

Draft Planning Proposal

Green Square Aquatic Centre and Gunyama Park (Epsom Park), Zetland and Kellick Street, Waterloo

**(132-138 & 140 Joynton Ave & 94-104 Epsom Rd, Zetland
75-77 Kellick Street, Waterloo)**



November 2013

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1. **Green Square Aquatic Centre and Gunyama Park:
Site Layout document**

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Introduction

This Planning Proposal explains the intent of, and justification for, the proposed amendment to *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). This amendment will change the zoning and height controls for the Green Square Aquatic Centre site located at 132-138 and 140 Joynton Ave, Zetland, and the zoning controls for the neighbouring Council property at 94-104 Epsom Road, Zetland and 75-77 Kellick Street, Waterloo. The Proposal also outlines minor amendments to the height of buildings to other properties in the Epsom Park Precinct.

The amendment will help to facilitate the development of and operation of the Green Square Aquatic Centre, which will be the subject of a design competition in early 2014. The changes to the zoning for the other Council-owned sites will return those sites to the intended level of flexibility of land uses on those sites that was previously permissible under the *South Sydney Local Environmental Plan 1998 (as amended)*. Under the current Sydney LEP 2012, the sites are zoned SP2 Infrastructure (Community Facility). This is restrictive to the operation of the proposed Aquatic Centre as the zone prohibits any retail or commercial operations, and to the Kellick Street site, which is no longer considered appropriate for a community facility.

The amendment also seeks to reduce the maximum height controls for the proposed Aquatic Centre from 45 metres to a height of 27 metres, which is appropriate to accommodate the proposed land use. The height limit applying to the neighbouring Gunyama Park will also be reduced to reflect the area of the park. This will give more certainty and reassurance to the community and neighbouring landowners about the scale of the Aquatic Centre development and the location of the park.

An amendment to the *City of Sydney Development Control Plan 2012* (Sydney DCP 2012) will accompany this planning proposal on public exhibition. This amendment will seek to amend the height controls for the Green Square Aquatic Centre site, will reinforce the role of the Aquatic Centre and neighbouring Gunyama Park as community assets, and will also amend the proposed street layout and building envelopes for properties at the corner of Epsom Road and Joynton Avenue to accommodate the stormwater network. The building envelopes and heights set out in the DCP will also be realised in minor changes to the Height of Buildings Map in the LEP.

This proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and guidelines published by the Department of Planning and Infrastructure in October 2012, namely 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans'.

Background

Epsom Park Precinct

The Epsom Park Precinct is a relatively flat 19ha area, located in the suburb of Zetland, within the Green Square Urban Renewal Area and approximately 5 km south of Central Sydney. Adjacent to Epsom Park Precinct is the Green Square Town Centre – a new major centre around 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 future village centre in the City's Sustainable Sydney 2030 Strategy.

The Precinct, shown in Figure 1, comprises 11 large lots, owned by seven landowners, with the City of Sydney owning three lots. The Precinct 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/Defries Avenue runs through the Precinct, connecting it with Green Square Town Centre and other neighbourhoods to the north. Link Road and South Dowling Street mark the eastern boundary. The land slopes gently from east to west.

The Precinct formed part of Waterloo Swamp, which was drained to form the Victoria Park Race course 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 for the City of Sydney), warehousing and distribution, a vehicle showroom and offices located in the Precinct. Development is generally large in footprint and 1-2 storeys high.

An Epsom Park Precinct Masterplan was prepared by Conybeare Morrison for the City of Sydney in April 2010. This document set out the desired urban character and urban form, identifying a hierarchy of streets, open spaces and development parcels. It helped to inform the proposed built form, as represented in the Sydney DCP 2012.

According to the Sydney DCP 2012, Epsom Park Precinct will be 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 approximately 15,500 square metres providing space for active sports and passive recreation. This space has been named Gunyama Park.

The boundary of the Precinct is shown at Figure 1 below.



Figure 1: Epsom Park Precinct

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Green Square Aquatic Centre and Sydney City Council Depot site

The former South Sydney Council offices site, located at 132-138 and 140 Joynton Avenue has a total area of 2.74 hectares and is located in the north-west of the Precinct. The site is currently used for equipment hire, and has been identified as the future site for Green Square Aquatic Centre and Gunyama Park. The Centre will accommodate a 50 metre pool, 25 metre pool, hydrotherapy pool, recreational pools, and administration and fitness facilities in approximately 9,000 square metres of floorspace and 2 storeys (although the final number of storeys may change subject to design). The proposed Gunyama Park adjacent to the facility is required to cater for active recreation on a multi-purpose playing field and passive recreational spaces. Refer to Appendix 1 for the site layout document.

Part of the land required for Gunyama Park is located on property currently owned by Lincon Development Pty Ltd. In accordance with a Voluntary Planning Agreement between Council and Lincon Development Pty Ltd (as exhibited on 5 July 2013), the landowner has committed to dedicate the rear portion of the land (approximately 4,700 square metres) for open space, by way of a Development Application for Subdivision to be approved by Council.

