

Relevant Information for Central Sydney Planning Committee

FILE: X087876 **DATE:** 21 June 2023

TO: The Central Sydney Planning Committee

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

SUBJECT: Information Relevant To Item 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) the Central Sydney Planning Committee 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) ***the Central Sydney Planning Committee 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,*** the Central Sydney Planning Committee 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) the Central Sydney Planning Committee note the recommendation of Council's Transport, Heritage, Environment and Planning Committee on 19 June 2023 that 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) ***the Central Sydney Planning Committee 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.



Figure 1: Proposed location of the affordable housing building (shown in red)

Next steps

If the Alternative Recommendation proposed above is endorsed by the Central Sydney Planning Committee and Council, the Chief Executive Officer will prepare an amended draft planning agreement in accordance with the public benefit offer, and publicly exhibit it.

The City will work concurrently with the Department of Planning and Environment to progress the legal drafting for the changes to *Sydney Local Environmental Plan 2012* (Sydney LEP). The change to the Sydney LEP will not come into effect unless the planning agreement is executed. It is noted that execution of the planning agreement occurs under Council delegation.

Any development application lodged for the development of the site, excluding a development application for demolition, cannot be determined until the changes to the Sydney LEP 2012 come into effect.

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

Attachments

Attachment A. Public Benefit Offer dated 16 June 2023

Approved

A handwritten signature in black ink, appearing to read 'GJahn', is positioned to the right of the 'Approved' text.

GRAHAM JAHN AM

Director City Planning, Development and
Transport