

ATTACHMENT A

**PREPARATION OF A SITE-SPECIFIC
LOCAL ENVIRONMENTAL PLAN
AND DEVELOPMENT CONTROL PLAN
FOR HAROLD PARK**

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PREPARATION OF A SITE-SPECIFIC LOCAL ENVIRONMENTAL PLAN AND DEVELOPMENT CONTROL PLAN FOR HAROLD PARK

FILE NO: S073215

SUMMARY

The NSW Harness Racing Club (the Club) has submitted a request to the Minister for Planning under s.8 of *State Environmental Planning Policy (Major Projects) 2005* (Major Projects SEPP) for inclusion of the Harold Park Paceway Site (the Site) on Schedule 3 of the Major Projects SEPP as a State Significant Site. This would allow the site to be considered under Part 3A of the *Environmental Planning and Assessment Act 1979*. The Club has stated that the NSW harness racing industry is in a state of decline and it is therefore seeking to relocate from the Site and use the proceeds from its sale to support the industry. The Club has stated that the next three to five years are crucial to the future of the industry and therefore plans to relocate and sell the Site in the short term. The Club is seeking to change the use of the Site to facilitate its sale and eventual urban renewal.

The Site is considered to be a significant urban renewal opportunity. It is a 10.54ha site in single ownership and located approximately 2km from Central Sydney. The Site is directly adjacent to the Glebe foreshore parklands and the Jubilee Park Light Rail Station. The Site offers unique opportunities to deliver the objectives of *Sustainable Sydney 2030*, the Metropolitan Strategy *City of Cities: A Plan for Sydney's Future* and the *Draft Sydney City Subregional Strategy* relating to housing, open space, transport and sustainability.

The site is currently zoned 'open space' under the *Leichhardt Local Environmental Plan 2000*, which limits its potential renewal and the possible accompanying public benefits, such as publicly accessible open space. This report recommends that, as a priority, Council commence the process to prepare a new site-specific Local Environmental Plan (LEP) and Development Control Plan (DCP) to facilitate the urban renewal of the Site. The preparation of the draft LEP and DCP will be informed by a set of planning principles, a suite of technical studies and a program of community consultation.

Even though the City has not received a formal request to rezone the Site and, at the time of writing, the Minister was yet to make a determination on the Club's Part 3A request, it is considered appropriate for Council and the Central Sydney Planning Committee (CSPC) to resolve to prepare a new suite of planning controls as a priority because of the impending relocation of the NSW Harness Racing Club. It is also considered that the Council and CSPC are well placed to plan for the Site for the following reasons:

- the role of the CSPC enables consideration of both local and state issues in the planning process;
- the City of Sydney is currently preparing its consolidated LEP and has the opportunity to take an integrated and inclusive approach to planning for the Site in parallel to preparation of the LEP;
- the CSPC and the City of Sydney have the capacity and experience in planning for major redevelopment and can deliver planning outcomes through a timely and robust process;

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- the City of Sydney has considerable experience and resources to plan for the local area as demonstrated by Sustainable Sydney 2030, the Glebe and Forest Lodge Urban Design Study, City of Sydney Capacity Study and Local Action Plans; and
- the City of Sydney has the resources and experience to consult with a range of stakeholders.

RECOMMENDATION

It is resolved that the City:

- (A) commence the process to prepare *Sydney Local Environmental Plan 2009 – Harold Park*, which will:
 - (i) rezone the Harold Park site in accordance with the planning principles provided in the subject report;
 - (ii) provide site-specific height, FSR and other design controls and objectives for the Harold Park site; and
 - (iii) be a stand-alone, site-specific local environmental plan (LEP) prepared in accordance with the *Standard Instrument (Local Environmental Plans) Order 2006*, and repeal the applicable provisions of the Leichhardt LEP 2000 accordingly;
- (B) notify the Director-General of the Department of Planning of its decision to prepare *Sydney Local Environmental Plan 2009 – Harold Park* in accordance with section 54 of the *Environmental Planning and Assessment Act, 1979* or (if that section is amended) notify the Director-General of the planning proposal in accordance with the Act (as amended); and
- (C) commence the process to prepare a site-specific development control plan (DCP) for the Harold Park site to be titled, “*Sydney Development Control Plan 2009 – Harold Park*”, based on the planning principles described in the subject report, and that this DCP repeal all other relevant DCPs upon coming into effect.