The City will undertake a national design competition for the Aquatic Centre and Gunyama Park in early 2014. The winner will undertake detailed design and construction documentation, leading to submission of a Development Application for the site in early 2015. Completion is planned for 2018.

94-104 Epsom Road is currently used by the City of Sydney as a Council depot facility, and there are no immediate plans for redevelopment of this site, although it is envisaged it will be redeveloped in the future as mixed use/residential.

The boundaries of the Aquatic Centre site and Council Depot site are shown at Figure 2.

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Figure 2: Green Square Aquatic Centre site and neighbouring properties

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75-77 Kellick Street, Waterloo

75-77 Kellick Street 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. Council's analysis of the site has found that there are no other viable community uses. The Council resolved on 5 December 2011 to endorse the sale of the site, with proceeds from the sale to be held as restricted funds within the Community Facilities reserve. 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 boundary of the Kellick Street site is shown at Figure 3 below.

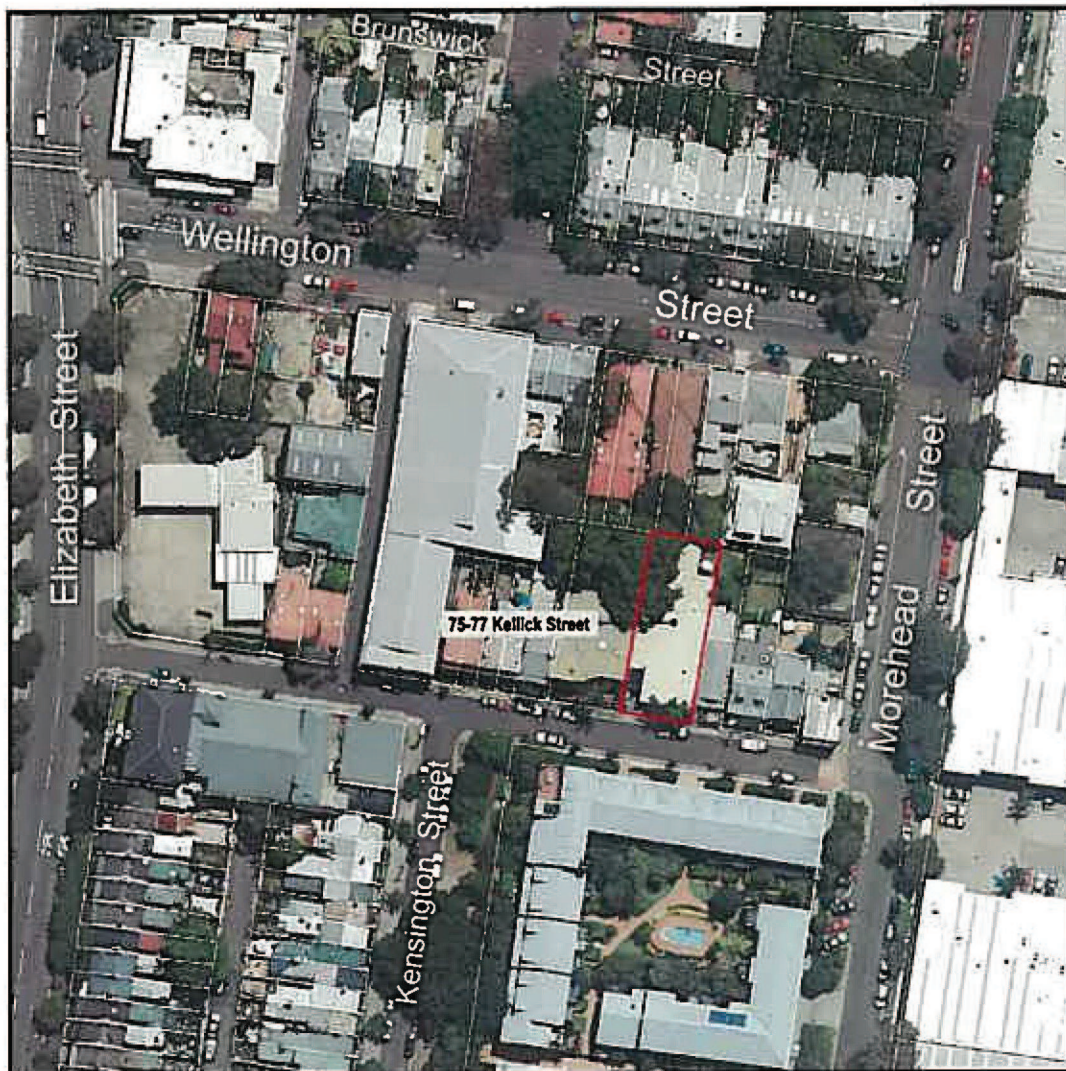


Figure 3: Kellick Street, Waterloo

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This Planning Proposal proposes an amendment to the controls for the sites listed in Table 1 below. The summary and justification for the changes to the controls for each site are individually addressed on the following pages.

