

ITEM 8. PUBLIC EXHIBITION – GREEN SQUARE AQUATIC CENTRE AND GUNYAMA PARK EPSOM PARK AND KELICK STREET – DRAFT PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN AMENDMENT

FILE NO: S107148

SUMMARY

The Epsom Park Precinct is a planned new neighbourhood within the Green Square Urban Renewal Area. Approximately 19 hectares in size, the Precinct is located in Zetland, in the south of the City of Sydney Local Government Area. Redevelopment at Epsom Park presents an opportunity to make a positive contribution to the City's Sustainable Sydney 2030 vision and targets through the delivery of homes and commercial floor space, as well as local infrastructure, such as public domain improvements, community facilities and open space.

Located directly to the east of Green Square Town Centre, Epsom Park will be in close proximity to the range of retail, residential, commercial and community spaces available in the Town Centre. The Precinct is situated between the developing Victoria Park residential precinct to the north and the emerging North Rosebery mixed use precinct to the south.

An indoor swimming pool, the *Green Square Aquatic Centre*, and a public park, *Gunyama Park*, are planned for Council-owned property on Joynton Avenue, opposite the proposed community cultural hub on the former South Sydney Hospital site. A master plan-site layout document for the Aquatic Centre and Gunyama Park was prepared and exhibited on the City's website in August-September 2013, with a community consultation event held on the 24 August 2013.

The City is currently preparing a design brief and intends to hold an international architectural design competition for the Aquatic Centre and Gunyama Park site in early 2014, with the intention of completing the facility in 2018. In order to progress the development application and to allow the flexibility of uses required for the Aquatic Centre, it is necessary to rezone the land. The land is currently zoned SP2 Infrastructure-Community Facility zoning, under the *Sydney Local Environmental Plan 2012 (Sydney LEP 2012)*. This zone restricts ancillary development, such as retail or café uses or other potential commercial operations associated with the facility. It is therefore proposed to amend the zone to the less restrictive B4 Mixed Uses zone.

A major constraint to development in Epsom Park and the wider Green Square Urban Renewal Area is the risk of flooding. Agreement has been reached between the City and Sydney Water to provide a new trunk drainage system from Epsom Park through the Green Square Town Centre to Alexandra Canal. The agreed alignment requires the proposed street layout and building envelopes as set out in the Sydney LEP 2012 and *Sydney Development Control Plan 2012 (Sydney DCP 2012)* to be realigned to accommodate the trunk drainage easement. This report proposes amendments to both of these plans.

A further amendment is proposed for the Council-owned property at 75-77 Kellick Street, Waterloo, the Gordon Ibbett Activity Centre. The property is also subject to the SP2 Infrastructure-Community Facility zone under the Sydney LEP 2012. The property was previously occupied by the AIDS Luncheon Club, which has relocated, and the building is surplus to Council requirements. In 2011, Council endorsed the sale of the site, with proceeds to be held as internally restricted funds within the Community Facilities Reserve. The site is located opposite an area zoned residential. It is zoned SP2 Infrastructure – Community facilities within a B4 mixed use zone. It is appropriate to rezone it to the same B4 zone.

Draft amendments to relevant sections of the Sydney DCP 2012 to update the Epsom Park provisions are also being put to Council alongside the draft Planning Proposal. In particular, the layout of streets to accommodate the realignment of stormwater infrastructure requires the reconfiguring of building envelopes, including building heights. Further amendments include new and updated DCP maps to illustrate urban design principles, the building heights that can be achieved under the design excellence provisions, and detailed requirements for landscaping and setbacks. It is not proposed to change the floor space ratios as part of this planning proposal.

This report seeks Central Sydney Planning Committee approval to publicly exhibit the draft Planning Proposal to amend the Land Zoning and Height of Buildings maps in Sydney LEP 2012. This is shown at **Attachment A** to this report.