ATTACHMENTS

- Attachment A1:** Correspondence dated 24 April 2009 from the NSW Harness Racing Club
- Attachment A2:** Submission by the City of Sydney to the Department of Planning, 19 May 2009 – Harold Park Paceway Site
- Attachment A3:** Site Plan – Harold Park Paceway Site
- Attachment A4:** Department of Planning Circular No. PS06-015, dated 15 June 2006, titled “Spot Rezoning”

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BACKGROUND

1. On 24 April 2009, the NSW Harness Racing Club Ltd (the Club) wrote to the City informing it that the Club had submitted a request to the NSW Minister for Planning (the Minister) under s.8 of *State Environmental Planning Policy (Major Projects) 2005* (Major Projects SEPP) for inclusion of the Harold Park Paceway Site (the Site) on Schedule 3 of the Major Projects SEPP as a State Significant Site and to authorise the submission of a Concept Plan under Part 3A of the *Environmental Planning and Assessment Act 1979* (EPA Act). Generally, the Club is seeking to change the current land use for the Site to facilitate its urban renewal. The Club's letter is provided at **Attachment A**.
2. In the letter the Club states that the NSW Harness Racing Industry is in a state of decline and is seeking to restructure the industry to protect existing jobs and create new employment opportunities. The Club is planning to relocate to Menangle Park in Sydney's south west and use the proceeds from the sale of the Harold Park Site to improve infrastructure and provide a financial basis for the long term security of the industry. The Club describes the next three to five years as crucial to the future of the industry.
3. The Club has not put forward a firm proposal for the future development and use of the Site after it relocates to Menangle Park. However, it has identified opportunities for urban renewal, possibly including, but not limited to, various types of residential development, educational facilities, public open space, ancillary commercial and retail uses and community facilities. The potential for the urban renewal of the Site to contribute to the range of local and state planning objectives articulated in *Sustainable Sydney 2030*, Metropolitan Planning Strategy: *City of Cities: A Plan for Sydney's Future* (Metro Strategy) and the *Draft Sydney City Subregional Strategy* (Draft Subregional Strategy) is limited by the current zoning of the Site as 'open space' under the *Leichhardt Local Environmental Plan 2000*.
4. On 29 April 2009, the NSW Department of Planning wrote to Council to inform of the Club's request to the Minister and seek comments on the request and any key issues that Council considers to be relevant to the proposal. Council forwarded a submission to the Department of Planning on 19 May 2009 recommending that the City and Central Sydney Planning Committee jointly remain the responsible planning authorities for the site. It highlighted the City's capacity, experience and resources to plan for the site through an inclusive and integrated approach that will achieve the objectives of *Sustainable Sydney 2030* and the *Draft Subregional Strategy*. The City's submission is included at **Attachment B**. At the time of writing the Minister had not made a decision on the Club's request.
5. The City acknowledges the importance of the Site to the NSW harness racing industry and that the Club plans to relocate from the Site, using the proceeds from its sale to support the industry. This report therefore recommends that Council begin the process of planning for the urban renewal of the Site and resolve under s.54 of the EPA Act to prepare a site-specific local environmental plan (LEP) for the site and inform the Director-General of the Department of Planning of the decision to prepare an LEP to facilitate the renewal of the Site.

