

## Relevant Information for Central Sydney Planning Committee

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**FILE:** D/2019/758 **DATE:** 14 May 2020

**TO:** The Central Sydney Planning Committee

**FROM:** Graham Jahn AM, Director City Planning, Development and Transport

**SUBJECT:** Information Relevant To Item 5 – Development Application: 525-529 George Street, Sydney – D/2019/758

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### Alternative Recommendation

It is resolved that consent be granted to Development Application No D/2019/758, subject to the conditions detailed in Attachment A to the subject report subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

#### (7) SHARED DRIVEWAY / INTEGRATED BASEMENT AND BREAKTHROUGH PANEL

- (a) Unimpeded vehicular access and egress via the shared driveway is be made available to the adjoining site to the north 505-523 George Street, Sydney (legally described as Lot 1 in Deposited Plan 573250) at all times ***for vehicles associated with the operation of the building at 505-523 George Street following issue of the relevant Occupation Certificate. This condition does not require or imply that unimpeded vehicular access and egress is given for construction vehicles associated with the construction of the approved development under Development Application No. D/2019/857.***
- (b) Access, egress and design of the basement must be able to accommodate a Council waste collection vehicle which can access both the subject site and 505-523 George Street
- (c) The applicant is to consult and work with the neighbouring property, 505-523 George Street, Sydney, to ensure the implementation of the breakthrough arrangement shown on Drawing No. 2102 (Issue B) and dated 12 March 2020.

- (d) Prior to the issue of a Construction Certificate for the subsequent detailed design development application, a documentary Right of Carriageway and Easement, is to be created and registered on the Title of the development site. The Easement is to be defined over a strip of land within the development site, extending from Kent Street to the point of vehicular access of the land adjoining the development site to the north (505-523 George Street). The Easement is to be created appurtenant to the land adjoining the development site to the north (505-523 George Street) in terms granting unrestricted rights at all times for vehicular access and egress, to Council's satisfaction.

## Background

On 13 May 2020, the City received correspondence from the applicant raising concern that Condition 7 of the recommended conditions of consent could allow for the developer of 505-523 George Street to misuse the unimpeded access and egress requirement of this condition to use the subject site for construction vehicle access. A copy of the applicant's correspondence is provided at Attachment A.

The intention of recommended Condition 7 is for access to the shared driveway be given for vehicles associated with the completed use of the building at 505-325 George Street such as resident, serviced apartment and service vehicles. To provide clarity that this condition does not require unimpeded access and egress to be provided for construction vehicles associated with the construction of the building at 505-523 George Street, it is recommended that Condition 7 is amended as outlined in the 'Alternative Recommendation' above.

Prepared by: Tahlia Alexander, Specialist Planner

## Attachments

**Attachment A.** Applicant's Request to Modify Condition 7

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Approved



**GRAHAM JAHN AM**

Director City Planning, Development and Transport