If approved by Council and the Central Sydney Planning Committee for public exhibition, the City will submit the draft Planning Proposal to the Department of Planning and Infrastructure to seek a 'Gateway Determination' to enable its exhibition. The draft Planning Proposal and draft DCP will be exhibited at the same time.

RECOMMENDATION

It is resolved that:

- (A) the Central Sydney Planning Committee approve *Draft Planning Proposal: Green Square Aquatic Centre and Gunyama Park (Epsom Park), Zetland and Kellick Street, Waterloo*, shown at Attachment A to the subject report, for submission to the Minister for Planning and Infrastructure with a request for a Gateway Determination;
- (B) the Central Sydney Planning Committee approve *Draft Planning Proposal: Green Square Aquatic Centre and Gunyama Park (Epsom Park), Zetland and Kellick Street, Waterloo* for public authority consultation and public exhibition in accordance with the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 12 November 2013 that Council approve the draft *Sydney Development Control Plan 2012 (Amendment x)*, shown at Attachment B to the subject report, for public authority consultation and public exhibition in parallel with the draft Planning Proposal as per the Gateway Determination;

- (D) authority be delegated to the Chief Executive Officer to make any minor variations to the Draft Planning Proposal and draft *Sydney Development Control Plan 2012 (Amendment x)* prior to, or following, receipt of the Gateway Determination; and
- (E) the Central Sydney Planning Committee note that following consideration of any submissions, and refinements as necessary, *Draft Planning Proposal: Green Square Aquatic Centre and Gunyama Park (Epsom Park), Zetland and Kellick Street, Waterloo* will be reported back to the Central Sydney Planning Committee for final approval.

ATTACHMENTS

Attachment A: *Draft Planning Proposal: Green Square Aquatic Centre and Gunyama Park (Epsom Park), Zetland and Kellick Street, Waterloo* dated November 2013

Attachment B: *Draft Amendment: Sydney Development Control Plan 2012* dated November 2013

(Note – This attachment will be circulated separately from the Agenda Paper and to Central Sydney Planning Committee members and relevant senior staff only. A copy will be available for viewing on Council's website and at the One Stop Shop and Neighbourhood Service Centres.)

Attachment C: Additional information: Green Square Aquatic Centre and Gunyama Park: Site Layout document dated June 2013

Attachment D: *Sydney Local Environmental Plan 2012* Land Zoning and Height of Buildings Maps and Sydney Development Control Plan 2012 Building Height in Storeys Map

BACKGROUND

Epsom Park Precinct

1. This report seeks Central Sydney Planning Committee approval for proposed amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) relating to the Epsom Park Precinct Zetland, the Green Square Aquatic Centre and Gunyama Park, and 75-77 Kellick Street, Waterloo.
2. The Epsom Park Precinct (Epsom Park) is a 19 hectare area, located in the suburb of Zetland, within the Green Square Urban Renewal Area and approximately 5 km south of Central Sydney. Directly to the west of Epsom Park is the Green Square Town Centre, adjacent to the Green Square Railway Station. The Town Centre is identified as a 'Planned Major Centre' in the NSW Government's *Metropolitan Plan for Sydney 2036* and the *Draft Metropolitan Strategy for Sydney to 2031*. It is also identified as a major centre in the City's *Sustainable Sydney 2030 Strategy*. Redevelopment at Epsom Park presents an opportunity to make a positive contribution to the City's Sustainable Sydney 2030 vision and targets through the delivery of homes, commercial floor space, public domain improvements, community facilities and open space.
3. Epsom Park, shown in Figure 1, comprises 11 large lots, owned by seven landowners, with the City of Sydney owning three lots. Epsom Park is situated between the Victoria Park residential precinct, which is nearing completion to the north, and the emerging North Rosebery mixed use precinct to the south. A transit corridor, Zetland Avenue, is planned through Epsom Park, connecting it with Green Square Town Centre and other neighbourhoods to the north. Link Road and South Dowling Street mark its eastern boundary. The land is relatively flat and slopes gently from east to west.
4. Epsom Park formed part of Waterloo Swamp, which was drained to form the Victoria Park Racecourse in the early 1900s. In the 1950s, BMC Leyland sited a factory in the north of the precinct and other motor car businesses followed. The predominant land use is now light industrial, with service depots, including the City's Epsom Road Depot, warehousing and distribution, a vehicle showroom and offices. Development is generally large in footprint and up to two storeys high.
5. An *Epsom Park Precinct Masterplan* was prepared by Conybeare Morrison for the City in April 2010. This document set out the desired urban character and urban form for Epsom Park, identifying a hierarchy of streets, open spaces and development parcels. It helped inform the proposed built form, as represented in the Height of Buildings and Floor Space Ratio maps in the Sydney LEP 2012 and site-specific provisions in section 5.3 of the Sydney DCP 2012. It is not proposed to change the floor space ratios as part of this planning proposal.
6. The Locality Statement for Epsom Park in the Sydney DCP 2012 describes the precinct as a *new neighbourhood with a strong sense of place and public life*. It will have a *strong urban character and identity* and is to *provide a fine grain permeable built form that offers a range of dwelling types*. The DCP refers to a central neighbourhood park of 15,500 square metres providing space for active sports and passive recreation. This park is named Gunyama Park.