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The Site

6. The Harold Park Paceway Site is located in the suburb of Forest Lodge approximately 2.5km from Central Sydney and is privately owned by the NSW Harness Racing Club. A map of the Site and its context is included at **Attachment C**. The Site is bounded by Jubilee Park to the north, The Crescent and Minogue Crescent to the west and south west, Wigram Road to the south and Maxwell Road to the east. The Site is approximately 10.54 ha in size, roughly comparable to half the site area of Barangaroo or twice the site area of the former Carlton United Brewery Site. The site generally falls from south to north towards Rozelle Bay. It is irregular in shape and up to about 250m wide along the approximate east-west axis and about 500m long along the approximate north-south axis. The eastern boundary of the site is formed by the sandstone escarpment from early quarrying activities.
7. The Site can generally be divided into two parts. The Paceway and associated activities and structures occupy most of the Site, while at the northern end of the Site is the former Rozelle Tram Sheds, listed as a heritage item on *Leichhardt LEP 2000*. The Paceway comprises an 800m track with parking, infield and staging areas; a large 3,000 seat grandstand that is approximately 20m high along the east side of the track; and the administration buildings and stabling facilities to the north east of the track. The Tram Sheds portion of the Site features a number of structures fronting a concrete apron. The Former Car Shed (c.1904) is a large face brick saw-tooth roof building in the north east corner of the Site, there is a large cast iron water tank above the Shed and Federation period office and amenities buildings along the south eastern side of the Shed. An 'avenue' of fig trees along the northern boundary of the Tram Sheds site is listed as a landscape heritage item on *Leichhardt LEP 2000*. The Johnston's Creek stormwater channel runs below the north west corner of the track. Current vehicular access is from Ross Street to the south, The Crescent and Nelson Street to the west and Maxwell Street to the east.
8. The Site is surrounded by the suburbs of Glebe, Forest Lodge and Annandale. These suburbs generally comprise late 19th and early 20th century residential development, with small scale commercial and retail uses and some remnant industrial uses. The Site is within 1km of the commercial centres at Glebe Point Road and Annandale, Sydney University and Royal Prince Alfred Hospital. Approximately 13ha of open space and parkland, comprising Federal, Jubilee and Bicentennial Parks at the head of Rozelle Bay, is located to the north of the Site but is separated from the Site by the rail viaduct. The Jubilee Park Light Rail Station is also located adjacent to the northern end of the Site and is directly accessible from the Site. St Scholastica's College is located to the east of the Site across Maxwell Street.

Strategic Plans

9. The two key strategic plans that provide high level guidance and inform future planning for the Site and urban renewal throughout the local government area generally are *Sustainable Sydney 2030* and the *Draft Subregional Strategy*.

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10. *Sustainable Sydney 2030* outlines the City's vision for a 'green, global and connected' City and sets targets, objectives and actions to achieve that vision. The actions of *Sustainable Sydney 2030* assume the continuation of the current uses and do not specifically envisage the renewal and reuse of the Site. Nevertheless, the potential urban renewal of the Site creates opportunities to contribute to various objectives for housing, the environment, transport, sustainable development, walking and cycling, including the following:
 - (a) *Objective 2.2: Reduce waste generation and stormwater pollutant loads to the catchment.*
 - (b) *Objective 3.1: Support and plan for enhanced access by public transport from the Sydney Region to the City of Sydney.*
 - (c) *Objective 4.1: Develop a network of safe, linked pedestrian and cycle paths integrated with green spaces throughout both the City and Inner Sydney.*
 - (d) *Objective 8.1: Facilitate the supply of housing by the private market.*
 - (e) *Objective 8.2: Ensure that housing developments provide a diversity of housing opportunities for different lifestyle choices and household types.*
 - (f) *Objective 8.4: Facilitate and promote growth in the 'affordable housing' sector including by Not-for-Profit (NFP) and other housing providers.*
 - (g) *Objective 9.1: Ensure renewal areas make major contributions to the sustainability of the City.*
 - (h) *Objective 9.2: Define and improve the City's streets, squares, parks and open space, and enhance their role for pedestrians and in public life.*
 - (i) *Objective 9.5: Ensure new development is integrated with the diversity and 'grain' of the surrounding City.*
11. The State Government's *Draft Subregional Strategy* sets directions and actions for the implementation of the Metro Strategy at a more detailed local level. Subregional planning provides a framework for coordinating planning, development, infrastructure, transport, an open space network and environmental actions across local and state government agencies. Similar to *Sustainable Sydney 2030*, the *Draft Subregional Strategy* does not specifically identify the Site in terms of its urban renewal opportunities. It does recognise the Site, or the Paceway use, as a 'Tourism Attraction' and a 'sports/active park'. It also includes an action (SC F2.2.4) for the City to consider upgrading and enhancing Harold Park (and Wentworth Park). It is considered that the *Draft Subregional Strategy* merely describes the current function of the Site as a paceway, rather than plan for its urban renewal. Notwithstanding, it is also considered the urban renewal of the Site presents opportunities to contribute to the following 'key directions' articulated in the *Draft Subregional Strategy*:
 - (a) *Plan for sustainable development of major urban renewal projects;*
 - (b) *Plan for housing choice;*
 - (c) *Develop an improved and increasingly integrated transport system that meets the subregion's multiple transport needs; and*

