

**ITEM 3. HAROLD PARK REZONING****FILE NO: S073215****MINUTE BY THE LORD MAYOR**To Council:

Harold Park is a key urban renewal site within the City of Sydney, which provides an opportunity to provide public open space and needed housing, new jobs, sustainable transport and conserve important heritage - the historic tram sheds.

In 2009, Council and the Central Sydney Planning Committee (CSPC) resolved to commence the process to rezone the Harold Park Paceway and Former Rozelle Tram Depot Site and prepare new planning controls to guide the urban renewal of the site.

The City, working with the Department of Planning and the CSPC, prepared a set of draft planning controls, which were informed by a comprehensive community consultation program involving a series of workshops and online submissions. Our Plan balances community needs and amenity, while helping the City to meet residential and worker targets set by the State Government and by Sustainable Sydney 2030.

Importantly, research and consultation identified the opportunity a network of publicly accessible open space. Although the site is currently zoned 'open space', it is privately owned and not publicly accessible. Currently, 35% of the site consists of inaccessible, privately-owned open space. Our Plan would ensure that the same amount of land becomes public open space that is well-connected and sustainable.

In addition to over a third of the site being dedicated as public open space, the proposal provides for a balanced development of 1,200 dwellings, including at least 50 affordable housing units. The buildings will be three to eight storeys in height, which is no higher than the cliff-top two to three storey terrace houses in Glebe, and is in keeping with the predominant built form of Glebe cliff-top terraces while stepping development down to Annandale.

Following development of the controls, the CSPC and Council resolved to proceed with the proposed rezoning, subject to a Planning Agreement requiring the dedication of 35% of open space, 50 affordable housing units and 500 square metres of space for community uses.

The NSW Harness Racing Club has provided a response to the proposed Planning Agreement. The Club agrees with almost all terms set by Council, and has suggested some amendments that do not change the key planning principles endorsed by Council and CSPC. Staff consider these amendments acceptable and I attach a report to Council recommending that the Council prepare a Draft Planning Agreement to be exhibited concurrently with a Planning Proposal for the Harold Park site.

**RECOMMENDATION**

It is resolved that Council note the attached report (Attachment A) and endorse its recommendation that:

- (A) Council authorise the Chief Executive Officer to prepare a Draft Planning Agreement with the site owner in accordance with the *Environmental Planning and Assessment Act 1979*, to be exhibited concurrently with any Planning Proposal or Draft Development Control Plan for the site, within the following terms:
- (i) maximum floor space ratio of 1.25:1 across the entire site;
  - (ii) dedication of 3.8 hectares (35 per cent of the site) of public open space, free of cost to Council, and ensure that the open space is consistent with the provisions in *Draft Sydney Development Control Plan (Harold Park) 2010*, including the following:
    - (a) it is well connected;
    - (b) it is continuous and a predominantly consolidated area in which divisions by roads are minimised;
    - (c) it is laid out such that it could accommodate a range of active and passive uses, including a sports field; and
    - (d) all demolition, drainage and remediation works carried out such that the site is suitable for public recreation;
  - (iii) dedication of 1,000 square metres of land for affordable housing that is sufficient to construct a 5,000 square metre residential flat building, free of cost to Council;
  - (iv) dedication of 500 square metres of floor space within the tram sheds for community uses refurbished to meet relevant building codes and including the provision of base building services, free of cost to Council;
  - (v) payment of \$8M in development contributions indexed in accordance with the Consumer Price Index: All Groups Index for Sydney; and
  - (vi) essential infrastructure on the site to be provided by the developer at no cost to Council including roads, pedestrian pathways and drainage works;
- (B) subject to the site owner making an offer in writing to enter into a Planning Agreement in accordance with the terms identified in clause (A):
- (i) Council endorse the *Planning Proposal: Sydney Local Environmental Plan (Harold Park) 2010*, as shown at Attachment A to the Report at Item 3 of the Planning Development and Transport Committee Meeting on 19 July 2010, for Community Consultation and that this be made publicly available for 28 days in accordance with section 57 of the *Environmental Planning and Assessment Act 1979* and the Gateway Determination, shown at Attachment C to aforementioned report, and request that the Director-General, Department of Planning, approve the form of the Planning Proposal under section 57(2) of the *Environmental Planning and Assessment Act 1979*;

- (ii) Council prepare and publicly exhibit the *Draft Sydney Development Control Plan (Harold Park) 2010*, as shown at Attachment B to the Report at Item 3 of the Planning Development and Transport Committee Meeting on 19 July 2010, concurrently with the *Planning Proposal: Sydney Local Environmental Plan (Harold Park) 2010* for a minimum period of 28 days following the Director-General's approval of the form of the Planning Proposal under section 57(2) of the Environmental Planning and Assessment Act 1979;
- (iii) authority be delegated to the Chief Executive Officer to make minor amendments and corrections to *Planning Proposal: Sydney Local Environmental Plan (Harold Park) 2010*; and
- (iv) authority be delegated to the Chief Executive Officer to make the following amendments to *Planning Proposal: Sydney Local Environmental Plan (Harold Park) 2010*:
  - (a) Drafting Instructions and Maps are amended to provide a Floor Space Ratio of 1.25:1 across the whole site; and
  - (b) Drafting Instructions are amended to ensure the BASIX Bonus does not cause a reduction in total development yield provided all residential development achieves the proposed BASIX targets; and
- (v) authority be delegated to the Chief Executive Officer to make minor amendments and corrections to Draft Sydney Development Control Plan (Harold Park) 2010, or any changes necessary to ensure its consistency with the Planning Proposal when publicly exhibited.

**COUNCILLOR CLOVER MOORE MP**

Lord Mayor

**ATTACHMENTS**

**Attachment A:** Report entitled Rezoning of Harold Park Paceway and Former Rozelle Tram Depot – Delegation to Finalise Terms of a Draft Planning Agreement