1993 and included in the City’s Generic Plan of Management; and
- (F) authority be delegated to the Chief Executive Officer to:
- (i) finalise the terms of, and enter into, all documents necessary to give effect to the terms of this resolution in relation to the proposed transfers of land described in clause (A); and
 - (ii) give effect to all other provisions of this resolution.

Carried unanimously.