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- (d) *Improve the quality of the built and natural environment while aiming to decrease the subregion's ecological footprint.*

- 12. In particular, it is considered that the size and strategic location of the Site provides an opportunity to significantly contribute to the City's housing targets as set by the State Government.

Current Planning Controls

- 13. The *Leichhardt LEP 2000* is the applicable planning instrument for the Site. Under the *Leichhardt LEP 2000*, the Site is within the 'open space zone'. The current zoning applies to open space for active and passive uses that is in public or private ownership. The zoning generally permits recreation areas and facilities, playgrounds, ancillary sporting structures, clubs, public amenities, community facilities and the like and prohibits all other development. Although the Site is zoned open space, it is currently not openly accessible to the public. It is considered that the current zoning does not allow for renewal or the creation of publicly accessible open space such that it would contribute to the strategic objectives of *Sustainable Sydney 2030* and the *Draft Subregional Strategy*.
- 14. The City is currently preparing City Plan 2009, a comprehensive LEP for the LGA which will consolidate various planning instruments that currently apply to the City in accordance with the *Standard Instrument (Local Environmental Plans) Order 2006*. At the meeting on 2 June 2008, Council noted the approach and proposed zoning map and zoning tables for the draft City Plan LEP, as outlined in a report addressing the 'Conversion of Existing Zones into Standard Instrument Compliant Zones'. The report and zoning map proposed that Harold Park be rezoned to 'SP1 Special Activities (Racecourse)', as it is a private recreation space and that zoning will more appropriately recognise the current activities on the Site.
- 15. The City also prepared a series of Urban Design Studies to inform the City Plan including the *Glebe and Forest Lodge Urban Design Study* (2006). The Site was discussed in the context of the 'Western Parklands Precinct' and the Study noted the potential to adaptively reuse the former Tram Sheds for cultural/recreation uses and improve the access, amenity, safety and security of the Site.

Planning Principles

- 16. Preparation of the draft LEP and DCP will be guided by a series of broad planning principles for the Site. These planning principles have been prepared by City staff, in consultation with the Department of Planning staff, and would be further refined throughout the planning process. The proposed planning principles for the renewal of the Site are:
 - (a) **Housing:** Provide housing that contributes to subregional and local housing targets for market and affordable housing. Housing will be diverse in type, size, form and design, providing for a range of housing needs, including aging in place, affordable housing, social housing, families, students and adaptable and accessible housing.

