

Relevant Information for Central Sydney Planning Committee

FILE: D/2023/724 **DATE:** 9 May 2024

TO: The Central Sydney Planning Committee

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

SUBJECT: Information Relevant To Item 5 - Development Application: 905 South Dowling Street and 118-130 Epsom Road, Zetland - D/2023/724

Alternative Recommendation

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer to determine Development Application Number D/2023/724 following the drafting and conclusion of the public exhibition of the draft Voluntary Planning Agreement generally in accordance with the public benefit offer dated 2 May 2024 and considering any public submissions received in response;
- (B) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application No. D/2023/724 subject to receipt of an approval from Federal Department of Infrastructure and Regional Development, Airspace Protection, Aviation and Airports, pursuant to the Airports (Protection of Airspace) Regulations 1996 and clause 7.16 of the Sydney Local Environmental Plan 2012;
- (C) authority be delegated to the Chief Executive Officer to determine whether the Design Excellence Strategy for 118-130 Epsom Road and 905 South Dowling Street, Zetland, prepared by Meriton and dated 8 April 2024, as shown in Attachment D to the subject report, ought to be approved pursuant to Section 3.3.1 of the Sydney Development Control Plan 2012 and Section 1.2 of the Competitive Design Policy; and
- (D) if the Chief Executive Officer determines to approve the application, consideration be given, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, to granting deferred commencement consent to Development Application Number D/2023/724 subject to the conditions set out in Attachment A to the report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~).

(6) FLOOR SPACE RATIO

The following applies to Floor Space Ratio (FSR):

- (a) The Floor Space Ratio (FSR) of development contained within the site must not exceed the maximum permitted FSR calculated in accordance with the Sydney Local Environmental Plan 2012.
- (b) A maximum GFA of 81,700sqm is approved, which is to be apportioned to the approved development stages in accordance with the following table:

Development Stage	Total GFA	Residential GFA	Non-Residential GFA
Northeast	34,250sqm	31,928sqm	2,322sqm
Northwest	25,550sqm	24,693sqm	857sqm
South	21,900sqm	20,527sqm	1,373sqm

- (c) Notwithstanding the above, the development stages in a competitive process phase may be eligible up to 10% additional floor space pursuant to the provisions of Clause 6.21D(3) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that subsequent development application(s) for the detailed design of the buildings exhibit design excellence and is the result of a competitive design process.
- (d) Each competitive process phase will be only eligible for a maximum of an additional 10% of the floorspace apportioned to it. Additional floor space is not transferrable between Competitive Process Site. If a Competitive Process Site is not able to accommodate the full amount of additional floor space apportioned to it, the remaining balance of additional floor space cannot be transferred to another development lot set out in ~~(a)~~ **(b)**.

Reason

To specify the relevant floor space ratio controls applicable to the development.

(37) NEW ROAD DESIGN

Preparation of the detailed design and construction documentation for the proposed public road system must include all necessary liaison with, and requirements of, all relevant public utility authorities, Transport for NSW, the City of Sydney, the Local Pedestrian Cycling and Traffic Calming Committee and its nominated consultants in order to achieve design approvals and construction compliance.

A design package must be prepared based on the requirements outlined in Council's Public Domain Manual. A design report for the road works must be prepared by an appropriately qualified civil engineer certifying that the design complies with the City of Sydney's policies, Austroads and specifications and those of all other relevant authorities as applicable. All engineering plans and calculations must be checked, signed and certified by a suitably qualified practicing professional engineer and included in the report. The design package and report must be submitted with any subsequent detailed design DA for building construction.

Reason

To ensure the new road design complies with Council's policies, standards and specifications and those of all other relevant authorities.

Background

Condition 6 – Floor Space Ratio

The amendment is to fix an error in part (d) of the condition which includes an incorrect reference to part (a).

Condition 37 – New Road Design

This condition was erroneously excluded from the recommended conditions of consent. The condition has been recommended by the City's Public Domain Unit to ensure the orderly and timely delivery of the community infrastructure required by the development.

Prepared by: Lotti Wilkinson, Senior Planner

Approved



GRAHAM JAHN AM

Director City Planning, Development and Transport