Green Square Aquatic Centre and Gunyama Park

7. The former South Sydney City Council offices sites, located at 132-138 and 140 Joynton Avenue, have a total area of 2.74 hectares and are located in the north-west of Epsom Park. The sites were identified in the City's *Aquatic Leisure Facility Development Strategy (November 2005)* and *Draft Open Space and Recreation Needs Strategy (November 2006)* as the future location for the Green Square Aquatic Centre and Gunyama Park, incorporating a sportsfield. This was endorsed by Council on 6 April 2009.
8. The Aquatic Centre is to accommodate a 50 metre pool, 25 metre program pool, hydrotherapy pool, recreational pools, and administration and fitness facilities in approximately 9,000 square metres of floorspace. The proposed Gunyama Park immediately adjacent to the Centre will contain a multi-purpose playing field and passive recreational spaces.
9. Part of the land required for Gunyama Park is located on the property at 106-116 Epsom Road Zetland, owned by Lincon Development Pty Ltd. In accordance with a Voluntary Planning Agreement between Council and Lincon Development Pty Ltd (as exhibited 5 July 2013), the landowner will dedicate the rear portion of the land (approximately 4,700 sqm) for open space. A Development Application for the property was determined by the Land and Environment Court. At the time of writing, the Planning Agreement was not executed.
10. The City will undertake a two-stage design competition for the design of the Aquatic Centre and Gunyama Park in early 2014. The winner will then undertake detailed design and construction documentation, leading to submission of a development application for the site programmed for early 2015. Completion of the Aquatic Centre and Park is planned for 2018.
11. Figure 1 shows the boundary of the Epsom Park Precinct and the location of the Aquatic Centre site and neighbouring properties.



Figure 1 – Location of Epsom Park Precinct showing Aquatic Centre site. Council-owned properties are at 132-138 and 140 Joynton Avenue and 94-104 Epsom Road.

Kellick Street

12. The Gordon Ibbett Activity Centre at 75-77 Kellick Street, Waterloo is a Council-owned property of approximately 450 square metres on a quiet residential street in Waterloo. It houses a community building, which is now vacant following the relocation of its previous occupier, the AIDS Luncheon Club. The City's analysis of the site concluded that there are no other viable community uses for the site and, on 5 December 2011, Council resolved to endorse the sale of the site, with proceeds from the sale to be held as internally restricted funds within the Community Facilities reserve.
13. The properties on either side (71-73 Kellick Street and 79 Kellick Street) are owned by the NSW Housing Corporation. The predominant land use surrounding the site is residential and the site is directly opposite a housing development known as Kensington Mews. The location of the site is shown in Figure 2.