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- (b) **Heritage:** Conserve and adapt significant fabric, including the tram sheds, moveable heritage and other structures, to provide a viable and ongoing use of the place that is integrated with the surrounding land uses and allows for the public appreciation of the place's heritage significance. The historic uses of the Site, including the historic relationship between the Paceway and the Glebe community, will be creatively interpreted as an integral part of the design brief. The Site will be integrated with adjoining heritage conservation areas through a sympathetic design approach at the interface.
- (c) **Open space:** Provide publicly accessible open space that extends and connects existing adjoining open space, recognising the Site's shape, topography and the importance of Johnston's Creek and Rozelle Bay. Open space will provide for recreational uses for the local community; it will be adaptable for community and public uses and provide a focus point for new community, commercial and retail uses on the Site. Open space will integrate with the existing public transport network, key public access points and environmental sustainability principles.
- (d) **Sustainability:** Implement best practice ESD principles in design and construction and allow for the ongoing sustainable use of buildings to reduce greenhouse gas emissions, reduce potable water use, reduce waste and improve the local ecosystem, including enhancing remnant vegetation and landscape features and creating a natural habitat to support wildlife. Development of the Site will take a whole of catchment approach to water cycle management integrating the provision of open space with opportunities for water sensitive urban design that manages water onsite, reduces pollutants flowing to the harbour, improves waterway health and reduces potable water use.
- (e) **Transport and Access:** Prioritise sustainable transport opportunities, including walking and cycling, by maximising access to Jubilee Park Light Rail Station and connecting with surrounding areas, public transport and nearby centres and activity hubs. The proposed Liveable Green Network connecting the Glebe foreshore to the Southern part of the City with pedestrian and cycle ways will be integrated with the open space. Access will be integrated with the surrounding area by extending the existing street pattern. The provision of car parking on the Site will be minimised, having regard to the City-wide parking policy which addresses accessibility to public transport and services and car sharing pods.
- (f) **Built Form and Design:** Demonstrate design excellence across a suite of diverse architectural responses, each with a unique architectural 'hand'. Buildings will have a diverse design, grain and pattern, with active frontages and articulated elevations. The development will be of a compatible scale at its interfaces with Glebe and Annandale, including a small cluster or strip of shops with a village plaza, square or park and serving local housing. At its edge, development will be integrated with the characteristic built form of Glebe and Annandale. The bulk, scale and location of buildings will consider local views into, over, through and from within the Site, conserving significant views and implementing principles of 'view sharing' where relevant.

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- (g) **Community and Culture:** Integrate appropriate community facilities within the Site, possibly as part of the adaptation of the tram sheds. During planning and development, allow for the tram sheds and other structures to accommodate interim cultural and community uses, where appropriate and practical. Provide public art in open space that explores the place: its environment, history and people.
- (h) **Economic Life:** Allow for development that fits within the Metro Strategy centres framework, such that the scale of non-residential uses should not detract from the economic development of nearby Centres and Activity Hubs. This would generally consist of locally orientated, fine grain retail and commercial floor space serving the Site and directly adjoining areas and providing opportunities for local or specialised small business.
- (i) **Planning and Implementation:** Undertake an integrated planning process to ensure the balance of local and state planning objectives and assess economic potential to deliver the stated public benefits. The planning process will involve an analysis of issues and opportunities with the local community and other stakeholders actively involved in all stages of the process. The provision of public benefits (tram sheds adaptation, open space, affordable housing, cycle ways) will be coordinated with the development of the Site. The provision of affordable housing should be realised through partnerships between public, private and not-for-profit organisations, including affordable housing providers that can access State and Federal affordable housing funds.

KEY IMPLICATIONS

Preparation of Sydney Local Environmental Plan 2009 – Harold Park

- 17. It is recommended that Council and the CSPC commence the process to prepare a site-specific LEP for Harold Park, to be known as *Sydney Local Environmental Plan 2009 – Harold Park*. A site-specific LEP would rezone the Site and provide height, FSR and other design controls and objectives in accordance with the planning principles provided earlier in this report, which would be further informed by the outcomes of the technical studies and the community engagement program.
- 18. The following technical studies would be required as a minimum to help inform the preparation of the draft LEP:
 - (a) **Planning Justification Report:** The study would be prepared by a suitably qualified planning consultant and include a full justification for the rezoning and analysis of planning and land-use issues;
 - (b) **Urban Design Study:** A suitably qualified urban designer would examine appropriate built form for the Site, including proposed building envelopes, open space provision, heights and FSRs;
 - (c) **Traffic, Transport and Accessibility Study:** This study would be prepared by a suitably qualified transport consultant to provide advice regarding the proposed road layout for the Site, integration with the existing road network, analysis of any local traffic impacts resulting from redevelopment and advise of opportunities to integrate the redevelopment of the Site with the local light-rail network;

