

# Attachment F

**Submissions**

**From:** Lotti Wilkinson <LWilkinson@cityofsydney.nsw.gov.au> on behalf of Lotti Wilkinson <LWilkinson@cityofsydney.nsw.gov.au> <Lotti Wilkinson <LWilkinson@cityofsydney.nsw.gov.au>>  
**Sent on:** Monday, October 9, 2023 8:18:16 AM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: D/2023/724 - Stage 1 Concept Development Application- 118-130 Epsom Road and 905 South Dowling Street, Zetland  
**Urgent:** High

**Attachments:** RCC Submission to DA-2023-724 -Stage 1 Concept DA -118-130 Epsom Road & 905 South Dowling StreetZetland.pdf (521.93 KB)

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**From:** David Ongkili [REDACTED]  
**Sent:** Friday, October 6, 2023 4:51 PM  
**To:** Lotti Wilkinson <LWilkinson@cityofsydney.nsw.gov.au>

[REDACTED]  
**Subject:** D/2023/724 - Stage 1 Concept Development Application- 118-130 Epsom Road and 905 South Dowling Street, Zetland  
**Importance:** High

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Hi Lotti,

Please find attached the Randwick Council submission to DA D/2023/724 - Stage 1 Concept Development Application- 118-130 Epsom Road and 905 South Dowling Street, Zetland.

Let me know if you would like to discuss.

Kind regards  
David

**David Ongkili**  
**A/Manager - Strategic Planning | Strategic Planning | Randwick City Council**

[REDACTED] | W [www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)



*I acknowledge the Traditional Owners of the lands on which I work, the Gadigal and Bidjigal peoples who traditionally occupied the Sydney coast. I pay my respects to Elders past. Present and emerging.*

Keep up to date with everything happening in Randwick City through [Randwick News](#), a short weekly email about living in our great city.

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Contact Officer: Emese Wolf – 9093 6824

Our Ref: D05077079

5 October 2023

Bill MacKay  
Manager Planning Assessments  
City of Sydney  
GPO Box 1591  
Sydney 2001

Attention: Lotti Wilkinson

Dear <sup>Bill</sup>Mr MacKay,

**Subject: D/2023/724 - Stage 1 Concept Development Application for roadways, pedestrian access ways, public open spaces and building envelopes with basement parking and associated landscaping - 118-130 Epsom Road and 905 South Dowling Street, Zetland NSW 2017**

Thank you for the opportunity for Randwick City Council (RCC) to comment on the above Development Application (DA).

It is understood that the subject DA solely seeks concept approval as all stages and associated buildings will be subject to their own respective competitive design process. Once detailed designs resulting from the competitive design process are selected, individual development applications for each stage will be required to be submitted to City of Sydney for determination.

Upon review of the application documentation it is evident that the subject DA prepared for, and submitted to, the City of Sydney is reliant on the currently undetermined Planning Proposal (PP-2022-2530) which seeks to substantially amend key planning controls applicable to the site.

RCC Officers reviewed the Planning Proposal during the exhibition period and raised numerous concerns in a submission to City of Sydney in May 2023. Key issues raised include traffic and transport, height, visual impact, alignment of height and FSR controls, overshadowing, sustainability and strategic justification.

While RCC acknowledges that the Planning Proposal has now been adopted by the Central Sydney Planning Committee (CSPC), as of 29 September 2023 the Planning Proposal has yet to be formally submitted to the NSW Department of Planning and Environment for finalisation<sup>1</sup>.

The development application proposes a maximum building height of 90 metres at the north-eastern corner of the site, far exceeding the maximum building height control currently permitted under SLEP 2012 of 45 metres. While a Clause 4.6 variation request has been submitted as part of the DA documentation package, the variation is a significant departure in the context of the current controls that are applicable to the site.

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<sup>1</sup> Email communication with Metro East & South (City) Team, Department of Planning and Environment, 29 September 2023

The Clause 4.6 variation request states that the PP is *certain and imminent, resulting in this Clause Variation being unnecessary*<sup>2</sup>. RCC contends that this is incorrect as a development application is assessed against the controls that are current on the day of lodgement. Approval of the development application will require an assessment of the merits of the variation of the development standards via the Clause 4.6 variation request. In this regard, the submission of a Clause 4.6 variation appears legally expedient to allow the City of Sydney Council to vary the development standard in the DA assessment and determination process. The variation fails to demonstrate that the departure from the development standard is justifiable under the current circumstances where existing height standards apply. It remains questionable as to whether sufficient environmental grounds have been provided in the Clause 4.6 variation to support the significant breach of the height standard currently applicable to the site. In particular, the following concerns have not been adequately addressed in the variation:

- The development proposal would result in an additional tower that would be clearly visible from many vantage points within the West Kensington Heritage Conservation Area (HCA). The current controls allow a more consistent height of 25m (8 storeys) and up to 45m (14 storeys) along the Link Road frontage. The proposed maximum 90m high building would result in a 25 storey tower being clearly viewed from significant internal vistas within the HCA.
- The proposed tower development would have a potential detrimental visual impact on the West Kensington HCA and heritage items which are in the immediate vicinity of the proposal. It is Council's view that the proposed height of the development should be significantly reduced to minimise impacts on these items of environmental heritage.
- The non-compliant proposal will have a potentially detrimental overshadowing impact on surrounding properties including properties at the western end of Lenthall Street in mid-winter.

In addition to controls contained within the SLEP, the rearrangement of built form contemplated by the DA results in numerous areas of non-compliance with the current site-specific SDCP. The submitted documentation provides a summary assessment against the current site-specific SDCP and highlights where relevant the need for a merit assessment to occur. This approach is unclear in some instances whether the DA is non-compliant with the current DCP, draft DCP or both. To reduce areas of non-compliance and to create a more transparent and accurate merit assessment, the DA should only be assessed once the draft site-specific DCP controls have commenced.

Given the above, it is considered reasonable and appropriate that the subject DA be refused or withdrawn by the applicant and resubmitted only after the Planning Proposal and corresponding site-specific SDCP are approved. This approach will remove the need for a major variation to be approved and for all parties to be properly appraised of how the proposal responds to the revised SDCP controls.

If you would like to discuss any of these matters, please feel free to contact me or Liam Stanley, Coordinator Strategic Planning on 9093 6824.

Yours faithfully,



David Ongkili  
**Acting Manager, Strategic Planning**

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<sup>2</sup> Clause 4.6 Variation – building height, Annexure C Statement of Environmental Effects prepared by Planning Ingenuity, page 114 (sheet 2) – linked here

**From:** olly [REDACTED]  
[REDACTED]  
**Sent on:** Saturday, September 2, 2023 12:17:37 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2023/724 - 905 South Dowling Street ZETLAND NSW 2017 - Attention Lotti Wilkinson  
**Attachments:** Submission - D2023724 - 905 South Dowling Street ZETLAND NSW 2017 - Attention Lotti Wilkinson.msg (34 KB)

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**From:** olly [REDACTED]  
**Sent on:** Saturday, September 2, 2023 12:17:37 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2023/724 - 905 South Dowling Street ZETLAND NSW 2017 - Attention Lotti Wilkinson  
**Attachments:** publickey - [REDACTED] - 0x58E126AE.asc (661 Bytes), signature.asc (260 Bytes)

Hello

Regarding

[Traffic Report - 118-130 Epsom Road & 905 South Dowling Street, Zetland\\_PAN-358643](#)

I would comment based on being a local resident that under 4.3 Public Transport that there could be some more clarification.

Living at 105 Dalmeny Avenue i can often find that whist the 370 comes often it doesnt take people into the city efficently enough as well as it can become crowded during peak times (including beach travel). We often take it to green square station but then the trains often can be 10-20 minutes away (when theyre not canceled) leading to long travel times. As a person who also uses it to travel to Sydney Uni (Important from the amount of international students who could be staying in the building) i find that it takes 50+ minutes to go what is a 15-20 minute drive as it goes very slowly through newtown.

I would think a more direct link between the unis would be helpful given the extra expected load as well as considering extending routes like the 304 to the stops on epsom road near the link road roundabout as the busses come here anyway to turn around and it would speed up travel to the city

Thanks for the consideration

**From:** Chelvie Lee <[REDACTED]>  
**Sent on:** Monday, August 28, 2023 2:58:13 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2023/724 - 905 South Dowling Street ZETLAND NSW 2017 - Attention Lotti Wilkinson

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Hi Lotti,

I am the owner of Shop 1, 132 Epsom Road Zetland and have recently received a notice regarding the above development. There was previously a VPA in place for the signalisation of the roundabout on Epsom Road. Due to this roundabout not being constructed by Toplace (in administration) or the council, many shops in this area have not been able to obtain DA consents.

Will council impose a DA condition for the signalisation of the roundabout on Epsom / Link Road to be completed prior to commencement of works?

Should you have any questions, please do not hesitate to give me a call.

Kind Regards,

**CHELVIE LEE**

Director



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