

Relevant Information for Council

FILE: X087876 **DATE:** 22 June 2023

TO: Lord Mayor and Councillors

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

SUBJECT: Information Relevant To Item 11.6 – Post Exhibition - Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

Alternative Recommendation

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland, Draft Sydney Development Control Plan 2012: 118-130 Epsom Road and 905 South Dowling Street, Zetland and Draft Planning Agreement: 118-130 Epsom Road and 905 South Dowling Street, Zetland as shown at Attachment A to the subject report;
- (B) ***Council note the Chief Executive Officer will, in accordance with the requirements of the Environmental Planning and Assessment Act 1979, prepare and exhibit an amended draft planning agreement, to that shown at Attachment D to the subject report, to be prepared in accordance with the public benefit offer dated 16 June 2023, shown at Attachment A to the subject Information Relevant To Memorandum;***
- (C) ***subject to the execution of a planning agreement, generally in accordance with the public benefit offer dated 16 June 2023, at Attachment A to the subject Information Relevant To Memorandum,*** Council approve the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland shown at Attachment B to the subject report, as amended following public exhibition, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve Draft Sydney Development Control Plan 2012: 118-130 Epsom Road and 905 South Dowling Street, Zetland shown at Attachment C to the subject report, as amended following public exhibition, noting the development control plan will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 20 of the Environmental Planning and Assessment Regulation 2021;

- (E) authority be delegated to the Chief Executive Officer to make minor variations to the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland and Draft Sydney Development Control Plan 2012: 118-130 Epsom Road and 905 South Dowling Street, Zetland to correct any minor errors prior to finalisation; and
- ~~(E) the Central Sydney Planning Committee note the draft Voluntary Planning Agreement as shown at Attachment D to the subject report will be executed under the delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.~~
- (F) ***Council note that the planning agreement will be signed by the Chief Executive Officer under existing delegations.***

Background

Karimbla Properties Pty Ltd, which is a wholly owned subsidiary of the Meriton Group, has made a revised public benefit offer in conjunction with the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland (planning proposal). The essential terms of the revisions are for:

- the on-site delivery of approximately 2,194 sqm gross floor area (around 25 affordable housing dwellings depending on size and mix) and a retail space in a freehold stand-alone building located in the south-west corner of 118-130 Epsom Road and 905 South Dowling Street, Zetland (the site). The proposed location of the affordable housing building is shown at Figure 1;
- the affordable housing building is to be dedicated to a Tier 1 community housing provider (CHP) nominated by Council, and used for affordable housing in perpetuity, or Council, generally in accordance with the City of Sydney Affordable Housing Program; and
- the payment of a monetary contribution, in accordance with the City of Sydney Affordable Housing Program, for any unmet floor space contribution requirement (that cannot be provided in the affordable housing building) under the Sydney LEP 2012.

The design, layout, apartment mix and fit out of the affordable housing building is to achieve agreed minimum standards to be set out in the planning agreement, subject to refinement with the end owner of the affordable housing building to meet the needs of the CHP and their tenants.

Prepared by: Tamara Bruckshaw, Manager Green Square and Major Projects

Attachments

Attachment A. Public Benefit Offer dated 16 June 2023

Approved



GRAHAM JAHN AM

Director City Planning, Development and
Transport

Attachment A

**Public Benefit Offer
Dated 16 June 2023**

16 June 2023

Mr Graham Jahn
Director City Planning Development & Transport
City of Sydney Council
454 Kent Street
SYDNEY NSW 2000

Dear Mr Jahn,

**Revised Offer to enter into a Voluntary Planning Agreement
Planning Proposal - 118-130 Epsom Rd and 905 South Dowling Street, Zetland**

Further to discussions with the City of Sydney Council (Council), Karimbla Properties (No.60) Pty Ltd (Proponent/Developer), which is a wholly-owned subsidiary of the Meriton Group, is willing to enter into a Voluntary Planning Agreement (VPA) to support the submitted Planning Proposal (PP) to amend the Height of Building (HoB) standards under the Sydney Local Environmental Plan (SLEP 2012) as it applies to 118-130 Epsom Rd and 905 South Dowling Street, Zetland (Site).

The Site represents one of the last remaining significant development sites in the Green Square Urban Renewal Area with an overall size of almost 2.5ha. The Proponent team has worked closely with Council to develop a proposal to deliver a better-built form, building amenity, dwelling type, urban design and public amenity outcomes for this Site than currently permitted under the existing controls. This outcome relies on adjustments to the HoB controls only, and there is no request to modify any other provisions to the SLEP (such as FSR).