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- (d) **Heritage Impact Study:** This study would be prepared by a suitably qualified heritage consultant and advise of any heritage impacts on significant heritage items on the Site, such as the tram sheds, movable heritage, archaeology, and advise of suitable adaptive reuses;
 - (e) **Floodplain Risk Management Plan and Water Sensitive Urban Design Study:** To be prepared by a suitably qualified flood engineer in accordance with the principles and guidelines of the *Floodplain Development Manual 2005*. This plan would also examine opportunities for water sensitive urban design;
 - (f) **Contamination Study:** Prepared by a suitably qualified environmental consultant to advise of any remediation works necessary to make this Site suitable for a change of land use;
 - (g) **Economic Impact Study:** Prepared by a suitably qualified economic consultant, this study would advise of a suitable scale of non-residential uses so as to have minimal impacts on surrounding commercial centres; and
 - (h) **Open Space and Community Facilities Study:** Prepared by a suitably qualified consultant to provide advice on the provision of open space and community facilities on the Site.
19. The statutory LEP preparation process incorporates a minimum public exhibition period of 28 days to allow community input into a draft LEP. However, given the significance of this Site and the potential impacts on the surrounding community, it is critical that the LEP preparation process incorporate a detailed and comprehensive community consultation program that goes beyond the minimum statutory requirements. The proposed community consultation program is discussed later in this report.
20. It is proposed that the LEP be a stand-alone, site-specific LEP prepared in accordance with the *Standard Instrument (Local Environmental Plans) Order 2006*, and that it repeal the applicable provisions of the *Leichhardt LEP 2000* accordingly. It is not proposed to amend the *Leichhardt LEP 2000*, as it is considered that the existing zones and controls in this LEP are inadequate to deal with the complexities of this Site.
21. The Department of Planning's current position on LEPs, such as the type described in this report, is found in the Department of Planning Circular No. PS06-015, dated 15 June 2006, titled "Spot Rezoning" (see copy at **Attachment D**). The Circular states that when considering whether to resolve to prepare a draft LEP, the City must address a number of questions. These questions have been addressed in the table below.

Department of Planning Criteria	Council Response
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg, land release, strategic corridors, development within 800 metres of a transit node)?	Yes, the LEP will provide for increased housing and employment opportunities on a significant renewal site that is strategically located within 2km of Global Sydney, within 1km of the village at Glebe, directly adjacent to Jubilee Park Light Rail Station and within 1km of the Sydney Education and Health Precinct.

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Department of Planning Criteria	Council Response
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (section 117) directions?	The <i>Draft Sydney City Subregional Strategy</i> identifies this Site as a “sports/active park” and “tourism attraction”. The draft strategy also identifies at Action F2.2.4 that the City should consider future upgrade and enhancement of Harold Park and investigate future open space opportunities. It is considered that the draft strategy simply describes the current use of the Site, rather than planning for its potential to be a major renewal site capable of delivering housing and employment opportunities, as well as additional publicly accessible open space. Preliminary discussions with the Department of Planning indicate support for urban renewal of this Site, rather than maintaining and enhancing the existing paceway. In terms of providing housing and employment opportunities in a key strategic location, it is considered that the LEP is generally consistent with the broader planning principles of the Draft Strategy. It is also considered that the draft LEP will be generally consistent with State and regional policies and Ministerial (section 117) directions. Further technical work to demonstrate this is also proposed as a part of the LEP preparation process.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The LEP applies to a significant renewal site that is strategically located within 2km of Global Sydney, within 1km of the village at Glebe and within 1km of the Sydney Education and Health Precinct.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	By allowing urban renewal of this Site, the LEP will facilitate the retention of 29,000 jobs regionally in the Harness Racing Industry. The LEP will facilitate permanent employment generating activity by allowing some mixed use and commercial development on the Site. There will be no loss in employment lands as defined in the <i>Draft Sydney City Subregional Strategy</i> (Categories 1 and 2).
Will the LEP be compatible/complementary with surrounding land uses?	Yes, the LEP will be compatible with surrounding land uses, which is predominantly medium density housing and open space. A number of technical studies are proposed, which will ensure any proposed development is complementary with surrounding land uses. Council also proposes to undertake a comprehensive community consultation program so as to ensure the redevelopment will respond to the surrounding community’s needs and expectations.