Table 1 – Site Description and Proposed Amendment

Site	Property Description	Proposed Amendment
132-138 and 140 Joynton Ave, and 94-104 Epsom Rd, Zetland	Lot 2 DP 850686 Lot 2 DP 24134 Lot 5 DP 235181	-To rezone the sites to accommodate flexibility in uses, from SP2 Infrastructure (Community Facility) to B4 Mixed Use. -To make changes to the Sydney LEP 2012 height map
146-158 Joynton Avenue	Lot 11 DP 594967	-To make changes to the Sydney LEP 2012 height map and building envelope to accommodate changes to road layout to match the alignment of the stormwater easement.
84-92 Epsom Road, Zetland	Lot 12 DP 594967	
106-116 Epsom Road	Lot 12 DP 594967	
118-130 Epsom Road	Lot 7 DP 24134	
905 South Dowling Street	Lot 2 DP 830870	
130 Joynton Avenue	Lot 1 DP 850686	
75-77 Kellick Street, Waterloo	Lot 1 DP 91298	-To rezone to accommodate flexibility in uses, from SP2 Infrastructure (Community Facility) to B4 Mixed Use.

The Planning Controls

Land use zoning

The Sydney Local Environmental Plan 2012 (Sydney LEP 2012) was adopted by the City Of Sydney Council in 2012 and came into force on 12 December 2012.

Under the previous LEP, the *South Sydney Local Environmental Plan 1998* (as amended), sites used for public purposes such as schools and Council depots were zoned as Zone 5: Special Uses. This zone allowed (with consent) development permissible on neighbouring land. It was the City's intention that a similar flexibility be given to publicly-owned sites under the new Sydney LEP 2012 and to rezone the sites to B4 Mixed Use. Submissions received for the exhibition of the draft Sydney LEP 2012 raised concerns with the potential loss of community land that may have resulted from a more flexible B4 Mixed Use zone. In addressing these concerns it was decided to apply the more restrictive SP2 Infrastructure Zone, with a map notation of community facility.

This Planning Proposal seeks to amend Sydney LEP 2012 to change the zoning for the Council-owned sites to B4 Mixed Use to allow the intended uses as follows:

- 132-138 and 140 Joynton Ave, and 94-104 Epsom Rd, Zetland: the City intends to develop this site for an Aquatic facility.
- 75-77 Kellick Street: To proceed with the sale of the site as resolved by Council on 5 December 2011 with proceeds from the sale to be held as internally restricted funds within the Community Facilities Reserve. The site is located within a residential area and it is

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considered appropriate to return it to the intended original zoning that allowed for mixed use development. The most appropriate use for this site is considered to be residential.

Building Height and Floor Space Ratio

Under the Sydney LEP 2012, the building height controls for the Precinct vary across the sites: from 12 metres (at the rear of 132-138 Joynton Avenue) to 55 metres for the corner site (146-158 Joynton Avenue). These are shown at Figure 6.

It is proposed to amend the height limit applying to the Aquatic Centre site, from a maximum of 45 metres to a maximum of 27 metres across the site. It is also proposed to reduce the maximum height limit applying to Gunyama Park from 12 metres to 3 metres (which would exclude lighting poles), to reflect the intended park use and to ensure consistency with the height limit applied to future open space elsewhere in the renewal areas.

For the wider Precinct, further changes to the Height of Buildings Map are required to accommodate the realignment of streets to match the stormwater easement. Minor height amendments are proposed on some sites in the south west of the Precinct to ensure that the overall development potential and floor space ratio (FSR) achievable on each site remains the same as under the Sydney LEP 2012 and DCP 2012.

The FSR for the Precinct under Sydney LEP 2012 ranges from 0.6:1 for the Aquatic Centre and Gunyama Park site to 1.75:1 for some of the larger sites along Epsom Road. It is not proposed to change the FSRs as part of this planning proposal.

The current Height of Buildings Map for Kellick Street, Waterloo shows a permissible building height of 9 metres for the site and the FSR map shows an FSR of 1.25:1. It is not proposed to change these controls.

Part 1: Objectives/Intended Outcome

The purpose of the Planning Proposal for the Epsom Park Precinct and Kellick Street sites is:

- To facilitate the development of an Aquatic Centre in Epsom Park Precinct, and provide certainty for neighbouring property owners and the community about the potential height and building envelope for the Aquatic Centre and Gunyama Park.
- To reconfigure the building envelopes (including building heights) to accommodate changes to the stormwater and drainage arrangements for the precinct and to reflect FSRs achievable under the current controls.
- To return the land use zones applying to the Council-owned sites to the level of permissibility that was achievable under the South Sydney LEP 1998, allowing for commercial operation of the Aquatic Facility site and/or the location of ancillary café and retail facilities at the site. This would also allow residential development to occur on the Kellick Street site, which is considered to be the most appropriate land use and mixed use development on the Epsom Park Depot site.