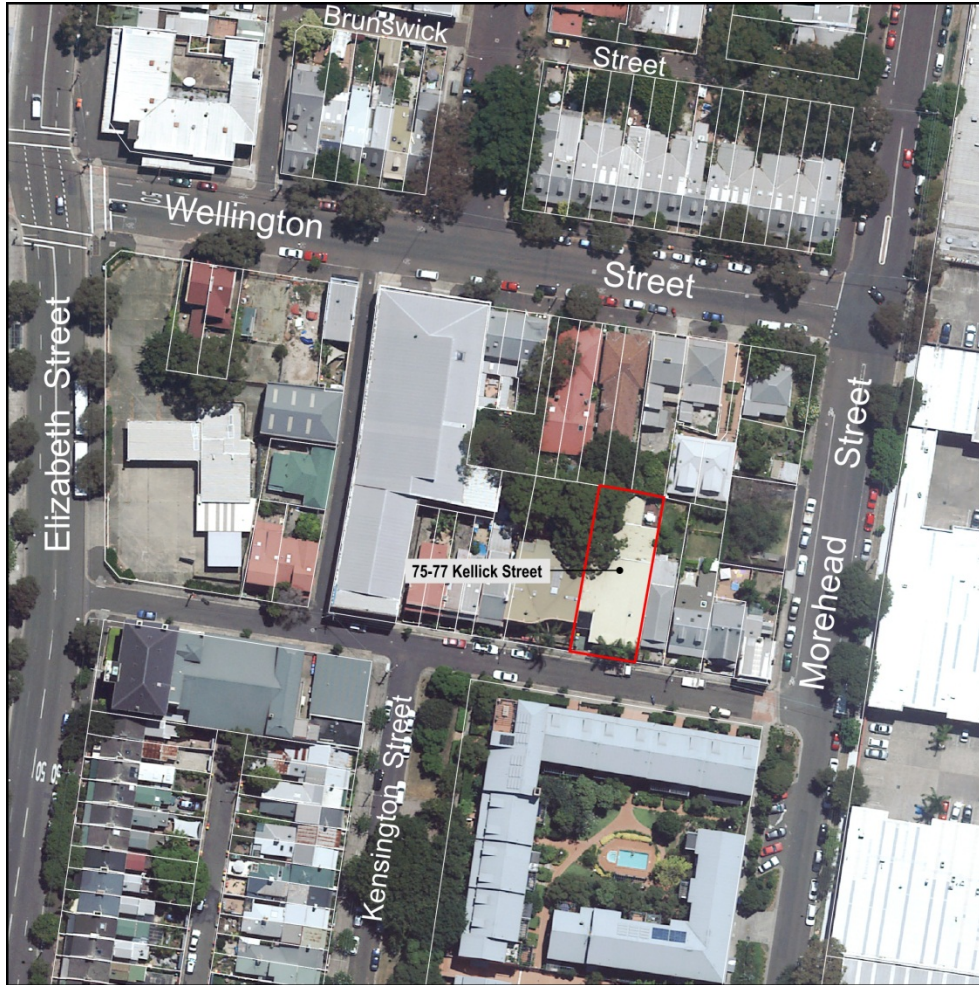


Figure 2 – Location of Council-owned property at 75-77 Kellick Street, Waterloo

Current Planning Controls

14. The primary planning controls that apply to Epsom Park under the Sydney LEP 2012 and Sydney DCP 2012 are:
- (a) an SP2 Infrastructure - Community Facility zone applying to the Council-owned sites at 132-138 and 140 Joynton Avenue and 94-104 Epsom Road. Under this zoning, the sites may be used for a *community facility*, defined as a building or place a) owned or controlled by a public authority or non-profit community organisation, and b) used for the physical, social, cultural or intellectual development or welfare of the community, but that does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation;
 - (b) B4 Mixed Use zone applying to the remainder of the Epsom Park Precinct;
 - (c) a maximum building height ranging from 45 metres (at the corner of Epsom Road and Joynton Avenue) to 25 metres (part of the Aquatic Centre site); and