In addition to the above positive urban planning outcomes, the Proponent is also willing to enter into a VPA with the Council to support the PP and deliver further public benefits as outlined below:

- Commitment to design and construct all future buildings on the Site so as to be capable of providing a dual reticulation water system for water consumption, generally in accordance with the Council's requirements in the Green Square Town Centre. This commitment exclusively applies to the provision of these systems within future buildings and excludes any commitment to design or deliver the supply of any Non-potable Recycled Water Network that will be delivered, if necessary, and with associated credits, under a future separate VPA to address Clause 6.14 of the SLEP.
- Commitment to provide a minimum of 3,696m² of non-residential GFA with the future development of the Site (circa 4% of the permitted GFA) to ensure that there is a genuine provision of retail, childcare and other non-residentials services provided within the Site to serve the day-to-day needs of the local area within a walkable/accessible location and reduce car dependency.

- Commitment to achieving an energy and water BASIX score of at least 5 points above the target required for a BASIX Certificate for all future residential buildings or residential components of mixed-use buildings, based on the current minimum BASIX requirements for energy and water. This is to ensure that additional water and energy savings provisions are achieved in the event that the new Sustainable Building SEPP does not come into force. Should the new Sustainable Building SEPP proceed as planned (i.e. commence in October 2023), the provisions of the new Sustainable Building SEPP will prevail.
- Commitment that all private residential parking spaces within the future development are capable of being fitted (by a future owner/occupant) with an Electric Vehicle Charger (EVC). This means that adequate electrical and other provisioning will be provided with an electrical outlet for each space for connection of an EVC by the future owner/occupant of that space and specifically excludes the provisions of any charger and associated equipment.
- Commitment to provide the future Affordable Housing Contribution (AHC) required under Clause 7.13 of the Sydney LEP (SLEP) for the Site via the dedication of Affordable Housing Units (AHU) and a residual monetary contribution, only to meet the relevant obligations under Clause 7.13, as outlined below:
 - Construction and dedication of a single independent building (AHU Building), known as S-3 in the attached plan, to Council's nominated Tier 1 Community Housing Provider (CHP), or Council, with an approximate GFA of 2,194m² with an indicative mix only of 9x1B and 16x2B residential apartments and including a warm-shell community/retail space at the ground level.
 - The Gross Floor Area, design, layout and apartment mix of the AHU Building is subject to future discussions with the Council and relevant Community Housing Provider (CHP), as well as future planning and design processes.
 - The AHU building would not include any basement car parking spaces (note: any parking in the AHU Building would be excluded from the calculation of car parking under the SLEP for the Site), pool, gym, saunas or the like to mitigate future building management and maintenance costs.
 - The AHU would be finished generally as per the attached internal specification list (subject to discussions with the CHP) and finalisation with Council, and the external treatment would be consistent with future design competition outcomes, however the future design brief must be open to specific considerations to mitigate construction costs, and particularly, ongoing management and maintenance.
 - The AHU Building would be completed and dedicated in its own Torrens Title allotment to the nominated CHP or Council prior to any OC for residential GFA within the final block/building in the Southern Stage of the development
 - The Affordable Housing commitment will be delivered preferably via a separate Voluntary Planning Agreement (VPA) for the Site to address the requirements of Clause 7.13 of the SLEP to the Development.

Below sets out some general terms on which the offer is made:

- The commitments are contingent on the Gazettal of the proposed amendments to the LEP made under the PP;
- The offer is exclusive of any future VPA to address the Community Infrastructure requirements set out in Clause 6.14 of the SLEP; and
- The City and Meriton will work together in good faith to apply fair and reasonable arrangements for security in the Affordable Housing VPA for this Site.

Based on our discussions, we trust the offer is deemed adequate given the nature of the PP and please advise should you require anything further to progress the matter.

Yours sincerely

KARIMBLA PROPERTIES (NO. 60) PTY LTD

A handwritten signature in blue ink, appearing to read 'Albert Chan', is positioned above the printed name and title.