It is intended that the planning outcome meets the objectives of ensuring sufficient flexibility to accommodate the outputs of the Green Square Aquatic Centre design competition to be undertaken by the City. At the same time, it must ensure the design of the Aquatic Centre and Gunyama Park is appropriate in the context of the surrounding development.

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Part 2: Explanation of provisions

To achieve the proposed outcomes, the Planning Proposal seeks to amend the planning controls in accordance with the following:

Amendments to zoning maps

Amend Sydney LEP 2012 Land Zoning Map in accordance with the proposed Land Zoning Maps at Figure 4 and 5 and Maps 1 and 2, Part 4 of this Planning Proposal. This amendment involves changing the land zoning from SP2 Infrastructure (Community Facility) to B4 Mixed Use for the properties 132-138 and 140 Joynton Avenue, 94-104 Epsom Road, Zetland and 75-77 Kellick Street, Waterloo.



Figure 4: Proposed zoning change to 132-138 and 140 Joynton Avenue and 94-104 Epsom Road, Zetland

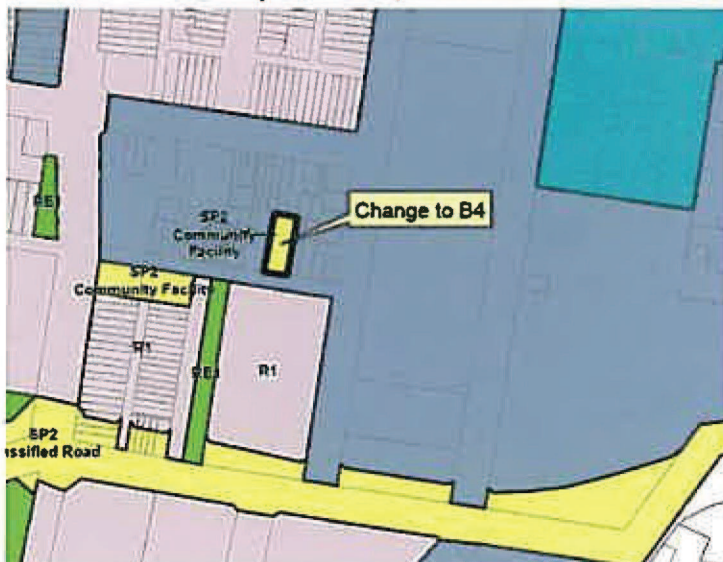


Figure 5: Proposed zoning change to 75-77 Kellick Street, Waterloo

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Amendments to Height of Buildings Map

Amend Sydney LEP 2012 Height of Buildings Map in accordance with the proposed Height of Buildings Map at Figures 6 and 7 and Maps 3 and 4, Part 4 of this Planning Proposal. The current height map shown at Figure 6 shows a maximum permissible height of 45 metres for the 132-128 and 140 Joynton Avenue sites. The amendment, shown at Figure 7 reduces the maximum permissible height to 27 metres.

Further changes to building envelopes and heights across the Precinct are required to bring the document into line with the Sydney DCP 2012 and ensure that the current FSRS in Sydney LEP 2012 can be achieved despite the realignment of the road to accommodate the stormwater easement. These are also illustrated in Figure 7.

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Figure 6: Current Height of Buildings map- Epsom Park Precinct Sydney LEP 2012



Figure 7: Proposed Height of Buildings map- Epsom Park Precinct

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Part 3: Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

In response to a recognised need for leisure and aquatic facilities to support the expanding population of Green Square, an Aquatic Leisure Facility Development Strategy was undertaken by the City in 2005. Council resolved to adopt the Strategy and prepare a feasibility study for locating the proposed Aquatic Facility at the former South Sydney Council offices site at 132-138 and 140 Joynton Avenue, Zetland.

The City's Open Space and Recreation Needs Strategy (2006) reinforced the findings of the Aquatic Leisure Facility Development Strategy and recognised the location of the facility on the Joynton Avenue sites as significant in providing a link between existing local open spaces in the Green Square area at Joynton Park, and Roseberry area, at Turruwul Park. This would help strengthen the distribution and connection of recreation facilities and open space in the southern area of the City.

The need for recreation and community facilities, including aquatic facilities, was set out in the *South Sydney Development Control Plan 1997- Part G: Special Precinct- Green Square*. The current Sydney DCP 2012 sets out the City's intention to provide a central district park in Epsom Park Precinct with space for a health and recreation centre.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal and amendment of the Sydney LEP 2012 is the most effective way of providing certainty for the local community and landowners about the future development of the sites and allowing orderly and economic development of the land.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and the exhibited draft strategies)?

In March 2013 the NSW Government published the draft *Metropolitan Strategy for Sydney to 2031*. It was placed on public exhibition until 31 May 2013. Once adopted, it will replace the *Metropolitan Plan for Sydney 2036*. However, until that time, the *Metropolitan Plan for Sydney 2036* is the applicable adopted strategy. In assessing the consistency of this Planning Proposal with metropolitan wide objectives, both the adopted and new draft strategies have been considered. The consistency of this Planning Proposal with both draft and adopted Metropolitan Strategies and the *Sydney City Sub Regional Strategy* is illustrated in detail in Tables 2, 3 and 4.