- (d) a maximum base Floor Space Ratio (FSR) of 2.5:1 applying generally to the north-eastern corner of Epsom Park, with most of the remainder of the precinct having an FSR of 1.5:1 or 1.25:1. The FSR applying to the Aquatic Centre and Gunyama Park site is 0.6:1.
15. The primary planning controls that apply to 75-77 Kellick Street Waterloo under the Sydney LEP 2012 and Sydney DCP 2012 are:
- (a) a maximum building height of 9 metres; and
 - (b) a maximum Floor Space Ratio of 1.25:1
16. An extract of these planning controls as they are proposed to be changed is provided at Attachment D to this report.

KEY IMPLICATIONS

Rationale for amendments to planning controls

17. The proposed amendments seek to facilitate the development of the Aquatic Centre and associated facilities in a manner which gives more certainty and reassurance to the community and neighbouring landowners about the height of the development. They also seek to reinforce the role of the Aquatic Centre and neighbouring Gunyama Park as community assets.
18. The amendment to the zoning of the Aquatic Centre and Gunyama Park and 75-77 Kellick Street sites will return these sites to the intended level of flexibility of land uses that was previously permissible under the *South Sydney Local Environmental Plan 1998* (as amended). This would allow for any commercial operations (such as retail, café, gymnasium) to be included as part of the Aquatic Centre development, helping to improve its viability. The site is classified as 'operational' land under the Local Government Act 1993 and this is not proposed to be changed. The zoning amendment will also allow for the future redevelopment of the Kellick Street site to a land use more appropriate to its residential location.
19. The draft amendments to the Sydney LEP 2012 and Sydney DCP 2012 will amend the proposed street layout and building envelopes for properties within Epsom Park, in particular at the corner of Epsom Road and Joynton Avenue, to accommodate the realigned stormwater infrastructure and ensure future buildings are not located over the trunk drainage easement.
20. Other proposed amendments to the Sydney DCP 2012 seek to update and clarify the provisions relating to Epsom Park, including clarifying the heights that can be achieved under design excellence provisions, and providing greater detail on public domain and built form, including streets, open spaces, pedestrian links and landscape setbacks.

Amendment to *Sydney Local Environmental Plan 2012*

21. The proposed amendment to the Sydney LEP 2012 is included in the Planning Proposal provided at Attachment A to this report and is summarised below.

Zoning Map

22. Under the Sydney LEP, 2012 a zone of SP2 Infrastructure - Community Facility applies to the Council-owned sites, 132-138 and 140 Joynton Avenue, and 94-104 Epsom Road, Zetland. The same SP2 zone also applies to 75-77 Kellick Street, Waterloo.
23. The Planning Proposal seeks to amend the zoning of these sites to allow for infrastructure development and other uses that are permissible on neighbouring land use zones. In both cases, it is proposed to rezone the sites to B4 Mixed Uses. This is the land use zone for the surrounding land in each case, and is considered the most appropriate zone under the Sydney LEP 2012 for an Aquatic Centre to provide sufficient flexibility for future use associated with the Centre, such as cafes, a gymnasium and other ancillary commercial uses.

Height of Buildings Map

24. The current Height of Buildings Map for Epsom Park shows a range of permissible heights varying from 12 metres at the proposed Gunyama Park to 55 metres at the corner of Epsom Road and Joynton Avenue.
25. It is proposed to reduce the height limit applying to the Aquatic Centre site, from a maximum of 45 metres to 27 metres across the site. It is also proposed to reduce the maximum height limit applying to Gunyama Park from 12 metres to three metres, to ensure consistency with the three metre height limit applied to future open space and main roads in the Sydney LEP 2012.
26. It is noted that the eastern section of Gunyama Park is within the Lincon Development owned property at 106-116 Epsom Road. A draft Planning Agreement is being negotiated between the City of Sydney and the landowner for the dedication of this section of the park land.
27. For the wider Epsom Park Precinct, further changes to the Height of Building Map are required to accommodate the new street layout. As a consequence of this, minor height amendments are proposed on some sites to ensure that the overall development potential and floor space ratio achievable on each site remains the same as under the Sydney LEP 2012.
28. The current Height of Buildings Map for Kellick Street, Waterloo shows a permissible building height of nine metres for the site. It is not proposed to change this.