Albert Chan
Director

ENTRY

Floor	Ceramic 600x600 tile polished finish
Walls	Lexicon white DULUX paint, low sheen finish
Lights	LED Downlights With Satin Finish
Door (Inside)	Hollow doors, Paint finish low sheen
Door (Outside)	Fire doors, Paint finish low sheen

LIVING

Floor	Grey Loop Pile Carpet
Walls	Lexicon white DULUX paint, low sheen finish
Blinds	White roller blinds with silver chain
Lights	LED down lights with satin finish
Provisions	Wall-mounted security intercom, provisions for high speed internet and pay TV
Ceiling	DULUX Lexicon white, flat finish
Skirtings	Lexicon white DULUX paint, semi gloss finish

BEDROOMS

Floor	Grey Loop Pile Carpet
Walls	Lexicon white DULUX paint, low sheen finish
Wardrobes	Built in wardrobes with white melamine and mirrored doors
Blinds	White roller blinds with silver chain
Lights	LED down lights with satin finish
Door	Hollow doors, Paint finish low sheen
Skirtings	Lexicon white DULUX paint, gloss finish SAMPLE 2
Ceiling	DULUX Lexicon white, flat finish

BALCONY / COURTYARD

Floor	600x600 lappato finish
Balustrade	Frameless glass with grey fixings (subject to design competition)
Lights	Ceiling mounted cannister, black downlight
Door	Floor-to-ceiling glass sliding doors

KITCHEN

Floor	Ceramic 600x600 tile polished finish
Walls	Lexicon white DULUX paint, low sheen finish
Splashback	Ceramic tile polished finish
Benchtop	Caesarstone, 20mm polished finish
Cupboards	Polyurethane, Dulux terrace white, 100% gloss
Sink	Stainless steel under mounted double or single sink
Tapware	Alder sink mixer
Appliances	600mm range ARTUSI / OMEGA oven, gas cooktop and under mounted rangehood.
Ceiling	DULUX Lexicon white, flat finish

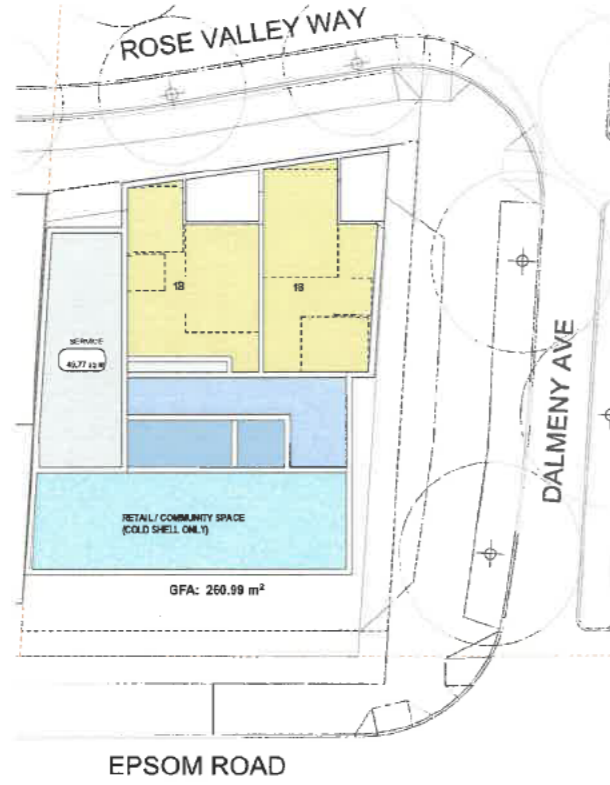
BATHROOMS

Floor	Ceramic 600x600 tile polished finish
Walls	Ceramic 600x600 tile polished finish
Shaving Cabinet	Custom wall-mounted cabinet, full mirrored doors
Wall hung basin	Ceramic wall mounted basin with pop-up plug and waste
Tapware	Alder chrome basin mixer, bath mixer, shower mixer, shower handheld set
Toilet	Wall-hung white toilet
Bathtub	Freestanding white bathtub with black pop-up waste plug
Shower screen	Semi Frameless glass
Accessories	Chrome toilet roll holder, towel rail, hand towel ring, soap dishes, robe hooks
Lights	LED down lights with satin finish
Door	Hollow doors, Paint finish low sheen
Ceiling	DULUX Lexicon white, flat finish

LAUNDRY

Floor	Stone white marble look tile, 600x600 polished finish
Walls	Pure white 100mm high skirting tile with splashback.
Sink	Stainless steel sink
Tapware	Polished chrome mixer
Clothes dryer	Wall-mounted, all enameled white
Lights	LED down lights with satin finish
Door	Hollow doors, Paint finish low sheen
Ceiling	DULUX Lexicon white, flat finish

GROUND FLOOR



L2 - L7



	GFA	1B	2B	
Ground	269 m ²	2	0	(includes Retail/ Community)
Level 01	275 m ²	1	2	
Level 02	275 m ²	1	2	
Level 03	275 m ²	1	2	
Level 04	275 m ²	1	2	
Level 05	275 m ²	1	2	
Level 06	275 m ²	1	2	
Level 07	275 m ²	1	2	
	2194 m²	9	16	