Table 1 - Consistency with Metropolitan Plan for Sydney 2036

Consistency with Metropolitan Plan for Sydney 2036	
Action	Consistency
A: Strengthening a City of Cities	The Metropolitan Plan identifies Green Square as a 'Planned Major Centre' that will support central Sydney within a transport and economic network, offering housing, commercial activity and local services. Through facilitating the Green Square Aquatic Centre the proposal will support this objective.

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Consistency with Metropolitan Plan for Sydney 2036	
B: Growing and Renewing Centres	The Green Square Town Centre is identified as being located within the Global Economic Corridor and a 'Planned Major Centre'. The location of the Aquatic Centre adjacent to the town centre, combined with other proposed communities facilities nearby (library, community centre) will help to support economic growth and create jobs.
C: Transport for a Connected City	The Aquatic Centre will be located within walking distance of the Green Square Train Station. Current bus services travel along Joynton Avenue and Epsom Road, and future routes are also planned through the Town Centre. Parking will be limited at the site to further encourage sustainable travel.
D: Housing Sydney's Population	Changing the Kellick Street property to a mixed-use zoning will enable its development for housing, which is considered to be a more appropriate landuse than community facilities in this residential area.
E: Balancing Land Uses on the City Fringe	The proposal is not inconsistent with this objective.
F: Tackling Climate Change and Protecting Sydney's Natural Environment	The proposed built form alignment is designed to accommodate the stormwater easement as part of a wider flood management strategy for Green Square and the Alexandra Canal. This will help contribute to the area's adaptation to increased extreme weather events under climate change scenarios. The brief for the Aquatic Centre will include a requirement to meet sustainability targets, including: energy-efficient design and fixtures, passive ventilation, indoor air quality and water reuse.
G: Achieving Equity, Liveability and Social Inclusion	The Aquatic Centre and Gunyama Park will deliver enhanced liveability, equality and social inclusion through the delivery of a recreational facility and large area of open space with facilities available to all.

Table 2 - Consistency with draft Metropolitan Strategy for Sydney to 2031

Consistency with draft Metropolitan Strategy for Sydney to 2031	
Objective	Consistency
2: Strengthen and grow Sydney's centres	Locating an aquatic facility, park and sports field adjacent to the Green Square Town Centre will help to strengthen the function of the town centre.
3: Make Sydney Connected	The facilities will be accessible via public transport, including via the Green Square train station, which will contribute towards the meeting of this objective.
8: Create socially inclusive places that promote social, cultural and recreational opportunities	The Aquatic Centre, park and sports field will create recreational opportunities and will form socially inclusive spaces for the local and wider community.
9: Deliver accessible and adaptable recreation and open space	The Planning Proposal will help to deliver accessible recreational facilities and a large area of open space. The design of the centre will be required to incorporate accessibility requirements and a hydrotherapy pool is also proposed, helping to meet the needs of a diverse population.
26: Improve accessibility and connectivity for centres and for new urban areas	The Aquatic Centre and Gunyama Park design brief will ensure that accessibility and connectivity are key themes to be addressed.

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Table 3 - Consistency with Sydney City Draft Subregional Strategy

Consistency with Sydney City Draft Subregional Strategy	
Strategy A: Economy and Employment	
Directions	Consistency
A2.3: Support magnet infrastructure A2.4: Utilise local assets to encourage learning and innovation	The location of an Aquatic Centre and sports field in Green Square may act as a magnet for other sport and health related infrastructure in the area. It will also provide educational facilities for use by local schools and groups (e.g. learn to swim classes).
Strategy B: Centres and Corridors	
Directions	Consistency
B4: Concentrate activities near public transport. C1: Ensure adequate supply of land and sites for residential development.	The proposal locates community facilities within close proximity to public transport, including the Green Square train station and future bus /light rail. It also allows residential development on the Kellick Street site and provides the potential for residential development on Epsom Road.
Strategy D: Transport	
Directions	Consistency
D3: Influence travel choices to encourage more sustainable travel.	The Aquatic Facility will ensure walking and cycling facilities and manage parking to assist in promoting sustainable transport choices.
Strategy E: Environment	
Directions	Consistency
E 5.3: Councils to identify natural hazards and risk management measures in Principal LEPs.	The changes to the building envelope for the Epsom Park Precinct proposed in this Planning Proposal respond to a requirement for flood management measures. The realignment of Rose Valley Way will accommodate stormwater management infrastructure, in support of this objective.
Strategy F: Parks and Public Places	
Directions	Consistency
F1: Increase access to quality parks and public places. F2: Provide a diverse mix of parks and public places.	New informal and formal public open space will be provided at Gunyama Park, alongside the Aquatic Centre, contributing to the mix of parks and open spaces in the Green Square area.

4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

Sustainable Sydney 2030 (SS2030) is the vision for 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. Table 4 shows the consistency of this Planning Proposal with key directions of SS2030.