Floor Space Ratio Map

29. Changes to the Floor Space Ratio map are proposed to accommodate the new street layout. The overall development potential and floor space ratio achievable on all sites within Epsom Park remains the same as under the Sydney LEP 2012 and DCP 2012.
30. The Floor Space Ratio for the Aquatic Centre sites at 132-138 and 140 Joynton Avenue is 0.6:1, which is adequate for the purposes of developing the proposed facility, incorporating approximately 9,000 square metres of floor space and Gunyama Park.

Amendment to Sydney Development Control Plan 2012

31. The key changes proposed to the Sydney DCP 2012 relate to the Aquatic Centre site and changes to realign streets to accommodate the stormwater culvert realignment. This requires changes to building envelopes, heights of buildings and traffic arrangements.
32. Further refinements and updates are proposed, to account for issues that have arisen since the DCP was first prepared and adopted in 2012, to update the maps to show the heights that can potentially be achieved under design excellence provisions in Sydney LEP 2012, and to clarify certain clauses.
33. The proposed changes to the Sydney DCP 2012 are summarised below and are included at Attachment B to this report:

Reference to DCP provisions	Proposed change and reasoning
Green Square Aquatic Centre	
Section 2: Locality Statements (Epsom Park)	Update title and descriptive text relating to Aquatic Centre.
Section 5.1: Green Square Section 5.3: Green Square - Epsom Park	Update title and descriptive text relating to Aquatic Centre. Update role of Gunyama Park- no longer required for stormwater detention.
Section 5.3: Green Square - Epsom Park- figures, Height in Storeys	Amend maximum height envelopes for the Aquatic Centre from a maximum of 12 storeys to 2 storeys (subject to competition design and development) to more accurately reflect the intended uses and provide certainty for the community and neighbouring landowners.
Stormwater /road realignment-related amendments	
Section 5.1: Green Square Section 5.3: Green Square - Epsom Park Section 5.3: Green Square - Epsom Park- figures, including Height in Storeys	Illustrate proposed new road realignment for Rose Valley Way and smaller streets, reflecting the stormwater culvert and easement from Link Road through to Joynton Avenue and the Town Centre. Various amendments to built form envelopes and height of buildings, especially in southwest corner of Epsom Park to accommodate new road realignments.
Other amendments	
Section 5.3: Green Square - Epsom Park Street and public domain amendments	Introduce private domain landscape setbacks on narrower streets to enhance amenity and soften building edges. Amend text and maps to show that Gunyama Park is no longer required for stormwater detention.
Section 5.3: Green Square - Epsom Park	Insert new <i>Locality Statement</i> and new sections: <i>Urban Strategy</i> and <i>Urban Design Principles</i> to provide further direction and clarification and to ensure consistency with other locality statements in the DCP.

Reference to DCP provisions	Proposed change and reasoning
Section 5.3: Green Square- New and amended maps	<p>Insert new figures and amend existing maps to specify requirements for landscape setbacks, street wall heights, street hierarchy and land use.</p> <p>Amend Height in Storeys figure to show (in parentheses) the maximum height in storeys that can be achieved under the design excellence provisions in Sydney LEP 2012.</p>
Maps and text throughout Section 5	Various minor amendments to update and clarify text, table and figures in accordance with current understanding.