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Department of Planning Criteria	Council Response
Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?	No, it is considered that the LEP will not create a precedent. This is because this Site is considered to be a unique renewal site given its size and strategic location. The current land owner has approached both Council and the Department of Planning seeking consideration to change its current land use. This LEP process will enable Council to work with this land owner to provide for the urban renewal of this Site. It will not change the expectations of other land holders given the unique circumstances surrounding this Site.
Will the LEP deal with a deferred matter in an existing LEP?	No. This is not applicable to the LEP.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The City is currently considering 2 other LEP amendments, both of which are located in Central Sydney and relate predominantly to changing height limits for new towers. Given that the subject LEP is dealing with a major renewal site outside of Central Sydney, it is considered that these 2 LEP amendments are significantly different. Given this, it is considered that there will be no adverse cumulative impacts as a result of these 3 LEPs, should they all proceed.

22. It is considered that the proposed draft LEP adequately satisfies the Department's criteria, as demonstrated in the table above.
23. Should Council and the CSPC resolve to prepare *Sydney Local Environmental Plan 2009 – Harold Park*, the City will notify the Director-General of the Department of Planning of this decision in accordance with s.54 of the EPA Act. Further details and explanation of these criteria will be provided in notifying the Director-General of the Department of Planning.

Preparation of *Sydney Development Control Plan 2009 – Harold Park*

24. In support of the site-specific LEP described above, it is also proposed to prepare a site-specific DCP for this Site titled, *Sydney Development Control Plan 2009 – Harold Park*. The DCP would be based on the planning principles described earlier in this report, as well the outcomes of the technical studies and the community engagement program.
25. Similar to the LEP, it is proposed that this be a stand-alone, site-specific DCP, as it is considered that the provisions of the existing Leichhardt DCP are inadequate to deal with the complexities of this Site.
26. It is proposed that the DCP would cover such matters as:
 - (a) transport, traffic and access;
 - (b) building design, massing and form;
 - (c) nature of retail and commercial development;

- (d) desired future character of the Harold Park precinct;
- (e) building frontage alignment and setbacks;
- (f) heritage conservation;
- (g) sustainability and water sensitive urban design;
- (h) public domain controls; and
- (i) amenity controls.

BUDGET IMPLICATIONS

27. Preparation of the technical studies and conducting the community engagement program can be accommodated within the existing budget.

RELEVANT LEGISLATION

28. Part 3 of the *Environmental Planning and Assessment Act, 1979*.

CRITICAL DATES / TIME FRAMES

29. The Club has noted that the next three to five years are crucial for the future of the harness racing industry in NSW and will be looking to vacate and sell the Site in the short term. The commencement of the LEP making process is therefore considered to be a priority, so that necessary consideration can be given to the planning process while responding to the needs of the Club.

PUBLIC CONSULTATION

30. Given the complexity of the Site, a community engagement program is proposed prior to the statutory exhibition period for the draft LEP and DCP. This will involve at least two community meetings at the following stages:
- (a) **Site Analysis:** After preliminary analysis and work on the technical studies has been completed, a community meeting would be held to inform participants of the opportunities and constraints associated with the Site and discuss key issues.
 - (b) **Preferred Planning Option:** Once the preferred planning option has been developed, a community meeting would be held to seek feedback and input on the preferred option.
31. Under the provisions of the EPA Act, a statutory exhibition period of 28 days minimum is required; a further community consultation meeting could be held during the statutory exhibition period.

MICHAEL HARRISON

Director City Strategy and Design

(Roy Laria, Manager Strategic Planning
Benjamin Pechey, Specialist Planner)