Table 4 - Consistency with Sustainable Sydney 2030

Consistency with Sustainable Sydney 2030	
Direction	Comment
Direction 1 – A globally competitive and innovative city	The proposal supports innovation through helping facilitate an aquatic facility that will be selected through an international design competition.
Direction 2 – A leading environmental performer	The Aquatic Centre brief will require a high standard of sustainability performance in line with the City's commitment to reducing its environmental footprint. This will include water management and reuse, and energy efficient design and fixtures.

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Consistency with Sustainable Sydney 2030	
Direction	Comment
Direction 3 – Integrated transport for a connected city	The Aquatic Centre will be located within walking distance of the Green Square train station. Current bus services travel along Joynton Avenue and Epsom Road, and future routes are also planned through the Town Centre. Parking will be limited at the site to further encourage sustainable travel.
Direction 4 – A city for pedestrians and cyclists	Car-based travel will be discouraged at the Aquatic Centre site through limiting parking. Cycling and pedestrian improvements are planned for the wider area.
Direction 5 – A lively and engaging city centre	The proposal does not contain any elements which are inconsistent with this direction.
Direction 6 – Vibrant local communities and economies	Through enabling the Aquatic Centre and associated activities (e.g. the proposed gymnasium and café within the centre), the Planning Proposal will help to provide vibrancy and support local employment and new business.
Direction 7 – A cultural and creative city	The Aquatic Centre and Gunyama Park will provide recreational and wider cultural opportunities for the Green Square community in support of this objective. The proposed international design competition for the aquatic facility will enhance design quality in this part of the City.
Direction 8 – Housing for a diverse population	The proposal provides for a more flexible zoning than currently exists under the Sydney LEP 2012, allowing the redevelopment of the Kellick Street site for residential use, and possible future redevelopment of Council's Epsom Park site (the depot).
Direction 9 – Sustainable development, renewal and design	The design brief for the Aquatic Centre design will include requirements to meet the City's standards relating to sustainability during the construction and operational stage of the building. This will include water management and reuse, waste management and energy efficient design and fixtures.
Direction 10 – Implementation through effective partnerships	The ongoing design and development of the Aquatic Centre and Gunyama Park has involved consultation with authorities (including Sydney Water), landowners and the local community. This will continue to occur on an ongoing basis.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The consistency of the Planning Proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in Table 5. Table 6 shows the consistency of the Planning Proposal with former Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan Regions, which are deemed to have the weight of SEPPs. Those SEPPs which have been repealed or were never finalised are not included in this table.

Table 5 - Consistency with State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy (SEPP)	Comment
SEPP No 1—Development Standards	Not applicable.
SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	Not applicable.
SEPP No 6—Number of Storeys in a Building	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 10—Retention of Low Cost Rental Accommodation	Not applicable.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 15—Rural Landsharing Communities	Not applicable.
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.

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State Environmental Planning Policy (SEPP)	Comment
SEPP No 22—Shops and Commercial Premises	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 29—Western Sydney Recreation Area	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Consistent - The Planning Proposal will help to support urban renewal in Green Square.
SEPP No 33—Hazardous and Offensive Development	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 39—Spit Island Bird Habitat	Not applicable.
SEPP No 41—Casino Entertainment Complex	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Not applicable.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 53—Metropolitan Residential Development	Not applicable.
SEPP No 55—Remediation of Land	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP. Remediation is required for a number of sites within the Epsom Park Precinct, including the Aquatic Centre site and Council depot site. Further details are provided in Section 3, part C of this Planning Proposal.
SEPP No 59—Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 60—Exempt and Complying Development	Not applicable.
SEPP No 62—Sustainable Aquaculture	Not applicable.
SEPP No 64—Advertising and Signage	Not applicable.
SEPP No 65—Design Quality of Residential Flat Development	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP. The Green Square Affordable Housing Scheme applies to the Precinct.
SEPP No 71—Coastal Protection	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Major Development) 2005	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Infrastructure) 2007	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.

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State Environmental Planning Policy (SEPP)	Comment
SEPP (Temporary Structures) 2007	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Affordable Rental Housing) 2009	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Development on Kurnell Peninsula) 2005	Not applicable.

Table 6 - Consistency with former Sydney and Greater Metropolitan Regional Environmental Plans (REPs)