KEY IMPLICATIONS

Strategic Alignment - Sustainable Sydney 2030 Vision

34. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress.
35. The draft planning controls for the Green Square Aquatic Centre, Epsom Park and Kellick Street are aligned with the following *Sustainable Sydney 2030* strategic directions and objectives:
- (a) Direction 1 – A globally competitive and innovative city - The proposal supports competition and innovation through helping to facilitate the design competition for the Aquatic Centre at Green Square.
 - (b) Direction 2 – A leading environmental performer - The Aquatic Centre will be required to meet high-level sustainability targets. The DCP changes for Epsom Park include provisions to create a green, landscaped and pedestrian friendly area.
 - (c) Direction 3 – Integrated transport for a connected city – Epsom Park is well located to the Green Square train station and adjacent to the Zetland Avenue transit corridor and bus services. Longer term plans include light rail along Zetland Avenue into Green Square Town Centre.
 - (d) Direction 4 – A city for pedestrians and cyclists – the proposed changes to the Sydney DCP 2012 will help facilitate safe cycle and pedestrian access through Epsom Park and the wider Green Square renewal area. Limited car parking at the Aquatic Centre and cycling facilities will encourage walking and cycling.
 - (e) Direction 7 – A cultural and creative city – Epsom Park and, in particular, the Aquatic Centre will help to support the role of the Green Square Town Centre in acting as a hub for community, cultural and creative activity.
 - (f) Direction 9 – Sustainable development, renewal and design – The design brief for the Aquatic Centre will include requirements for Ecologically Sustainable Development, including daylighting, natural ventilation, insulation, energy consumption, Water Sensitive Urban Design and water reuse.

Social / Cultural / Community

36. Providing the Aquatic Centre, playing fields and parklands at Epsom Park will bring significant positive social, health and wellbeing benefits to the local area and the wider community in the south of the City. The provision of a hydrotherapy pool and accessible access will ensure the facility can be used by a wide sector of the community.
37. The draft Planning Proposal and amendment to the Sydney DCP 2012 seeks to provide greater certainty to the local community, landowners and developers through specifying the detail for the alignment of stormwater and road layouts in Epsom Park and setting out the height limits for the Aquatic Centre and Gunyama Park.

Economic

38. Through returning Council land to a zone that allows for a greater permissibility of uses, the Planning Proposal will further enhance the economic benefits that may occur through development of the Aquatic Centre, adding to the overall economic benefits associated with development at Green Square.
39. The proposed changes to the wider Epsom Park Precinct, in particular the realignment of stormwater drainage and changes to roads and building envelopes, are required to ensure the economic development of land in the Precinct and wider Green Square area, reducing the risk and cost of flooding.
40. The rezoning of the Council's property at 75-77 Kellick Street, Waterloo will allow its sale to proceed and the funds to be used for community facilities.

BUDGET IMPLICATIONS

41. There are no budget implications resulting directly from the recommended approval of the draft Planning Proposal and draft amendment to the Sydney DCP 2012 for public exhibition. The City has set aside a budget of \$81.5 million for the Aquatic Centre and Gunyama Park.

RELEVANT LEGISLATION

42. *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.*

CRITICAL DATES / TIME FRAMES

43. If approved for public exhibition, the draft Planning Proposal will be forwarded to the Department of Planning and Infrastructure with a request for a Gateway Determination which will set the timeframe for the LEP preparation.
44. This draft Planning Proposal is being progressed ahead of the design competition for the Aquatic Centre to ensure the City's target of lodging a development application for the Centre in early 2015.

PUBLIC CONSULTATION

45. Subject to approval by Council and the Central Sydney Planning Committee, the draft Planning Proposal will be forwarded to the Department of Planning and Infrastructure with a request for a Gateway Determination. If issued, the Gateway Determination will set out the requirements for both public and NSW agency consultation. It is anticipated that the Gateway Determination will require a public exhibition period of 28 days.
46. Subject to Council approval, and to aid public understanding of the proposed controls, the amendment to the Sydney DCP 2012 will be exhibited at the same time as the draft Planning Proposal. Consultation with both the public and NSW agencies will occur during the public exhibition. Consultation with the landowners of the sites affected by the culvert and street layout alignment occurred during the preparation of the draft Planning Proposal and draft amendment to the Sydney DCP 2012.

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