Regional Environmental Plan (REPs)	Comment
Sydney REP No 5—(Chatswood Town Centre)	Not applicable.
Sydney REP No 8 (Central Coast Plateau Areas)	Not applicable.
Sydney REP No 9—Extractive Industry (No 2—1995)	Not applicable.
Sydney REP No 11—Penrith Lakes Scheme	Not applicable.
Sydney REP No 13—Mulgoa Valley	Not applicable.
Sydney REP No 16—Walsh Bay	Not applicable.
Sydney REP No 17—Kurnell Peninsula (1989)	Not applicable.
Sydney REP No 18—Public Transport Corridors	Not applicable.
Sydney REP No 19—Rouse Hill Development Area	Not applicable.
Sydney REP No 20—Hawkesbury- Nepean River (No 2—1997)	Not applicable.
Sydney REP No 24—Homebush Bay Area	Not applicable.
Sydney REP No 25—Orchard Hills	Not applicable.
Sydney REP No 26—City West	Not applicable.
Sydney REP No 28—Parramatta	Not applicable.
Sydney REP No 29—Rhodes Peninsula	Not applicable.
Sydney REP No 30—St Marys	Not applicable.
Sydney REP No 33—Cooks Cove	Not applicable.
Sydney REP (Sydney Harbour Catchment) 2005	Consistent - The Planning Proposal does not contain provisions that contradict or would hinder application of this REP.
Drinking Water Catchments REP No 1	Not applicable.
Greater Metropolitan REP No 2— Georges River Catchment	Not applicable.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal has been assessed against each Section 117 direction. The consistency of the Planning Proposal with these directions is shown in Table 7 below.

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Table 7 - Consistency with applicable Ministerial Directions under Section 117

No.	Title	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	Not applicable
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2. Environment and Heritage		
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent- The Planning Proposal does not propose any changes that will hinder existing heritage conservation provisions. Kellick Street is located within a heritage conservation area and any future development would need to consider this.
2.4	Recreation Vehicle Areas	Not applicable
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent- The Planning Proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4. Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent- The Epsom Park Precinct and Kellick Street are classified as Acid Sulfate Soils Class 5 in Sydney LEP 2012. An Acid Sulfate Soils Management Plan may be required for the redevelopment of sites prior to approval of a DA in accordance with the Sydney LEP 2012 requirements.
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Consistent- The Planning Proposal does not contradict or hinder application of flood prone land provisions in Sydney LEP 2012. The Aquatic Centre site is located in an area prone to flooding; however flood risk measures are being undertaken across the wider precinct to mitigate this risk and a flood assessment would be provided with the Development Application. Further details are provided in Part 3, Section C of this Planning Proposal. Kellick Street is not located in an area prone to flooding.
4.4	Planning for Bushfire Protection	Not applicable
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

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5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
6. Local Plan Making		
6.1	Approval and Referral Requirements	Consistent- The Planning Proposal does not require any additional concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	The Planning Proposal does not propose to reserve any land for public purposes.
6.3	Site Specific Provisions	Not applicable
7. Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Consistent- The Planning Proposal does not contradict or hinder application of the Metropolitan Plan for Sydney 2036.

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The land subject to this Planning Proposal has been previously developed and has not been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

The Planning Proposal provides opportunity for the enhancement of local biodiversity through the establishment of Gunyama Park.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The proposed amendments to Sydney LEP 2012 are unlikely to result in environmental effects that cannot be controlled through existing policies, regulations and standards. This will ensure that environmental impacts are mitigated during the construction and operational phase of development.

The reduction in height controls applying to the Aquatic Centre site, proposed in this planning proposal, is likely to reduce adverse environmental effects from overshadowing and overlooking that may have occurred under the existing Sydney LEP 2012 height controls.

The key environmental considerations arising from the Planning Proposal relate to transport and traffic, flooding, contamination, Ecologically Sustainable Development, and amenity. These are discussed in further detail below.

Transport and traffic

The Epsom Park Precinct, in particular the eastern edge of the Precinct, is well located to existing and proposed public transport. The site of the proposed Aquatic Centre is approximately 500 metres walking distance to the Green Square train station. A proposed transport corridor along Zetland Avenue to the north of the site will provide light rail services in the long term.

Regular bus services to the City, Bondi Junction, Eastgardens and Botany are currently available along Joynton Avenue, with future additional services also considered in the Green Square Renewal Area Transport Management and Accessibility Plan 2012, prepared by the NSW Government's Transport for NSW.

Whilst access via public transport, walking and cycling will be encouraged in the Aquatic Centre development design and operation, there will be some need for parking facilities, including disabled parking. A study is being commissioned by the City to investigate how much parking demand will be generated by the Aquatic Centre and how this may be accommodated.

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The property at 75-77 Kellick Street, Waterloo is on a narrow street with limited on-street parking. The controls for the site enable a maximum of two residential storeys and relatively low FSR of 1.25:1; therefore its rezoning to allow for mixed-use development is unlikely to increase parking requirements on the street. The property is close to Elizabeth Street and Bourke Street which are served by buses.

Flooding

Joynton Avenue at the proposed intersection with Zetland Avenue was once part of Waterloo Swamp. The intersection is much lower than surrounding land and serves as a de-facto detention basin in flood events. The need to provide flood mitigation in this Precinct and the wider Green Square area has long been recognised and the City has been working with Sydney Water and the Department of Planning and Infrastructure to develop a strategy and funding to support this. A Floodplain Risk Management Plan was completed by the City in May 2013, which includes details of proposed major trunk upgrades from Link Road, through the Green Square Town Centre and to Alexandra Canal. These works are being driven by Sydney Water and will be part-funded by the City and the Department. This constitutes a significant investment in stormwater and flood management infrastructure to manage flood risk in the Green Square catchment.

For the Green Square Aquatic Centre, further detailed assessment is being undertaken to ascertain flooding levels and to ensure the development does not increase flood risk elsewhere and a detailed hydrological assessment will accompany the Development Application.

The property at 75-77 Kellick Street site is not subject to flood risk.

Contamination

The Council-owned properties at 132-138 Joynton Avenue & 140 Epsom Road are contaminated with heavy metals (lead and copper), Polycyclic Aromatic Hydrocarbons (PAHs) and benzene. A Phase 2 Environmental Site Assessment was undertaken in 2008 which included findings from previous studies. It concluded that whilst soil contamination above the NSW Department of Environment and Climate Change (DECC) endorsed assessment criteria had been identified, the sites could be made suitable for redevelopment via remediation and management. Through groundwater testing, the study also found that there is potential for contamination to exist at other site locations, but that the identified groundwater contamination would be unlikely to preclude site suitability for re-development.

Approximately 4,700 square metres of the proposed Gunyama Park is known as the Lincon site, and also has some contamination associated with its past industrial uses. The applicant submitted a Remediation Action Plan (RAP) and Interim Advice Letter as part of the DA for 106-116 Epsom Rd. The site auditor concluded that the site can be made suitable for its proposed use following remediation. The City will need to remediate the rear portion of the site once it has been dedicated and is ready to be redeveloped as Gunyama Park.

Further information and clarification regarding contamination will be a requirement at the detailed Development Application stage for any future development, given the past industrial uses of the sites. Details will also be provided about earth works required as part of the Aquatic Centre Construction and in relation to any basement parking.

There are no known major concerns regarding contamination of the Kellick Street site.

Ecologically Sustainable Development

The Planning Proposal is unlikely to result in changes that will have a significant environmental impact; however it will facilitate development of an Aquatic Centre, a type of facility that is usually a large user of water and energy. In Sydney, aquatic centres owned and operated by councils use around 1,000 megalitres of water a year¹, with three quarters of this being discharged to the wastewater system. Pool heating, equipment and hot water supply require large amounts of energy, and the overall carbon footprint of such a facility can be substantial.

¹ Sydney Water 2011: Best Practice Guidelines for Water Management in Aquatic Leisure Centres.

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The design brief for the Aquatic Centre will include requirements for sustainable design to be built-in to the project, incorporating daylighting, natural ventilation, insulation, energy consumption and carbon footprint, Water Sensitive Urban Design (WSUD) and water reuse.

The future redevelopment of other sites within the Precinct and Kellick Street will be subject to Sydney LEP and DCP 2012 provisions that seek to achieve Ecologically Sustainable Development.

9. Has the Planning Proposal adequately addressed any social and economic effects?

The provision of an Aquatic Centre, playing fields and parklands in Green Square will provide significant positive social and economic benefits to the local area and the wider community in the south of the City. The health benefits to the existing and future community are of particular note and the provision of a hydrotherapy pool and accessible access will ensure the facility can be used by all sectors of the community, including the aged and people with disabilities.

When considered alongside the development of the Green Square Library and Plaza, and the community and creative centre at the former South Sydney Hospital site, the Aquatic Centre facilitated through this Planning Proposal will have a substantial positive long-term effect on community health, wellbeing and cohesion.

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.

The rezoning of the Council's property at 75-77 Kellick St will allow the sale of the property to proceed and the funds to be used specifically for community facilities.

Amenity of public open space

This Planning Proposal seeks to vary the height controls and building envelope for the Epsom Park Precinct, in response to the need to accommodate a stormwater easement in the Precinct. The new alignment of Rose Valley Way has necessitated the realignment of building envelopes to accommodate the easement. This realignment has included consideration of privacy and overshadowing and is unlikely to have additional adverse effects.

The City is also seeking to ensure the Aquatic Centre site is not overdeveloped; and this Planning Proposal proposes to lower the height planes for the site from a maximum of 45 metres to 27 metres. The overall effect will increase amenity, through reduced overshadowing and overlooking to surrounding future development and reduced overshadowing of the public domain.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

The Epsom Park Precinct is relatively well-served by public transport, and is around 800 metres walking distance from the Green Square train station. Once the proposed Zetland Avenue and other streets are developed in the Town Centre, it will be approximately 500 metres walking distance from the station. Regular bus services to the City, Bondi Junction, Eastgardens and Botany are currently available along Joynton Avenue, and services to Zetland, Coogee and Leichhardt are available along Epsom Road. Future additional services are also considered in the Green Square Renewal Area Transport Management and Accessibility Plan 2012, prepared by the NSW Government's Transport for NSW.

Civil and public domain infrastructure to serve the Precinct and the Green Square Town Centre will be progressively delivered with the redevelopment of sites including the Aquatic Centre.

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11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

To be considered as part of the public authority consultation in accordance with Gateway determination.